

PART II

CHAPTER

10



Land Use Regulations

Sections:

- 10.1 Purpose
- 10.2 Land Use Regulations
- 10.3 Supplemental Use Regulations

10.1 Purpose

This chapter establishes the permitted and conditionally permitted uses within Downtown.

10.2 Land Use Regulations

Table 10.2-1, “Land Use Regulations,” sets the permitted and conditionally permitted uses for zoning districts within Downtown. Use classifications are defined in Chapter 14.02.060 of the City’s Land Use and Development Code. In cases where a specific land use or activity is not defined, the Community Development Director may determine that the use or activity is permitted if it is found that it will further the purpose and intent of the DDSG to support active storefronts, housing opportunities, and/or walkability. In such cases, the Community Development Director shall assign the land use or activity to a classification that is the most similar in character. Land uses not listed in Table 10.2-1, and not substantially like the uses in the table, are prohibited.

Numbers in parentheses within Table 10.2-1 refer to the Supplemental Use Regulations in Section 10.3. References in the right-hand column are to the City’s Land Use and Development Code, except where otherwise noted. Additional guidance related to the DHPD Overlay is contained in DTSP Part II, Chapter 13, “Historic District Standards and Guidelines.”

TABLE 10.2-1: LAND USE REGULATIONS										
“P” = permitted use; “M” = minor use permit required; “C” = conditional use permit required; “-” = use not allowed										
Zoning Districts	DNL	DNM	DNH	DMU (1)	DC	DGC	DPF (2)	DPR	DCS	Additional Regulations
Land Use Classification										
Residential Uses										
Residential Housing Types	See sub-classifications below									
Single-Unit Dwelling, Detached	P	M	-	-	-	-	-	-	-	
Single-Unit Dwelling, Attached	P	P	P	P	P/C (3)	P	-	-	-	See Section 14.09.270.150, “Residential Uses in Commercial and Employment Districts”
Duplex	P	P	P	P	P/C (3)	-	-	-	-	
Multi-unit Dwelling	P	P	P	P	P/C (3)	P	-	-	-	See Section 14.09.270.150, “Residential Uses in Commercial and Employment Districts”
Accessory Dwelling Units	P	P	P	P	P	-	-	-	-	See Section 14.09.270.040, “Accessory Dwelling Units”
Mixed-Use	-	-	-	P	P	P	-	-	-	
Live/Work	-	P	P	P	P	P	-	-	-	
Group Residential	-	P	P	P/C	P/C (3)	-	-	-	-	
Small Residential Care Facilities	Small residential care facilities and transitional and supportive housing constitute a residential use, and are subject only to those restrictions that apply to other residential uses of the same type in the same district.						-	-	-	
Supportive Housing							-	-	-	
Transitional Housing							-	-	-	
Public/Semi-public Uses										
Colleges and Trade Schools	-	-	-	M	M/C (3)	M	P	-	-	
Commercial Parking Lots and Structures	-	-	-	M	M/C (3)	M	P	-	-	
Community Assembly	-	-	-	C	C (3)	M	P	P	-	

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Zoning Districts	DNL	DNM	DNH	DMU (1)	DC	DGC	DPF (2)	DPR	DCS	Additional Regulations
Land Use Classification										
Cultural Institutions	-	-	-	C	C (3)	M	P	P	-	
Day Care Centers	M	M	M	P	P	P	P	-	-	
Emergency Shelter	-	-	-	C	C (3)	C	C	-	-	
Government Offices	-	-	-	P	P/C (3)	P	P	-	-	
Hospitals and Clinics	See sub-classification below									
Clinic	-	-	-	P	P/C (3)	P	P	-	-	
Instructional Services	-	-	-	M	M	P	P	-	-	
Park and Recreation Facilities	P	P	P	P	P	P	P	P	P	
Public Safety Facilities	C	C	C	C	C	C	P	-	-	
Public and Charter Schools	-	-	-	-	-	-	P			
Commercial Uses (4)										
Adult-Oriented Business	-	-	-	-	-	P	-	-	-	See Section 14.09.270.050, “Adult-Oriented Businesses”
Animal Care and Boarding	See sub-classifications below									
Pet Day Care	-	-	-	C	C	P	-	-	-	
Veterinary Services	-	-	-	C	C	P	-	-	-	
Automobile/Vehicle Sales and Services	See sub-classifications below									
Automobile Brokerage	-	-	-	-	-	P	-	-	-	
Automobile Rental	-	-	-	-	-	C	-	-	-	
Automobile/Vehicle Sales and Leasing, New Vehicles	-	-	-	-	-	C	-	-	-	
Automobile/Vehicle Sales and Leasing, Used Vehicles	-	-	-	-	-	C	-	-	-	

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Zoning Districts	DNL	DNM	DNH	DMU (1)	DC	DGC	DPF (2)	DPR	DCS	Additional Regulations
Land Use Classification										
Automobile/Vehicle Service and Repair, Minor	-	-	-	-	-	P	-	-	-	
Automobile/Vehicle Service and Repair, Major	-	-	-	-	-	C	-	-	-	
Service Stations	-	-	-	-	-	M	-	-	-	
Washing	-	-	-	-	-	M	-	-	-	
Banks and Financial Services	-	-	-	C	C (3)	M	-	-	-	
Business Services	-	-	-	P	P	P	-	-	-	
Commercial Entertainment and Recreation	See sub-classifications below									
Cinema/Theater	-	-	-	P	P	P	-	-	-	
Indoor Sports and Recreation	-	-	-	P	P	P	P	P	-	
Outdoor Entertainment	-	-	-	-	-	C	C	C	-	
Outdoor Sports and Recreation	-	-	-	-	-	C	P	P	-	
Eating and Drinking Establishments	See sub-classifications below									
Bars/Nightclubs/Lounges	-	-	-	M (5)	M (5)	M (5)	-	-	-	See Section 14.09.270.060, “Alcoholic Beverage Sales”
Restaurant	-	-	-	P/M (6)	P/M (6)	P/M (6)	-	-	-	See Section 14.09.270.060, “Alcoholic Beverage Sales”
Tasting Room	-	-	-	P	P	P	-	-	-	See Section 14.09.270.060, “Alcoholic Beverage Sales”
Farmers’ Markets	M	M	M	P	P	P	P	P	-	See Section 14.09.270.090, “Farmers’ Markets”
Food Preparation	-	-	-	-	P	P	-	-	-	
Funeral Parlors and Interment Services	-	-	-	-	-	P	-	-	-	

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Zoning Districts	DNL	DNM	DNH	DMU (1)	DC	DGC	DPF (2)	DPR	DCS	Additional Regulations
Land Use Classification										
Hookah Lounge	-	-	-	M (5)	M (5)	M (5)	-	-	-	
Lodging	-	-	-	P	P	P	-	-	-	
Offices	See sub-classifications below									
Business, Professional, and Technology	-	-	-	P	P/C (3)	P	-	-	-	
Medical and Dental	-	-	-	P	P/C (3)	P	-	-	-	
Personal Services	-	-	-	P	P	P	-	-	-	See Chapter 9.07, “Massage Therapy Regulations,” of the Municipal Code
Repair and Maintenance Services, Consumer Products	-	-	-	-	-	C	-	-	-	
Retail Sales	See sub-classifications below									
Building Materials and Supply Stores	-	-	-	-	-	P	-	-	-	
Food and Beverage Sales	-	-	-	P	P	P	-	-	-	
General Retail and Merchandise	-	-	-	P	P	P	-	-	-	
Nurseries	-	-	-	C	C	P	-	-	-	
Industrial Uses										
Custom and Artisan Manufacturing	-	-	-	P	P	P	-	-	-	Must contain a minimum 100 square feet of retail floor area
Food and Beverage Manufacturing	See sub-classification below									
Small Scale	-	-	-	M	M	P	-	-	-	

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Zoning Districts	DNL	DNM	DNH	DMU (1)	DC	DGC	DPF (2)	DPR	DCS	Additional Regulations
Land Use Classification										
Transportation, Communication, and Utility Uses										
Communication Facilities	See sub-classifications below									
Facilities within Buildings	-	-	-	C	P/C (3)	P	-	-	-	
Telecommunication	See Section 14.09.270.160, "Telecommunication Facilities"									
Public Works and Utilities	-	-	-	C (7)	C (3)(7)	C (7)	P (7)	C (7)	C (7)	
Transit Stations and Terminals	-	-	-	C	C	C	P	-	-	
Agricultural Uses										
Urban Agriculture	See sub-classifications below									
Community Garden	P	P	P	P	P	P	P	P	-	See Section 14.09.270.180, "Urban Agriculture"
Market Garden, less than 1 acre in size	P	P	P	P	P	P	-	-	-	See Section 14.09.270.180, "Urban Agriculture"
Market Garden, 1 acre or more in size	M	M	M	M	M	M	-	-	-	See Section 14.09.270.180, "Urban Agriculture"
Other Uses										
Accessory Uses and Structures	See Section 14.09.270.030, "Accessory Uses," and Section 14.09.200.020, "Accessory Structures"									
Animal Keeping	See Section 14.09.270.070, "Animal Keeping"									
Drive-Through Facility	See Section 14.09.270.080, "Drive-Through Facility"									
Family Day Care	See Section 14.09.270.090, "Family Day Care"									
Home Occupations	See Section 14.09.270.110, "Home Occupations"									
Outdoor Dining and Seating	See Section 14.09.270.120, "Outdoor Dining and Seating"									
Outdoor Display and Sales	See Section 14.09.270.130, "Outdoor Display and Sales"									
Nonconforming Uses	See Section 14.09.220, "Nonconforming Uses, Sites, and Structures"									
Temporary Uses (8)	See Section 14.09.270.170, "Temporary Uses"									

10.3 Supplemental Use Regulations

The following supplemental use regulations correspond to the numbers in parentheses in Table 10.2-1, “Land Use Regulations.”

1. **Use Requirement, DMU District.** All developments within the DMU District shall contain a minimum of two different types of uses, one of which shall be residential. Development may be in a vertical mixed-use configuration combining different uses in the same building, or in a horizontal mixed-use configuration combining single-use buildings in a range of uses within a single project or block.
2. **Discontinued Use, DPF District.** If a use is discontinued or abandoned, and the public agency owning the facility determines that the site is no longer needed for public use, the Planning Commission shall hold a public hearing in accordance with the provisions of Section 14.04.030.010, “Public Hearing Procedure and Notice,” of the City’s Land Use and Development Code. The Planning Commission shall consider the appropriate rezoning of the site and shall forward a recommendation to the City Council.
3. **Priority Pedestrian Frontages, DC District.** Priority pedestrian frontages have been designated along key streets within the DC District as illustrated in **Figure 10.3-1**. These frontages give priority to active ground-floor uses that promote continuous and concentrated pedestrian interactions and flow. Encouraging active uses and transparency along priority pedestrian frontages will encourage more foot traffic in Downtown, allowing more people to support restaurants, retail shops, and other businesses. (See DTSP Part I, Chapter 4, “Development Framework,” for additional discussion of priority pedestrian frontages.)

To support the above intent, the following non-active uses are prohibited on the ground floor when directly fronting a priority pedestrian frontage:

- a. Single-Unit Dwelling, Attached
- b. Duplex
- c. Multi-unit Dwelling
- d. Group Residential
- e. Colleges and Trade Schools
- f. Commercial Parking Lots and Structures
- g. Community Assembly
- h. Cultural Institutions
- i. Emergency Shelter
- j. Government Offices
- k. Clinics
- l. Banks and Financial Services
- m. Offices, Business, Professional, and Technology
- n. Offices, Medical and Dental
- o. Communication Facilities within Buildings
- p. Public Works and Utilities

The above uses may be approved elsewhere on the ground floor along a priority pedestrian frontage through a conditional use permit pursuant to Chapter 14.09.300, "Use Permits," of the City's Land Use and Development Code. In such cases, the decision maker shall find that: (1) the use does not directly front on the priority pedestrian frontage and is fully wrapped by other permitted uses along the frontage; and (2) approval of the conditional use permit will further the purpose and intent of the DDSG.

4. **Drive-Through Businesses, DMU and DC Districts.** Drive-through businesses are not allowed in the DMU and DC Districts.
5. **Bars/Nightclubs/Lounges, Safety Plan.** Bars, nightclubs, and lounges in Downtown require approval of a minor use permit pursuant to Chapter 14.09.300, "Use Permits," of the City's Land Use and Development Code. The minor use permit shall be accompanied by a safety plan identifying measures to enhance the safety and security of patrons, employees, and the general public and reduce the potential for illegal activities. The safety plan shall be developed within the context of the larger DTSP safety framework, and shall be approved by the Vacaville Police Department.
6. **Restaurants, DMU, DC, and DGC Districts.** Restaurants without a bar or lounge and restaurants where less than one-third of the customer service floor area is devoted to the sale and consumption of alcoholic beverages, and where alcoholic beverages are served only during hours of full food service operation, are permitted. Restaurants with bar or lounge areas that compose more than one-third of the customer service floor area, and/or that serve alcoholic beverages outside hours of full food service operation, require approval of a minor use permit pursuant to Chapter 14.09.300, "Use Permits," of the City's Land Use and Development Code. The minor use permit shall be accompanied by a safety plan approved by the Vacaville Police Department.
7. **Public Works and Utilities, DMU, DC, DGC, DPF, DPR, and DOS Districts.** Public works and utility uses shall be fully enclosed within a building or enclosure.
8. **Pop-Up Uses.** Temporary gallery, retail, and other pop-up uses may be approved by the Community Development Director in accordance with Section 14.09.270.170, "Temporary Uses," of the City's Land Use and Development Code.

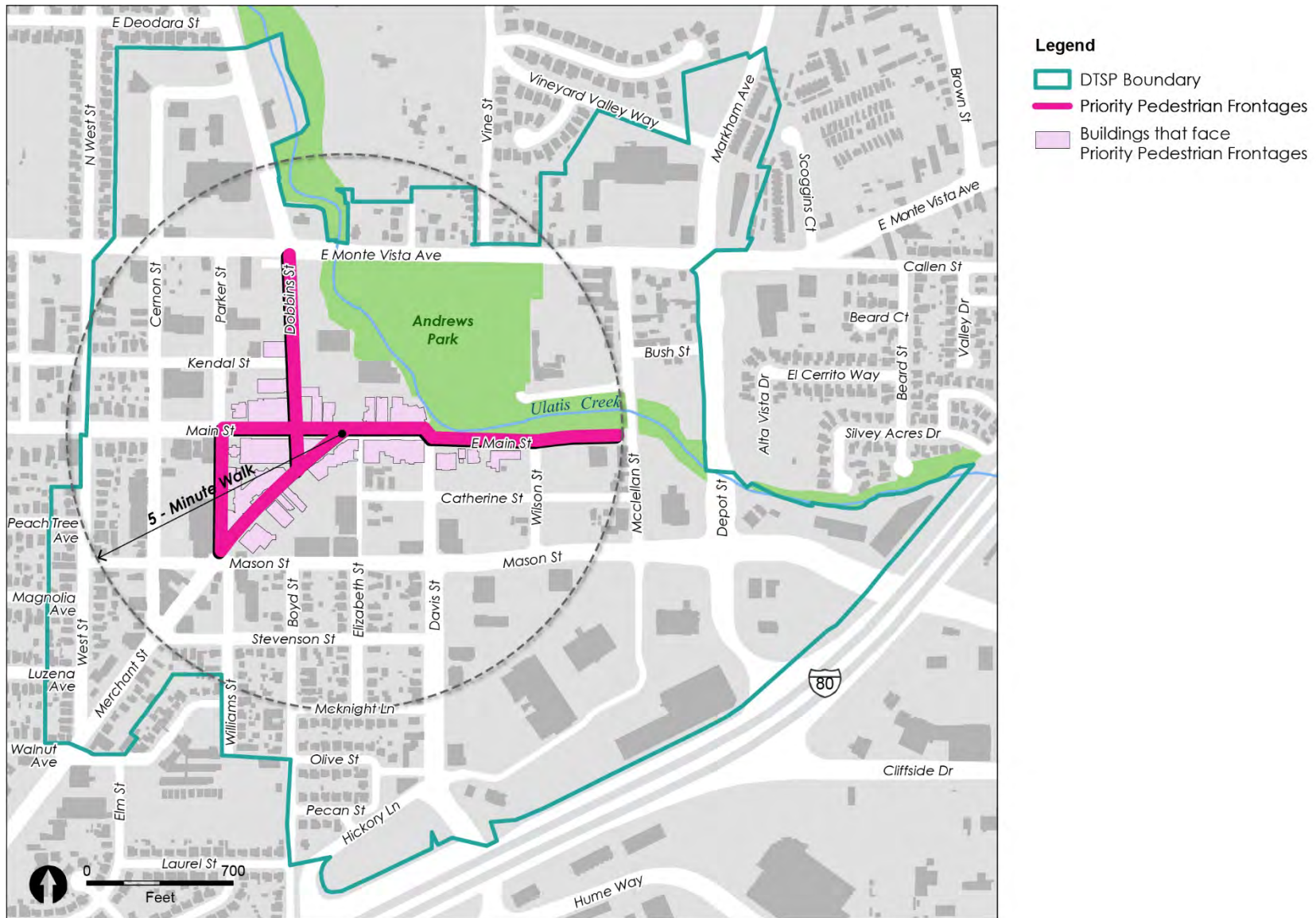


Figure 10.3-1: Priority Pedestrian Frontages

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