

**ORDINANCE NO. 15-15 N.S.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND AMENDING  
CHAPTER 15.04 OF THE RICHMOND MUNICIPAL CODE RELATED TO  
EMERGENCY SHELTERS, TRANSITIONAL HOUSING AND SUPPORTIVE  
HOUSING**

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WHEREAS, on January 1, 2008, the Governor of the State of California signed into law Senate Bill 2 (SB2), a bill amending Section 65583 of the Government Code mandating certain approaches to the local regulation of emergency shelter and of transitional and supportive housing; and

WHEREAS, State Housing Element law requires local planning and zoning regulations to facilitate emergency shelters, and in particular, SB2 requires all cities and counties to provide at least one zoning category in which emergency shelters can be located without discretionary approval from the local government; and

WHEREAS, Government Code Section 65583(a)(5) requires that a housing element demonstrate that transitional and supportive housing are permitted as a residential use and subject to only those restrictions that apply to other residential dwellings of the same type in the same zone, which also is required in order to be eligible for streamlined Housing Element review and certify the City's Housing Element; and

WHEREAS, the City's Housing Element has a program H-1:1.4 titled Compliance with State Law to continually monitor changes in State Housing law to ensure City regulations are in compliance; and

WHEREAS, the City's Housing Element program H-3.6.2 titled Zoning Ordinance Amendments to Comply with SB2, calls for amending the Zoning Ordinance to facilitate emergency shelters and ensure that transitional and supportive housing uses are considered residential uses subject to those restrictions and requirements applying to other residential uses of the same type and in the same zone; and

WHEREAS, on January 1, 2014, Government Code Section 65582 was amended to replace prior Health and Safety Code definitions of supportive housing, target population, and transitional housing with definitions more specific to housing element law (SB745); and

WHEREAS, it is the intent of the City to implement federal and state housing laws and policies and programs contained In the City of Richmond's General Plan, including the Housing Element; and

WHEREAS, on April 23, 2015, the Planning Commission of the City of Richmond ("Commission") held a duly noticed public hearing to consider the proposed zoning text amendments, and adopted Resolution 15-14 recommending that the City Council adopt the proposed amendments; and

WHEREAS, on May 5, 2015, the City Council of the City of Richmond held a duly noticed public hearing to consider the proposed amendments, and heard testimony regarding the proposed amendments; and

WHEREAS, the City Council reviewed the agenda report and all oral and written information presented at the hearing; and

WHEREAS, the City Council finds and determines the adoption of this Ordinance is exempt from California Environmental Quality Act (CEQA) per the State CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the activity in questions may have a significant effect on the environment. The proposed zoning text amendments will not have an impact on the environment because they do not directly facilitate new development, or changes in the type and intensity of land use.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND does ordain as follows:

**SECTION I.** Section 15.04.020 entitled "Definitions" of the Richmond Municipal Code is hereby amended as follows:

**15.04.020 - Definitions.**

For the purpose of this chapter, certain terms and words are herewith defined below. If any of these definitions are in conflict with the provisions of Title 24 of the State of California Building Code, then the requirements of Title 24 shall govern.

1. "Abutting" means two or more lots or parcels of land having a common border or being separated from such a common border by a right-of-way, alley or easement. Parcels having no common boundary other than a corner shall not be considered abutting.

"Access" means the place, means or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this chapter.

3. "Access driveway" means a driveway that provides access into and through a parking area from a street access point, provides access to the parking aisles, or provides interior circulation among parking areas.
4. "Accessory building" or "use" means a building or use which is clearly incidental or subordinate to and serves the principal building or use located on the same lot.
5. "Addition" means an extension or increase in floor area or height of a building or structure.
6. "Additive district" means district classification which can be used in conjunction with another district to accomplish a specific purpose.
7. "Administrative review" means permit/project review, approval or disapproval by the Planning Director or his/her designee.
8. "Adult business" means any commercial activity, whether conducted intermittently or full time, which primarily involves the sale, display, exhibition or viewing of books, magazines, films, videos, photographs or other materials, distinguished or characterized by an emphasis on matter depicting, describing or relating to human sex acts, or by an emphasis on male or female genitals, buttocks or female breasts. Such activity includes adult book stores, adult arcades, adult movie theaters, sexual encounter establishments, adult cabarets, massage parlors and adult theaters, which exclude minors by virtue of age.
- 8.1. "Adult vocational school" means an educational institute admitting only persons 16 years of age and older and providing a curriculum designed to develop the necessary skills for a specific job, industry or career.
9. "Alley" means a public or private permanently reserved thoroughfare less than 16 feet but not less than 10 feet in width, other than side street, which has been dedicated or deeded to the public for public use as a secondary means of access to abutting properties.
10. "Alteration" means any change, addition or modification in construction or occupancy of an existing structure or use.
11. Alteration, structural. "Structural alteration" means a change, in the exterior appearance or the supporting members of a structure, such as bearing walls, columns, beams or girders.
12. "Amendment" means a change in the wording, context or substance of the zoning ordinance, or a change in the district boundaries on the zoning map.
13. "Amusement/recreational service" means any commercial activity whether conducted intermittently or full-time which is primarily used for physical recreation or entertainment. The phrase "amusement services," includes any billiard or pool hall, bowling alley, boxing arena, dance hall, arcade, shooting gallery and any similar commercial activity which is conducted within a building or screened from public view by solid fencing. Miscellaneous amusement services include physical fitness facilities, golf courses, amusement parks, membership sports and recreation clubs, etc.

14. Animal, domestic. See "domestic animal."
15. "Antenna" means any system of wires, panels, poles, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic signals. Does not include any support structure upon which an antenna is mounted.
- 15.1. "Antenna structure" means any structure, including a pole, mast, or tower, whether free-standing or mounted on another building or structure, that supports an antenna or an array of antennas. The height of an antenna structure is measured to the highest point of any antenna mounted thereon, or the antenna structure supporting the antenna, whichever is higher.
- 15.2. "Antique store" means a retail business engaged in buying and selling antiques which consist of old objects such as china or furniture considered valuable because of their age, beauty or rarity. All business activity and storage shall be conducted within a building.
16. "Apartment house" means any building or portion thereof which contains three or more dwelling units.
- 16.1. "Applicant (or project applicant)" means any entity or person who applies for a discretionary land use permit as provided in Chapter 15.04
- 16.2. "Approved radio frequency expert" means a person or firm specializing in radio frequency wireless telecommunications technology, including wireless site design, retained by the City at the applicant's sole expense to perform work as provided herein.
17. "Attached structure" means a structure having at least 5 linear feet of wall serving as a common wall with the structure to which it is attached, or connected thereto by a continuous roof at least 8 feet wide.
18. "Automobile" means any self-propelled, motorized vehicle used, intended to be used, or (originally) designed to be used for the transportation of people upon a street or highway, but not including any vehicle designed for travel on stationary rails or tracks. As used in this chapter, "automobile" includes motorcycles and light trucks with a capacity rating not exceeding one ton, and any (travel) trailer (designed to) which can be towed by any of the above-described vehicles.
19. "Automobile body repair" means a business operated in a building or part thereof where repairs, alterations or replacements are made to automobile and truck bodies and related components. Typically, these activities include welding, frame straightening or painting, as well as minimal trim work (e.g., installation or replacement of mirrors, upholstery, decorative trim or striping).
20. "Automobile parts sales" means a business operated in a building, where parts for automobiles, from sources off-site, are sold.
21. "Automobile repair" means a business operated in a building or part thereof where automobiles are repaired or reconditioned. Such repair shall be limited to mechanical and electronic systems only. Painting (which requires a spray booth), repair or alterations to automobile body parts or frame shall not be

allowed. Minimal trim work (e.g., installation or replacement of mirrors, upholstery, decorative trim or striping) is allowed.

Vehicles being repaired may be retained for more than 24 hours but not longer than 30 days.

22. "Automobile sales" means a business engaged in the sale of used or new automobiles. Automobile repair may be permitted on the premises as an ancillary activity.
23. "Automobile service station" means any business or premises engaged in the sale of gasoline and other fuel products, including biofuel and biodiesel, and/or light maintenance activities such as engine tune-up, lubrication and minor repairs. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, body fender work or storage for more than a 24 hour period are conducted.
24. "Automobile storage" means the storage of a motor vehicle for a period in excess of 24 hours without repairs or maintenance being required.
25. "Automobile wrecking/salvage" means the removal of part(s) from an automobile and/or retention of said automobile from which its part(s) have been removed for the purpose of reuse, sale or disposal; and/or the dumping of dismantled or wrecked automobiles or their parts. This business is normally conducted in the nonbuilding space of the premises and there are present at least two or more automobiles or parts that have been retained for a period longer than 24 hours.
- 25.1. "Available space" means the space on a tower or structure to which antennas of a personal wireless provider are both structurally able and electromagnetically able to be attached.
26. "Balcony" means a platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade or parapet.
27. "Banks/depository financial institutions" means a business enterprise involved with the deposit and exchange of money and services related to the financial system.
28. "Bar" means any business wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded therefrom by law. It shall not mean a business wherein such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of said beverages comprises less than 25% of the gross receipts.
- 28.1. "Base station facility" means the primary sending and receiving site in a wireless telecommunications network, including all radio-frequency generating equipment connected to antennas. More than one base station and/or more than one variety of personal wireless service provider can be located on a single tower or structure.

29. "Basement" means any floor level below the first story in a building. A basement, when designed for or occupied for commercial purposes or as a separate dwelling unit shall be considered a story.
30. "Bath house" means a business which engages in providing sauna baths, water baths, showers, steam rooms or steam baths, or any other body cleansing and toning arrangement wherein an attendant accompanies the customer into the room or facility.
31. "Bed and breakfast inn" means a house, or portion thereof, where short-term lodging rooms with/or without meals are provided for compensation. The operation of the inn shall be on the premises or in adjacent premises.
- 31.1. "Biodiesel" means a fuel comprised [comprised] of mono-alkyl esters of long fatty acids derived from vegetable oils or animal fats, designated B100, and meeting the requirements of ASTM D 6751 or, for biodiesel to be shipped outside of United States, the specification for biodiesel fuel commonly used in the country where it will be shipped for use as fuel or blend stock. "Biodiesel facilities" refer to any site or building used for the refinement, production, storage or distribution of biodiesel, first generation biofuel, second generation biodiesel, or third generation biodiesel as defined below.
- 31.2. "Biofuel" means a fuel (if cultivated, then also called agrofuel or agrifuel) which is broadly defined as solid, liquid, or gas fuel consisting of or derived from recently dead biological material, most commonly plants.
- a. "First generation biofuels" refer to biofuels made from sugar, starch, vegetable oil, or animal fats using conventional technology. The most common first generation biofuels are: 1) vegetable oil; 2) biodiesel; 3) bioalcohols; 4) biogas; 5) solid biofuels such as wood, grass cuttings, domestic refuse, charcoal and dried manure; 6) syngas.
  - b. "Second generation biofuels" refer to biofuels made from a variety of non-food crops, including waste biomass, the stalks of wheat, corn, wood, and special energy-or-mass crops (i.e. Miscanthus).
  - c. "Third generation biofuels" refer to biofuels derived from algae.
  - d. "Biofuel facilities" refer to any site or building used for the refinement, production, storage or distribution of biofuels, first generation biofuels, second generation biofuels, or third generation biofuels as defined above.
32. Boarding House. See "rooming house."
33. "Building" means any structure having a roof supported by columns or walls.
34. "Building Code" means any ordinance of the City of Richmond's Municipal Code Article VI governing the type and method of construction of buildings, signs, and sign structures and any amendments thereto and any substitution thereof, including but not limited to Title 24.
35. Building Coverage. See "lot coverage."

36. "Building frontage" means the linear dimension, parallel to the ground, of that side of a building facing on a public street.
- 36.1. "California Public Utilities Commission ("CPUC")" means the government agency responsible for regulating utilities in California.
- 36.2. "Camouflaged facility" means a wireless communications facility located so as to be of minimal visibility, such as being incorporated within an architectural feature such as a steeple or parapet, or in the open but disguised as a tree or other natural feature.
37. "Carport" means any detached accessory building, or an accessory portion of a principal building having either none, 1, 2 or 3 walls, roof, and no vehicle entrance door; designed to be used primarily for the shelter and storage of motor vehicles owned or operated by the occupants of the principal building.
- 37.1. "Carrier on wheels" or "cell on wheels ("COW")" means a portable self-contained wireless communications facility that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW may be vehicle-mounted, self propelled, or towed. COWs do not include mobile news vehicles operated by news gathering organizations accredited by any local government.
38. "Cemetery" means land used or intended to be used primarily for the burial of deceased persons or animals and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of the cemetery.
- 38.1. "Certification" means a certificate by an approved radio frequency expert that a facility will be designed, and at all times operated, in full compliance with current FCC guidelines for human exposure to radio frequency emission, considering both the controlled/occupational and uncontrolled/general population limits.
- 38.2. "Coin dealer" means any person, firm, partnership, or corporation whose principal business is the buying, selling and trading of coins, monetized bullion, or commercial grade ingots of gold, silver or other precious metals.
- 38.3. "Co-location" means the use of a wireless communications facility by more than one (1) personal wireless service provider.
39. "Commercial filming studio" means an enterprise engaged in the production, distribution or exchange of motion picture photography at the same location more than six days per quarter of a calendar year.
- 39.1. "Commercial grade ingots" means 0.99 fine ingots of gold, silver, or platinum, or 0.925 fine sterling silver art bars and medallions, provided that the ingots, art bars and medallions are marked by the refiner or fabricator as to their assay fineness.
40. "Commercial use" means an occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee. The operation and

facilities necessary thereto or private firms engaged in the distribution of goods, the provisions of services, or the administration of business.

41. "Commission" means the Planning Commission of the City of Richmond.
42. "Common area" means a parcel or parcels of land, together with the improvements thereon, which are shared by several owners in common.
43. "Conditional use" means a use that is generally compatible with other uses permitted in a zoning district, but that requires individual review of its location, design, configuration, and intensity and density of use and structures, and may require the imposition of conditions pertinent thereto to ensure the appropriateness of the use at that particular location. The Planning Commission shall have responsibility for the review of conditional uses.
44. Condominium, Residential. See "apartment house."
45. "Congregate care facility" means a facility providing full-time care, either permanently or temporarily, for those persons unable to live independently, due to age, physical or developmental disability or medical disability. Congregate care facilities include the following state-authorized or licensed operation:
  - a. Congregate Care Facility, Limited. Facilities providing care for 6 or fewer children or adults housed in a single-family residential unit; and
  - b. Congregate Care Facilities, General. Facilities providing care for 7 or more children or adults.
46. "Convenience store" means a retail establishment offering the sales of food, beverages, medicine, and small convenience items, primarily for off-premises consumption and typically found in establishments with long or late hours of operation. Off-sale of alcoholic beverages requires the approval of a conditional use permit.
47. "Council" means the City Council of Richmond.
48. "Court" means a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on 3 or more sides by walls of a building and/or buildings.
49. "Coverage, lot or site" means the percentage of a site covered by a roof, soffit, trellis, eave or overhang extending more than 2.5 feet from a wall and by a deck more than 30 inches in height.
50. "Day care facility" means a facility which provides nonmedical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. Child day care facilities include day care centers and day care homes. Refer to definitions for both.
  - a. Day Care Center. Any child day care facility other than a family day care home. Includes infant care centers, preschools, and extended day care facilities.



- b. Day Care Home. A licensed home which is authorized, certified or licensed by the State of California which regularly provides care, protection and supervision of 12 or fewer children in the provider's own home, for periods of less than 24 hours per day. The number of children shall include children under the age of 10 who reside at the provider's home.
  - c. Day Care Home, Limited. A licensed facility which provides day care to 6 or fewer children.
  - d. Day Care Home, General. A licensed facility which provides day care for 7 to 12 children.
51. "Deck" means a platform less than 30 inches above grade, either freestanding or attached to a building.
  52. "Density" means the number of dwelling units per net acre.
  53. "Depth" means the linear distance between the front and rear property lines of a site measured along a line midway between the side property lines.
  54. "Domestic animals" mean small animals of the type generally accepted as pets that are customarily kept for personal use or enjoyment within the home or yard, such as dogs, cats, rabbits, canaries or parrots.
  55. Drinking Establishment. See "bar."
  56. "Dwelling" means any building or portion thereof which contains not more than two dwelling units.
  57. "Dwelling, multiple-family" means a building or portion thereof containing three or more dwelling units.
  58. "Dwelling, single-family, attached (duplex, townhouse, zero lot line developments)" means 1 or 2 or more dwelling units situated on separate lots and having a common or party wall separating the dwelling units.
  59. "Dwelling, single-family, detached" means a detached building containing a single dwelling unit and surrounded by open space on the same lot.
  60. "Dwelling unit" means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by Title 24 of the State of California Uniform Building Code, for not more than one family.
  61. "Dwelling unit, second" means a detached or attached dwelling unit accessory to a principal dwelling which provides complete independent living facilities for one or more persons and is in compliance with Section 15.04.810.030 of this chapter.
  62. "Eating establishment" means an establishment engaged in the sale of prepared foods and/or nonalcoholic beverages primarily for on-premises consumption.
  63. "Eating establishment (fast food)" means an establishment that offers quick food and nonalcoholic beverage service, which is accomplished through a

limited menu of items already prepared and held for service or prepared, fried, or grilled quickly, or heated in a device such as a microwave oven. The food is generally served in disposable wrapping or containers and the establishment may operate for late hours and may offer drive-up, drive-through or curbside service.

- 63.1. "Eating establishment with alcoholic beverage sales" means any eating establishment which also engages in the sale of alcoholic beverages. Alcoholic beverage sales shall be limited to no more than 25% of the gross sales of the eating establishment. There shall be no off-site alcoholic beverage sales allowed.
- 64. "Educational institution" means an institution giving general academic instruction equivalent to the standards prescribed by the State Board of Education.
- 65. "Emergency shelter" means housing with minimal supportive services that is designed for and occupied by homeless persons that is limited to occupancy of six (6) months or less in a consecutive 12 month period. No individual or household may be denied emergency shelter because of an inability to pay.
- 66. "Engineering, management, public administration and related offices" mean offices for any of the following uses: accountant, architect, attorney, chiropractor, optometrists, chiropodist, management, sales and service engineer, planner, surveyor, dentist, physician, psychiatrist, surgeon, and similar uses.
- 66.1. "Equipment shelter" means a structure designed principally to enclose equipment used in connection with a wireless communications facility.
- 67. "Erect" means to build, construct, attach, place, suspend or affix to or upon any surface. Such term shall also include the painting of wall signs.
- 68. "Family" means one or more persons living as a single, housekeeping unit in a dwelling unit as distinguished from a group occupying a hotel, club, shelter, fraternity or sorority house. A family includes any servants.
- 68.1. "Federal Communication Commission ("FCC")" means the government agency responsible for regulating telecommunications in the United States.
- 69. "Fence" means a barrier or wall of any material or combination of materials erected for any purpose, such as to physically separate properties, provide privacy, security or confinement.
- 70. "Floor area, gross" means the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vents, shafts, courts and loading. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the useable area under the horizontal projection of the roof or floor above.
- 71. "Floor area ratio (FAR)" means the gross floor area of all buildings on a lot divided by the building site area.

72. "Frontage" means all the property fronting on one side of a street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or City boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.
73. "General merchandise stores" means on-premises retail sale or rental of goods for personal or household use, including clothing and department stores, and excludes sale or rental of motor vehicles, automotive parts or accessories, or materials for construction except for paint, small fixtures, and hardware establishments retailing to the consumer.
- 73.5 "Gold and silver dealer" means the operation of a gold and silver business, either stand alone or in conjunction with the operation of a retail store (e.g., jewelry store, or similar store), which results in 20 percent or more of their gross business receipts being derived from the purchase of gold and silver or similar items (including but not limited to art objects, flatware, tableware or other household items). This category does not include coin dealers or antique stores.
74. "Grade (adjacent ground elevation)" means the lowest point of elevation of the finished surface, paving or sidewalk within the area between the building and the property line. When the property line is more than 5 feet from the building, the grade will be the lowest point of elevation between the building and a line 5 feet from the building.
75. "Grade, existing" means the surface of the ground or pavement at a stated location as it exists before disturbance in preparation for a project regulated by this chapter.
76. "Group residential" means shared living quarters without separate kitchen or bathroom.
77. "Height of building" means the vertical distance above grade measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of the building along the grade. For structures projecting over water, height will be measured from highest grade at front (landward) property line.
78. "Home occupation" means a business enterprise conducted in a dwelling unit, garage or accessory building in a residential district that is incidental to the principal residential use and which meets the conditions of Section 15.04.810.010.
79. "Hotel" means any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests.
80. "Kennel" means any lot, building or dwelling in which more than three dogs, more than four months of age are kept and any building containing two or more dwelling units, including apartment houses and condominiums, in which more

than two dogs, more than four months of age are kept in any of the dwelling units. (See also Section 15.04.910.080.F.)

81. "Kiosk" means an ancillary, free-standing commercial structure designed for retail sales.
82. "Landscaping" means planting and maintenance of living vegetation, planted in the ground, including some combination of trees, ground cover, shrubs, vines, flowers or lawns. In addition, the combination or design may include natural features such as rock and stone; and structural features, including but not limited to fountains, reflecting pools, art works, screen walls, fences, and benches. Elements of ornamentation such as an archway, piece of statuary, lamp post, and the like, provided as part of the landscaping in a required front or street side yard may exceed three and one-half feet in height but may not exceed two feet in any horizontal dimension, except for archways which may have one dimension of three feet, and such elements shall not cover more than ten percent of the yard area.
83. "Lane" means any public thoroughfare with an overall width of less than 25 feet, which is primarily used to access side and rear entrances to property or affords a secondary means of vehicle access to the street and to abutting property.
84. "Live/work" means an occupancy by an individual or a family maintaining a common household consisting of one or more rooms or floors in a building originally designed for industrial or commercial occupancy or in a new building specifically designed for live/work and which includes the following:
  - a. Cooking and sanitary facilities in accordance with applicable building standards adopted by the City of Richmond; and
  - b. Adequate working space reserved for and used by 1 or more persons residing therein.
85. "Loading area" means an open area, other than a street or alley, used for loading or unloading the contents of vehicles.
86. "Lot" means a parcel of land occupied, or intended to be occupied, by a building, group of buildings or uses, and accessory buildings, together with such open space, yard and setbacks as are required. The parcel must have the minimum area required for a lot in the zone in which such lot is located and having its principal frontage on public street or public right-of-way. The classification of lots are as follows:
  - a. Corner Lot. A lot abutting on and at the intersection of two or more streets.
  - b. Flag Lot. A lot having access or an easement to a public or private street by a narrow, private right-of-way.
  - c. Interior Lot. A lot other than a corner lot.
  - d. Reversed Corner Lot. A corner lot, the side street line of which is substantially a continuation of the front line of the lot to its rear.
  - e. Through Lot. A lot having its front and rear yard each abutting on a street.

87. "Lot area" means the horizontal area within the property lines excluding access corridors, vehicular easements, and areas to be included in future street rights-of-way as established by easement, dedication or ordinance.
88. "Lot coverage" means the percent of the lot area which may be covered by all buildings and structures on a lot. The area of a site covered by buildings or roofed areas, excluding allowed projecting eaves, balconies and similar features.
89. "Lot depth" means the average horizontal distance between the front and rear lot lines.
90. Lot front. See "yard, front."
91. "Lot line" means a line dividing one lot from another lot, street or alley.
92. "Lot width" means the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.
93. "Manufactured housing" means a home built in a factory in one or more sections, certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and installed on a foundation system pursuant to Section 1855 of the Health and Safety Code.
94. "Massage establishment" means any establishment having in whole or in part, a fixed place of business where any individual, firm, association, partnership, corporation or combination of individuals, engages in, conducts or carries on or permits to be engaged in, conducted or carried on, massages, baths, health treatments involving massage or baths as a primary or secondary function, provided that "massage establishment" shall not include establishments where massage is administered in conjunction with the practice of a medical doctor, chiropractor, acupuncturist, physical therapist or nurse. (See also Chapter 9.38 of this Code.)
95. "Medical and dental clinic" means clinic or any institution providing medical or dental care on either an appointment or walk-in or nonappointment basis.
96. "Medical and dental office" means an office providing medical or dental care on an appointment basis only.
- 96.1. "Microcell site" means a small radio transceiver facility comprised of an unmanned equipment cabinet with a total volume of one hundred (100) cubic feet or less that is either under or aboveground, and one omni-directional whip antenna with a maximum length of five feet (5'), or up to three (3) small (approximately 1' x 2' or 1' x 4') directional panel antennas, mounted on a single existing or replacement pole, an existing or replacement conventional utility pole or light standard, or some other similar support structure.
- 96.2. "Mini-storage warehouse" means a storage facility that is characterized by individual separate spaces which are accessible by customers for the storing and retrieval of personal effects and household goods. In no case shall storage

spaces be used for manufacturing, retail or wholesale selling, office or other business services, or human habitation.

97. "Mobile home park" means a mobile home development constructed according to the requirements of Part 2.1 (commencing with Section 18300) of Division 13 of the Health and Safety Code and intended for use and sale as a mobile home condominium or cooperative park, or as a mobile home planned unit development. Any area or tract of land where sites for the placement of mobile homes for human habitation are rented or leased or are reserved for rental or lease.
- 97.1. "Monopole" means a type of free-standing antenna structure that is seventeen feet (17') or more in height and is designed to be self-supporting without the use of guy wires.
98. "Motel" means a building or group of buildings containing six or more guest rooms which are rented or hired out to be occupied or which are occupied for sleeping purposes, typically where a majority of such rooms open directly to the outside, and parking is located adjacent to the room.
99. Multifamily residential. See "dwelling, multifamily."
100. "Nonconforming lot" means a lot which was lawfully subdivided or established, but which does not conform with the minimum site area or site width prescribed in the regulations for the district in which the lot is located by reason of adoption or amendment of this title or by reason of annexation of territory to the City.
101. "Nonconforming structure" means any structure legally constructed or established which fails to conform to the regulations of this chapter, within the district in which it is located by reason of the adoption of this chapter or any amendment hereto or by reason of annexation of territory to the City. Structures not legally established, which fail to conform to the provisions of this chapter, shall be deemed to be illegal structures.
102. "Nonconforming use" means a use legally established that, prior to the enactment of the ordinance codified in this chapter and as existing, fails to conform with the use regulations of the district in which it is located by reason of the adoption of this chapter, or a use which is nonconforming prior to the adoption of this chapter, or any amendment thereto, or by reason of annexation of territory to the City. Uses not legally established, which fail to conform to the provisions of this ordinance, shall be deemed to be illegal uses.
103. "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.
104. "Oil, gas and nonmetallic mineral extraction" means establishments primarily engaged in producing crude petroleum and natural gas; extracting oil from oil sands and oil shale; producing natural gasoline and cycle condensate; producing gas and hydrocarbon liquids from coal; and mining, quarrying or exploring for nonmetallic minerals.

105. "Open space" means any outdoor area not located within a required front or side setback which is intended to provide light and air, and to be used exclusively for leisure and recreational purposes.
106. "Open space, common" means an open area within a residential development reserved for the exclusive use of the residents of the development and guests.
107. "Open space, private" means a usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.
108. "Parking garage, private" means a building or a portion of a building, in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept but not for repair thereof.
109. "Parking garage, public" means any garage other than a private garage.
110. "Parking lot" means off-street parking area not within a building where motor vehicles may be stored for the purposes of temporary, daily or overnight parking.
111. "Parking space" means an unobstructed, permanently reserved and clearly delineated area or space other than a street or alley maintained for the parking of one motor vehicle.
- 111.05. "Pawnbroker" means any person, co-partnership, firm, or corporation in possession of a valid pawnbroker's license (California Financial Code Section 2030-2043) whose business includes buying, selling, trading, "taking in pawn," accepting for sale on consignment, accepting for auctioning, or auctioning secondhand tangible personal property. The key difference between a pawnbroker and secondhand dealer is that a pawnbroker loans money for tangible personal property while a secondhand dealer does not. "Pawnbroker" does not include coin dealers, antique stores, auctioneers or reconditioning and selling household appliances.
- 111.06. "Pawnshop" means a business engaged in conducting, managing or carrying on the business of pawn brokering or loaning money, which includes buying, selling and taking in pawn tangible personal property.
- 111.1. "Permittee" means a person or entity who has procured a lawfully issued City permit to construct and/or operate a wireless communications facility.
- 111.2. "Personal communications services ("PCS")" means those services provided pursuant to 47 C.F.R. § 24 et seq.
112. "Personal services" means services of a personal convenience nature, as opposed to products, sold to individual consumers and include the provision of information, individual instruction, beauty and barber shops, laundry and cleaning services and similar services.

- 112.1. "Personal wireless service provider (or provider)" means an entity licensed by the FCC to provide personal wireless services to individuals or institutions and who has been issued a permit under Section 15.04.890
- 112.2. "Personal wireless services" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. The services include: cellular services, PCS, specialized mobile radio services, and paging services.
113. "Planned residential group" means two or more grouped residential dwellings that may deviate from standard area, yard, height, parking or fencing requirements, whose design and site layout have been approved through a conditional use permit process by the Planning Commission. (See Section 15.04.910.080D for description of approval process.)
114. "Processing facility" means a building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-users specification, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:
- a. A light processing facility occupies an area of under 45,000 square feet of gross collection, processing and storage area and has up to an average of two (2) outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
  - b. A heavy processing facility is any processing facility other than a light processing facility.
115. "Public hearing" means a noticed meeting where the public is provided an opportunity to comment and file testimony on a matter under consideration prior to official action being taken.
116. "Public utilities, major" means generating plants, electrical substations, switching buildings, refuse collection processing, recycling or disposal facilities, water or waste treatment plants, and similar facilities of public agencies or public utilities.
117. "Public utilities, minor" means utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines and underground water and sewer lines.
- 117.1. "Radio-frequency emission" means electromagnetic emission in the frequency range of 300 kHz — 300 gigahertz (GHz).
- 117.2. "Radio-frequency emissions evaluation" means the calculation of radio-frequency emission levels from antennas utilizing the FCC's OET Bulletin 65.



118. "Recreational vehicle" means any vehicle or trailer designed, or modified for use as a camp car, camper, motor home, house car, trailer, trailer coach, boat, boat trailer, snowmobile, snowmobile trailer, camping trailer, or for any similar purpose.
119. "Recyclable material" means recyclable material is reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous material as defined in Section 15.04.820.020. Recyclable material may include used motor oil collected and transported in accordance with Sections 25250.11 and 25143.2(b)(4) of the California Health and Safety Code.
120. "Recycling facility" means a center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of materials generated by that residential property, business or manufacturer. Recycling facilities may include the following:
- a. "Recycling collection facility" means a collection facility for the acceptance by donation, redemption, or purchase of recyclable material from the public. Such a facility does not use power-driven processing equipment except as provided for in particular zoning districts. Collection facilities may include the following:
  - b. Large Recycling Collection Facility. Occupies an area of more than 500 square feet, or is on a separate property not appurtenant to a host use, and which may include permanent structures.
  - c. Small Recycling Collection Facility. Occupies an area of not more than 500 square feet and may include a mobile unit; collection box; bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet, kiosk type units which may include permanent structures; unattended containers placed for the donation of recyclable materials.
  - d. "Reverse vending machine" means an automated mechanical device which accepts at least one or more types of empty beverage containers including, but not limited to, aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the State. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine.

121. "Religious assembly uses" means the operation of nonsecular facilities, such as churches, temples, synagogues, and related playgrounds, centers and halls for social, educational, religious and recreational activities.
122. "Rooming or boarding house" means any building or portion thereof other than a hotel where lodging is available for permanent occupancy and is provided with or without meals for 5 or more persons for compensation. Definition includes clubs, fraternities and sororities, etc.
123. "Ridge line" means the elongated crest of a slope or line of intersection at the top between opposite slopes.
124. "Satellite dish" means a device incorporating a reflective surface that is solid, open, mesh or bar configured and in the shape of a shallow dish, cone, horn or cornucopia. Such device is used to transmit and/or receive radio or electromagnetic signals to and from an orbiting satellite. This definition is meant to include but is not limited to what are commonly referred to as satellite earth stations, TVROs (television reception only satellite dish antennas) and satellite microwave antennas.
125. "School" means a facility that provides a curriculum of elementary and secondary academic instruction, including kindergartens, elementary schools and secondary (junior high and high) schools.
- 125.1. "Secondhand dealers" consist of any person, co-partnership, firm, or corporation or other entity whose business includes buying, selling, trading, accepting for sale on consignment, accepting for auctioning, or auctioning secondhand tangible personal property, subject to the definition and exclusions set forth in Business and Professions Code Section 21626. Typical uses include "cash for gold" businesses, pawnbrokers, and pawnshops, but exclude jewelry stores. It does not include people who buy and sell second hand articles as defined and regulated in Chapter 7.60 and close-out sales in Chapter 7.24 of the Richmond Municipal Code, and does not include any business owned and operated by a charitable, nonprofit entity.
126. "Senior housing" means new or rehabilitated dwellings units which are exclusively used by persons of 55 years of age or older and provide common recreational or social facilities.
127. "Setback" means a required, specified distance between a building or structure and a lot line or lines, measured perpendicularly from the lot line or lines in a horizontal plan extending across the complete length of said lot line or lines.
- 127.1. "Significant gap" means a geographic area of the City of Richmond of at least one acre in which the existing radio frequency signal level of a particular wireless carrier applying for a permit under Section 15.04.890 of this Code is less than the minimum signal strength required by the FCC. A significant gap must be truly significant and not merely individual dead spots within a greater service area. Gaps in coverage that are less than one acre in area but are claimed by the applicant to be significant shall be proved by clear and

convincing evidence. The burden of objectively demonstrating a significant gap rests with the applicant for a permit under Section 15.04.890

128. Single-family Residential. See "dwelling, single-family, attached or detached."

129. "Slope" means the vertical distance divided by the horizontal distance. Slope calculations shall be based on accurate topographic survey maps of the following minimum standards:

(1) For parcels up to 10 acres in size, the map scale shall be not less than one inch equals 50 feet; and

(2) For parcels over 10 acres in size, not less than one inch equals 100 feet. Maximum contour intervals shall conform to the following table:

Slope	Under 5%	5%—20%	Over 20%
Interval	2N	5N	10N

Exclusion of Areas from Slope Calculations. In determining average slope, the applicant may exclude portions of the site. No more than three such portions of a site may be excluded from these calculations. Areas excluded must:

(A) Be delineated using five or fewer straight lines and may in addition include the property line;

(B) Remain undeveloped and a deed restriction assuring this provision, in a form acceptable to the City, must be recorded;

(C) Have a management plan for open spaces developed in consultation with the fire department and a natural open space expert, and approved by the City. The plan shall include but not be limited to: fire fuel control, provision of host plants for wildlife, and protection and enhancement of stream areas.

130. "Standard Industrial Classification (SIC) system" means the classification of establishments by type of activity which is determined by its principal product or group of products produced or distributed, or services rendered. The purpose of the system is to facilitate the collective tabulation, presentation and analysis of data relating to the establishments. This system is detailed in the Federal Office of Management and Budget's Standard Industrial Classification Manual, as amended.

131. "Story" means that portion of a building included between the surface of any floor and the surface of the floor next above except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If there is no floor above it, then the space between such floor and the ceiling next above it shall be considered a

story. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet above grade for more than 50 percent of the total perimeter or is more than 12 feet above grade at any point, such usable or unused under-floor space shall be considered as a story.

132. "Street" means any thoroughfare or public way not less than 16 feet in width which has been dedicated or deeded to the public for public use. "Street" includes avenue, court, circle, way, drive, boulevard, highway, road, parkway, and any other thoroughfare, except an alley or lane as defined herein.
- a. Minor Streets. For the purposes of this chapter, minor streets shall be defined as all streets having a right-of-way width of 59 feet or less per the standards of the Public Works Department or as designated by the City Council.
  - b. Collector Streets. For the purposes of this chapter, collector streets shall be defined as all streets having a right-of-way width of 60 feet or more per the standards of the Public Works Department or as designated by the City Council.
- 132.1. "Structurally able" means the determination that a tower or structure is capable of carrying the load imposed by the proposed antennas under all reasonably predictable conditions as determined by professional structural analysis.
133. "Structure" means anything constructed or erected which requires a location on the ground.
134. "Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community, where no onsite medical care is provided (See Congregate Care Facility for onsite medical care). Supportive housing shall be subject only to those requirements and restrictions that otherwise apply to the other residential uses of the same type permitted in the same zoning district it is located in (i.e., Single-Family Residential).
135. "Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Development Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adult aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.
136. "Temporary use building" means a use or building which will be in existence either seasonal or for a period of 6 months or less.

137. "Tower" means a structure situated on a nonresidential site that is intended for transmitting or receiving television, radio or telephone communications.
138. Townhouse. See "dwelling, single-family, attached."
139. "Trailer" means a vehicle without motor power, designed so that it can be drawn by a motor vehicle, to be used for human habitation or for the transporting of personal property.
140. "Transition zone," also known as the buffer zone, means the area of the Ford Peninsula bounded by I-580 on the north, Harbour Way South on the west, Marina Way South on the east and Hall Avenue on the south excluding the Marina Way Properties, LLC site (Exhibit A Transition/Buffer Zone).
141. "Transitional housing" means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time, that shall be no less than six months from the beginning of the assistance. Transitional housing shall be subject only to those requirements and restrictions that otherwise apply to the other residential uses of the same type permitted in the same zoning district it is located in (i.e. Single-Family Residential).
142. "Truck terminal" means an area or building where cargo is stored and where trucks load and unload cargo on a regular basis.
143. "Use, civic" means a use operated exclusively by a public agency; such use having the purpose of serving the public health, safety, or general welfare.
144. "Use, semipublic" means a use operated by a private nonprofit, educational, religious, cultural, charitable or medical institution; such use having the purpose primarily of serving the general public health, safety and welfare.
145. "Variance" means a discretionary permit allowing a departure from specific provisions of a zoning ordinance such as setbacks, side yards, frontage requirements, and lot size, but not involving the actual use or structure, thus relieving a property owner from strict adherence to development standards when some special circumstances exist which deprive the property owner from developing the property in a manner enjoyed by similar properties.
146. "Video receive-only antenna" means an antenna for the reception of television signals, without transmitting capabilities; may include pole or dish types of antennas.
147. "Wireless communications facility" means any device or system for the transmitting and/or receiving of electromagnetic signals, including but not limited to radio waves and microwaves, for cellular technology, personal wireless services, mobile services, paging systems and related technologies. Facilities include antennas, microwave dishes, parabolic antennas and all other types of equipment used in the transmission and reception of such signals;

structures for the support of such facilities, associated buildings or cabinets to house support equipment, and other accessory development.

148. "Wireless communications tower (or tower)" means any structure intended to support one or more antennas used to transmit and/or receive electromagnetic communications signals, including monopoles, guyed and lattice construction steel structures.
149. "Yard" means open, unoccupied space, other than a court, and unobstructed from the ground to the sky, except where specifically provided by this Code, in the lot on which a building is situated. The classifications of yards are:
- a. Front. An area extending across the full width of the lot and lying between the front lot line and a line parallel thereto, and having a distance between them equal to the required front yard depth as prescribed in each zoning district. Front yards shall be measured by a line at right angles to the front lot line, or by the radial line in the case of a curved front lot line. For corner lots, the front yard shall be established as the area extending across the narrowest width of the lot.
  - b. Interior. A ground level rear yard or side yard open, surrounded full or in part by structure, effectively separated from vehicular circulation and parking. On steeply sloped parcels a deck located with one end at or near ground level in accordance with the provisions of Section 15.04.830 may be counted as interior yard space.
  - c. Rear. A yard extending across the full width of the lot between the rear lot line and the nearest line or point of the main building.
  - d. Side. An area extending from the front yard, or from the front lot line where no front yard is required by the ordinance codified in this chapter, to the rear yard, or rear lot line, between a side lot line and the side yard setback line.
150. "Zoning map" means a map or maps which are a part of the zoning ordinance and delineate the boundaries of zone districts.
151. "Zoning ordinance" means the municipally adopted law or regulations that divides the City into districts and establishes a set of regulations governing the use, placement, spacing and size of land and buildings as set forth in this chapter of the City of Richmond's Municipal Code.

(Amended by Ordinance Nos. 37-96 N.S., 15-97 N.S., 31-97 N.S., 03-02 N.S., 9-04 N.S., 8-08 N.S. and 18-08 N.S.)

(Ord. No. 24-09 N.S., § 1, 7-21-2009; Ord. No. 26-09 N.S., § I, 7-28-2009; Ord. No. 9-10 N.S., § I, 2-16-2010; Ord. No. 08-11 N.S., § I, 3-1-2011; Ord. No. 3-14 N.S., § 2, 3-18-2014)

**SECTION II.** Sections 15.04.100 through 15.04.250 of the Richmond Municipal Code is hereby amended as follows:

## **ARTICLE 15.04.100 - RESIDENTIAL ZONING DISTRICTS**

15.04.110 - SFR-1-single-family rural residential district.

15.04.110.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.

Single-family residential

Second dwelling units

Supportive housing

Transitional housing

Agricultural Uses.

Landscape and horticultural services

Civic, Public and Semipublic Uses.

Congregate care, limited\*

Day care home, limited and general\*

Emergency shelters \*\*

Commercial Uses.

Home occupations

Industrial Uses.

Public utilities, minor

\* Primary use of property remains residential.

\*\* For 10 beds or fewer only.

15.04.110.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.

Planned residential groups

Agricultural Uses.

General farms, primarily crops

Civic, Public and Semipublic Uses.

Community centers

Congregate care, general

Day care center

Elementary and secondary schools

Public safety facilities

Religious assembly

Commercial Uses.

Convenience stores

Hotels and other lodging places: bed and breakfast inns

Kennels

Medical and dental offices\*\*\*

Membership organizations, clubs and lodges

Industrial.

Public utilities, major

Open Space and Recreational Uses.

Parks, open spaces and trails

Temporary Uses.

Arts and crafts shows, outdoors

Circuses and carnivals

Flea markets/swap meets, nonrecurring

Live/entertainment and events

Outdoor exhibits

Recreation events

Religious assembly

Retail sales, outdoors

Seasonal sales lots, for example, Christmas trees and pumpkins

Street fairs

Trade fairs

\*\*\* Permitted as a transitional use within a residential structure.

#### **15.04.120 - SFR-2-single-family very low density residential district.**

15.04.120.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.

Single-family residential

Second dwelling units

Supportive housing

Transitional housing

Civic, Public and Semipublic Uses.

Congregate care, limited\*

Day care home, limited and general\*

Emergency shelters \*\*



Commercial Uses.  
Home occupations

Industrial Uses.  
Public utilities, minor

\* Primary use of property remains residential.

\*\* For 10 beds or fewer only.

15.04.120.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.  
Planned residential groups

Agricultural Uses.  
General farms, primarily crops  
Landscape and horticultural services

Civic, Public and Semipublic Uses.  
Community centers  
Congregate care, general  
Day care center  
Elementary and secondary schools  
Public safety facilities  
Religious assembly

Commercial Uses.  
Convenience stores  
Hotels and other lodging places: bed and breakfast inns  
Kennels  
Medical and dental offices\*\*\*  
Membership organizations, clubs and lodges  
Open Space and Recreational Uses.  
Parks, open space and trails

Industrial Uses.  
Public utilities, major

Temporary Uses.  
Arts and crafts shows, outdoors  
Circuses and carnivals  
Flea markets/swap meets, nonrecurring  
Live entertainment and events

- Outdoor exhibits
- Recreation events
- Religious assembly
- Retail sales, outdoors
- Seasonal sales lots, for example Christmas trees and pumpkins
- Street fairs
- Trade fairs

\*\*\* Permitted as a transitional use within a residential structure.

#### **15.04.130 - SFR-3-single-family low density residential district.**

15.04.130.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.  
Single-family residential  
Second dwelling units  
Supportive housing  
Transitional housing

Civic, Public and Semipublic Uses.  
Community centers  
Congregate care, limited\*  
Day care home, limited and general\*  
Emergency shelters \*\*

Commercial Uses.  
Home occupations

Industrial Uses.  
Public utilities, minor

Temporary Uses.  
Street fairs

\* Primary use of property remains residential.

\*\* For 10 beds or fewer only.

15.04.130.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.  
Duplexes  
Planned residential groups

Agricultural Uses.  
Landscape and horticultural services  
(Includes existing nurseries)

Civic, Public and Semipublic Uses.  
Congregate care, general  
Day care center  
Elementary and secondary schools  
Public safety facilities  
Religious assembly

Commercial Uses.  
Convenience stores  
Hotels and other lodging places: bed and breakfast inns  
Medical and dental offices\*\*\*  
Membership organizations, clubs and lodges

Industrial Uses.  
Public utilities, major  
Open Space and Recreational Uses.  
Parks, open space and trails

Temporary Uses.  
Arts and crafts shows, outdoors  
Circuses and carnivals  
Flea markets/swap meets, nonrecurring  
Live entertainment and events  
Outdoor exhibits  
Recreation events  
Religious assembly  
Retail sales, outdoors  
Seasonal sales lots, for example, Christmas trees and pumpkins  
Trade fairs

\*\*\* Permitted as a transitional use within a residential structure.

#### **15.04.140 - MFR-1-multifamily residential district.**

15.04.140.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.  
Single-family residential  
Duplexes  
Multifamily residential  
Second dwelling units

Supportive housing  
Transitional housing

Civic, Public and Semipublic Uses.  
Community centers  
Congregate care, limited\*  
Day care home, limited and general\*  
Emergency shelters \*\*

Commercial Uses.  
Home occupations

Industrial Uses.  
Public utilities, minor

Temporary Uses.  
Street fairs

\* Primary use of property remains residential\*\* For 10 beds or fewer only.

15.04.140.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.  
Planned Residential Group

Agricultural Uses.  
Landscape and horticultural services

Civic, Public and Semipublic Uses.  
Colleges, universities, vocational schools, and educational facilities  
Congregate care, general  
Day care center  
Elementary and secondary schools  
Public safety facilities  
Religious assembly

Commercial Uses.  
Convenience stores  
Automobile service station  
Hotels and other lodging places: bed and breakfast  
inns  
Medical and dental offices\*\*\*  
Membership organizations, clubs and lodges

Industrial Uses.  
Public utilities, major

Open Space and Recreational Uses.  
Parks, open space and trails

\*\*\* Permitted as a transitional use within a residential structure.

#### **15.04.150 - MFR-2-multifamily medium density residential district.**

15.04.150.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.  
Single-family residential  
Duplexes  
Multifamily residential  
Second dwelling units  
Supportive housing  
Transitional housing

Civic, Public and Semipublic Uses.  
Community centers  
Congregate care, limited\*  
Day care home, limited and general\*  
Emergency shelters \*\*  
Commercial Uses.  
Home occupations

Industrial Uses.  
Public utilities, minor

Temporary Uses.  
Arts and crafts shows, outdoors  
Outdoor exhibits  
Street fairs

\* Primary use of property remains residential\*\* For 10 beds or fewer only.

15.04.150.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.  
Senior housing  
Planned residential group

Civic, Public and Semipublic Uses.

Colleges, universities, vocational schools and educational facilities

Congregate care, general

Day care center

Elementary and secondary schools

Hospitals

Public safety facilities

Religious assembly

Commercial Uses.

Business services

Convenience stores

Automobile service station

Engineering, management, public administration and related offices and services

hotels and other lodging places:

    bed and breakfast inns

    rooming and boarding houses

Medical and dental offices\*\*\*

Membership organizations, clubs and lodges

Industrial Uses.

Public utilities, major

Open Space and Recreational Uses.

Parks, open space and trails

Temporary Uses.

Circuses and carnivals

Flea markets/swap meets, nonrecurring

Live entertainment events

Recreation events

Retail sales, outdoors

Seasonal sales lots, for example, Christmas trees and pumpkins

Trade fairs

Religious assembly

\*\*\* Permitted as a transitional use within a residential structure.

**15.04.160 - MFR-3-multifamily high density residential district.**

15.04.160.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.

Single-family residential

Duplexes

Multifamily residential

Second dwelling units

Supportive housing

#### Transitional housing

##### Civic, Public and Semipublic Uses.

Community centers

Congregate care, limited\*

Day care home, limited and general\*

Elementary and secondary schools

Emergency shelters \*\*

##### Commercial Uses.

Home occupations

##### Industrial Uses.

Public utilities, minor

##### Temporary Uses.

Arts and crafts shows, outdoors

Outdoor exhibits

Religious assembly

Street fairs

\* Primary use of property remains residential\*\* For 10 beds or fewer only.

15.04.160.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

##### Residential Uses.

Senior housing

Planned residential groups

##### Civic, Public and Semipublic Uses.

Colleges, universities, vocational schools, and educational facilities

Congregate care, general

Hospitals

Public safety facilities

Religious assembly

##### Commercial Uses.

Business services

Convenience stores

Engineering, management, public administration and related offices and services

Hotels and other lodging places:

bed and breakfast inns

hotels or motels

rooming and boarding houses

Medical and dental offices\*\*\*  
Membership organizations, clubs and lodges

Industrial Uses.  
Public utilities, major

Open Space and Recreational Uses.  
Parks, open space and trails  
Flea markets/swap meets, nonrecurring

Temporary Uses.  
Live entertainment events  
Recreation events  
Retail sales, outdoors  
Seasonal sales lots, for example Christmas trees and pumpkins  
Trade fairs

\*\*\* Permitted as a transitional use within a residential structure.

#### **15.04.170 - MFR-4-multifamily very high density residential district.**

15.04.170.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.  
Single-family residential  
Duplexes  
Multifamily residential  
Second dwelling units  
Supportive housing  
Transitional housing

Civic, Public and Semipublic Uses.  
Community centers  
Congregate care, limited\*  
Day care home, limited and general\*  
Elementary and secondary schools  
Emergency shelters \*\*

Commercial Uses.  
Home occupations

Industrial Uses.  
Public utilities, minor

Temporary Uses.  
Arts and crafts shows, outdoors



Outdoor exhibits  
Religious assembly  
Street fairs

\* Primary use of property remains residential.

\*\* For 10 beds or fewer only.

15.04.170.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.  
Senior housing  
Planned residential groups

Civic, Public and Semipublic Uses.  
Colleges, universities, vocational schools, and educational facilities  
Congregate care, general  
Hospitals  
Public safety facilities  
Religious assembly

Commercial Uses.  
Business services  
Convenience stores  
Engineering, management, public administration and related offices and services  
Hotels and other lodging places:  
    bed and breakfast inns  
    hotels or motels  
    rooming and boarding houses  
Medical and dental offices\*\*\*  
Membership organizations, clubs and lodges

Industrial Uses.  
Public utilities, major  
Open Space and Recreational Uses.  
Parks, open space and trails  
Flea markets/swap meets, nonrecurring

Temporary Uses.  
Live entertainment events  
Recreation events  
Retail sales, outdoors  
Seasonal sales lots, for example Christmas trees and pumpkins  
Trade fairs

\*\*\* Permitted as a transitional use within a residential structure.

## ARTICLE 15.04.200 - COMMERCIAL ZONING DISTRICTS

### **15.04.210 - C-1-neighborhood commercial district.**

15.04.210.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

#### Commercial Uses—Retail Sales.

##### Food stores:\*

retail bakers, meat, fish, fruit and vegetable markets, miscellaneous food stores

#### Commercial Uses—Retail Services.

##### Business services

Engineering, management and public administration and related offices and services

##### Hotels and other lodging places:

bed and breakfast inns

##### Medical and dental offices

##### Personal services:

beauty salons

barber shops

laundry services

photo studios

shoe repair

Real estate, insurance agents, brokers and services

#### Residential Uses.

Residential uses permitted in the MFR-2-medium density residential district

##### Live/work

#### Open Space and Recreational.

Parks, open space and trails

#### Civic, Public and Semipublic Uses.

##### Community centers

Congregate care, limited

Day care center

Day care home, limited and general

Government services

Religious assembly

#### Industrial Uses.

Public utilities, minor

##### Recycling facilities:

reverse vending machines

Temporary Uses.

Arts and crafts shows, outdoors

Seasonal sales lots, for example, Christmas trees and pumpkins

Street fairs

- \* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

15.04.210.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.

Convenience stores

Food stores:

    groceries/supermarkets

Home and garden supply stores

Kennels

Liquor stores

Miscellaneous retail stores

Specialty retail, for example, antiques, jewelry and sporting goods

Used merchandise stores

Industrial Uses.

Recycling Facilities:

    small collection facility

Retail Services.

Amusement/recreational services:

    dance/art studios

    miscellaneous amusement services

Auto parking service

Auto repair (within a completely enclosed building)

Banks/depository institutions

Bars

Eating establishment

Eating establishment (fast food)

Eating establishment with alcoholic beverage sales

Gasoline service stations

Hotels and other lodging places:

    rooming and boarding houses

Massage establishments

Medical and dental clinics

Membership organizations, clubs and lodges

Miscellaneous repair services  
Civic, Public and Semipublic Uses.  
Colleges, universities, vocational schools, educational facilities  
Congregate care, general  
Elementary and secondary schools  
Hospitals  
Museum, botanical, zoological, garden and cultural centers  
Public safety facilities

Temporary Uses.  
Circuses and carnivals  
Flea markets/swap meets, nonrecurring  
Live entertainment events  
Outdoor exhibits  
Recreation events  
Religious assembly  
Retail sales, outdoor  
Trade fairs

#### **15.04.220 - C-2-general commercial district.**

15.04.220.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.

Automotive dealers, excluding on-site service or repair facility and amplified notification system

Auto supply stores

Building materials, home and garden supply stores:

hardware stores

nurseries and garden supply stores

Domestic animals sales and services:

grooming

retail sales

Food stores:\*

grocery stores

retail bakers, meat, fish, fruit and vegetable markets, miscellaneous food stores

Furniture and home furnishing stores:

computer and computer software stores

record and tape stores

General merchandise stores

Miscellaneous retail stores

Non-store retailers:

catalog and mail-order houses

Retail Services.

Business services

Engineering, management, public administration and related offices and services

Medical and dental offices

Miscellaneous repair services

Personal services:

- beauty salons

- barber shops

- laundry services, includes dry cleaning and pressing

- photo studios

Shoe repair

Real estate, insurance agents, brokers and services

Transportation services:

- travel agencies

Residential Uses.

Residential uses permitted in the MFR-2-medium density residential district

Live/work

Civic, Public and Semipublic Uses.

Community centers

Congregate care, limited

Day care center

Day care, limited and general

Elementary and secondary schools

Government services

Religious assembly

Agricultural Uses.

Landscape and horticultural services

Open Space and Recreational Uses.

Parks, open space and trails

Industrial Uses.

Public utilities, minor

Recycling facilities:

- reverse vending machines

Temporary Uses.

Arts and crafts shows, outdoors

Circuses and carnivals

Religious assembly

Seasonal sales lots, for example, Christmas trees and pumpkins

\* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

15.04.220.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

#### Commercial Uses.

##### Retail Sales.

Automotive, camper dealers with on-site service or repair facility and amplified notification system

Convenience stores

Domestic animal sales and services:

clinics/hospitals

Food stores:

supermarkets

Furniture and home furnishing stores

Kennels

Liquor stores

Secondhand dealers

##### Retail Services.

Amusement/recreational services:

dance/art studios

miscellaneous amusement services

Auto parking services

Auto repairs (within completely enclosed buildings)

Banks/depository institutions

Bars

Commercial filming and recording studios

Eating establishment

Eating establishment (fast food)

Eating establishment with alcoholic beverage sales

Live entertainment

Funeral home/chapel

Gasoline service stations

Hotels and other lodging places:

bed and breakfast inns

hotels or motels

rooming and boarding houses

Massage establishments

Medical and dental clinics

Membership organizations, clubs and lodges

Nondepository institutions, for example, check cashing

Personal services

Civic, Public and Semipublic Uses.

Colleges, universities, vocational schools, educational facilities

Congregate care, general

Hospitals

Public safety facilities

Industrial Uses.

Public utilities, major

Recycling facilities:

    small collection facility

    large collection facility

Special trade contractors:

    carpentry

    electrical

    plumbing, heating, air conditioning

Temporary Uses.

Flea markets/swap meets, nonrecurring

Live entertainment events

Outdoor exhibits

Recreational events

Retail sales, outdoors

Street fairs

Trade fairs

The following additional uses may be permitted by conditional use permit when located adjacent to shoreline areas. Uses must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Boat dealers

Canvas shop

Marinas

Sail making and repairs

Ship chandlery

**15.04.230 - C-3-regional commercial district.**

15.04.230.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.

Automotive, boat, camper dealers

Building materials, home and garden supply stores

Convenience stores\*

Domestic animals sales and services:

- clinics/hospitals

- grooming

- retail sales

Food stores:\*

- grocery stores/supermarkets

- retail bakers, meat, fish, fruit and vegetable markets

- miscellaneous food stores

Furniture and home furnishings stores

General merchandise stores

Miscellaneous retail stores

Non-store retailers:

- catalog and mail order houses

Specialty retail stores

Retail Services.

Amusement/recreational services:

- concert, orchestra, movie or theatrical halls/ auditoriums

- dance/art studios, schools and halls

Auto parking services

Banks, depository institutions

Business services

Commercial filming and recording studios

Eating establishments

Engineering, management, public administration and related offices and services

Hotels and other lodging places:

- bed and breakfast inns

- hotels or motels

Medical and dental offices and clinics

Membership organizations, clubs and lodges

Nondepository institutions, for example, check cashing

Miscellaneous repair services

Personal services

Real estate, insurance agents, brokers and services

Residential Uses as Part of a Mixed-Use Development.

Residential uses as permitted in the MFR-2-medium density residential district

Live/work

Civic, Public and Semipublic Uses.

Colleges, universities, vocational schools and educational facilities

Community centers

Day care center

Day care, limited and general

Elementary and secondary schools

Government services



Museum, botanical, zoological, garden and cultural centers  
Public safety facilities

Religious assembly

Agricultural Uses.  
Landscape and horticultural services

Open Space and Recreational Uses.  
Parks, open space and trails

Industrial Uses.  
Printing and publishing  
Public utilities, minor  
Recycling facilities:  
    reverse vending machines

Temporary Uses.  
Arts and crafts shows, outdoor  
Circuses and carnivals  
Outdoor exhibits  
Religious assembly  
Seasonal sales lots, for example, Christmas trees and pumpkins

\* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

15.04.230.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.  
Domestic animals sales and services:  
    boarding  
Kennels  
Liquor stores  
Secondhand dealers  
Used merchandise stores

Retail Services.  
Amusement/recreational services:  
    commercial sports  
    miscellaneous amusement services  
Auto repairs (within completely enclosed buildings)

Bars  
Commercial filming and recording studios  
Eating establishment (fast food)  
Eating establishment with alcoholic beverage sales  
Funeral home/chapel  
Gasoline service stations  
Hotels and other lodging places:  
    rooming and boarding houses  
Live entertainment  
Massage establishments

Civic, Public and Semipublic Uses.  
Congregate care, limited and general  
Correctional and rehabilitation facilities  
Hospitals

Industrial Uses.  
Public utilities, major  
Recycling facilities:  
    small collection facility  
    large collection facility  
Special trade contractors:  
    carpentry  
    electrical  
    plumbing, heating, air conditioning

Temporary Uses.  
Flea markets/swap meets  
Live entertainment events  
Recreation events  
Retail sales, outdoor  
Street fairs  
Trade fairs

#### **15.04.240 - C-B-central business district.**

15.04.240.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.  
Building materials, home and garden supply stores  
Convenience stores\*  
Food stores:\*.  
    grocery stores/supermarkets  
    retail bakers, meat, fish, fruit and vegetable markets, miscellaneous food stores

Furniture and home furnishings stores  
General merchandise stores  
Miscellaneous retail stores  
Non-store retailers:  
    catalog and mail order houses  
Specialty retail stores

Retail Services.

Amusement/recreational services:

    concert, orchestra, movie or theatrical halls/auditoriums  
    dance/art studios, schools and halls

Auto parking services

Banks/depository institutions

Business services

Eating and drinking establishments, except fast food with drive-through

Engineering, management, public administration and related offices and services

Medical, dental offices and clinics

Miscellaneous repair services

Personal services

Real estate, insurance agents, brokers and services

Residential Uses.

Residential uses permitted in the MFR-2-medium density residential district

Live/work

Industrial Uses.

Printing and publishing

Public utilities, minor

Temporary Uses.

Arts and crafts shows, outdoors

Religious assembly

Civic, Public and Semipublic Uses.

Emergency shelters

\* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

15.04.240.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.

Automotive, boat, camper dealers  
Domestic animals sales and services:

- grooming
- retail sales

Kennels

Liquor stores

Used merchandise stores

Retail Services.

Amusement/recreational services:

- commercial sports
- miscellaneous amusement services

Auto repair (within completely enclosed buildings)

Bars

Commercial filming and recording studios

Eating establishment

Eating establishment (fast food)

Eating establishment with alcoholic beverage sales

Funeral home/chapel

Gasoline service stations

Hotels and other lodging places:

- bed and breakfast inns
- hotels or motels
- rooming and boarding houses

Live entertainment

Massage establishments

Membership organizations, clubs and lodges

Nondepository institutions, for example, check cashing

Civic, Public and Semipublic Uses.

Congregate care, limited and general

Hospitals

Colleges, universities, vocational schools and educational facilities

Community centers

Day care center

Day care, limited and general

Elementary and secondary schools

Government services

Museum, botanical, zoological, garden and cultural centers

Public safety facilities

Religious assembly

Industrial Uses.

Public utilities, major

Recycling facilities:

- small collection facility

- large collection facility
- Special trade contractors:
  - carpentry
- Electrical
- Plumbing, heating, air conditioning

- Temporary Uses.
  - Circuses and carnivals
  - Flea markets/swap meets, nonrecurring
  - Live entertainment events
  - Outdoor exhibits
  - Recreation events
  - Retail sales, outdoor
  - Seasonal sales lots, for example, Christmas trees and pumpkins
  - Trade fairs

#### **15.04.250 - C-C-coastline commercial district.**

15.04.250.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

- Commercial Uses.

- Retail Services.
  - Bait shops
  - Business services
  - Sail makers and ship chandlers
  - Marine supply stores

- Residential Uses.
  - Live/work

- Open Space and Recreational Uses.
  - Marinas, public or private
  - Parks, open space and trails

- Civic, Public and Semipublic Uses.
  - Aquariums
  - Museum, botanical, zoological, garden and cultural centers
  - Boat club facilities
- Industrial Uses.
  - Public utilities, minor
- Recycling facilities:
  - reverse vending machines

Agricultural Uses.  
Commercial fishing  
Fish hatcheries and preserves

15.04.250.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.  
Boat dealers and supply stores  
Building materials, home and garden supply stores  
Convenience stores\*  
Food stores: \*  
    retail bakers, meat, fish, fruit and vegetable markets, grocery  
    stores/supermarkets  
Liquor stores

Retail Services.  
Bars  
Eating establishment  
Eating establishment (fast food)  
Eating establishment with alcoholic beverage sales  
Gasoline service stations  
Hotels and other lodging places:  
    bed and breakfast inns  
    hotels or motels  
Live entertainment  
Massage establishments  
Membership organizations, clubs and lodges  
Miscellaneous repair services  
Nondepository institutions, for example, check cashing

Residential Uses.  
Residential uses permitted in MFR-2-medium density residential district  
Floating homes

Civic, Public and Semipublic Uses.  
Colleges, universities, vocational schools and educational facilities  
Community centers  
Congregate care, limited and general  
Day care, limited and general  
Elementary and secondary schools  
Government services, related to port uses  
Public safety facilities

Religious assembly

Agricultural Uses.

Landscape and horticultural services

Industrial Uses.

Public utilities, major

Recycling facilities:

    small collection facility

    large collection facility

Temporary Uses.

Arts and crafts show, outdoors

Circuses and carnivals

Flea markets/swap meets, nonrecurring

Live entertainment events

Outdoor exhibits

Recreation events

Religious assembly

Retail sales, outdoor

Seasonal sales lots, for example, Christmas trees and pumpkins

Street fairs

Trade fairs

\* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

**SECTION III.** Sections 15.04.810.040 of the Richmond Municipal Code is hereby amended as follows:

**15.04.810.040 – Emergency Shelters.**

This section is intended to provide objective development and management standards for emergency shelters in the City of Richmond. Where allowed by Articles 15.04.100 – 15.04.200, emergency shelters shall comply with the requirements of this Section. For the purposes of this Section, emergency shelter has the same meaning as defined in Section 15.04.020 of this Code (Definitions) and does not refer to emergency shelters set up for disaster relief.

- A. Purpose. The following requirements are to implement the programs in the 2013 Housing Element, ensure compliance with Section 65583 of the Government Code, and meet the emergency shelter needs of the community.
- B. Applicability. Where allowed by Articles 15.04.100 – 15.04.200, an emergency shelter is a permitted use. A Conditional Use Permit is required for an emergency shelter that does not comply with the standards of this Section.

- C. Proximity to Other Shelters. No emergency shelter shall be closer than 300 feet to another emergency shelter.
- D. Facility requirements. Each emergency shelter shall include, at a minimum, the following:
  - 1. A courtyard or other on-site area for outdoor client congregation, so that clients waiting for services are not required to use the public sidewalk for queuing;
  - 2. On-site management during hours of operation when clients are present and a manager's area. The manager's area shall be located near the entry to the facility; and,
  - 3. Lighting in or on an emergency shelter shall be stationary, directed away from adjacent properties and public right-of-way, and of an intensity that is consistent with existing lighting in the neighborhood in which the shelter is located.
- E. Maximum number of beds. No more than 10 beds shall be provided in any single emergency shelter located in a residential zone and no more than 50 beds shall be provided in any single emergency shelter located within the C-B, Central Business District, except:
  - 1. In response to a disaster; or
  - 2. As authorized by a Conditional Use Permit approved by the Planning Commission.
- F. Bicycle Parking. An emergency shelter shall provide at least one bicycle space for every five beds.
- G. Vehicle Parking. An emergency shelter shall provide one parking space for every four beds and one additional parking space for every ten beds, or a minimum of ten parking spaces per shelter, whichever is the larger number.

**SECTION IV. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

**SECTION V. Effective Date.** All applications filed after or pending upon the date of final passage and adoption of this Ordinance shall be subject to this Ordinance. This Ordinance becomes effective thirty (30) days after its final passage and adoption.

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First read at a regular meeting of the Council of the City of Richmond held May 5, 2015, and finally passed and adopted at a regular meeting thereof held May 19, 2015, by the following vote:

AYES:	Councilmembers Bates, Beckles, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

**PAMELA CHRISTIAN**  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

**TOM BUTT**  
Mayor

Approved as to form:

**BRUCE GOODMILLER**  
City Attorney

State of California	}	
County of Contra Costa	}	: ss.
City of Richmond	}	

I certify that the foregoing is a true copy of **Ordinance No. 15-15 N.S.**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on May 19, 2015.