



PLANNING COMMISSION STAFF REPORT

DATE:	January 21, 2026
APPLICATION NO:	Municipal Code Text Amendment No. TA-25-158
LOCATION:	Citywide
REQUEST:	<p>Planning Commission to Consider a Recommendation to the City Council to Adopt Various Amendments to the Lathrop Municipal Code (LMC) to Modernize, Simplify, and Streamline Various Sections in Title 17, Zoning. The Amendment to the Municipal Code include the following:</p> <ul style="list-style-type: none">• Chapter 17.04 (General Provisions): Clarify what is considered an Accessory Structure, define a Battery Energy Storage System (BESS), and modify the small and large residential care home definitions.• Chapter 17.30 (Specialized Housing Regulations): Create a new chapter to include Low Barrier Navigation Centers, Transitional and Supportive Housing, Residential Care Facilities, Farm Worker and Employee Housing, Streamlined Affordable Housing Approvals, Emergency Shelters, and Reasonable Accommodation for Persons with Disabilities in compliance with the City's 6th Cycle Housing Element.• Chapter 17.32 (R One-Family Residential District): Update the Conditional Use Section to allow for a group home of 7 or more persons in compliance with the City's 6th Cycle Housing Element.• Chapter 17.36 (RM Multifamily Residential District): Update the Conditional Use Section to allow for a group home of 7 or more persons in compliance with the City's 6th Cycle Housing Element.• Chapter 17.57 (Mosssdale Landing Zoning Districts): Update the residential zoning designations to allow for a group home of 7 or more persons as a Conditional Use in compliance with the City's 6th Cycle Housing Element.

- Chapter 17.58 (Lathrop Gateway Business Park Zoning Districts): List the proper zoning designation and update the Permitted Use and Conditional Use lists and add Battery Energy Storage System (BESS) as a Conditional Use with distance requirements.
- Chapter 17.61 (River Islands Zoning Districts): Update the Permitted Use description to remove schools within the OS/P-RI Zoning Designation, update the Permitted Use Table, and update the multi-family parking requirements in compliance with the City's 6th Cycle Housing Element.
- Chapter 17.62 (Central Lathrop Zoning Districts): Update the residential zoning designations to allow for a group home of 7 or more persons as a Conditional Use in compliance with the City's 6th Cycle Housing Element.
- Chapter 17.64 (Home Occupations): Update the chapter to provide a "Purpose" section to be consistent with other chapters of the Lathrop Municipal Code.
- Chapter 17.74 (Emergency Shelters): Remove the chapter from the Lathrop Municipal Code, and relocating this regulatory section under new Chapter heading Chapter 17.30 (Specialized Housing Regulations).
- Chapter 17.76 (Off-Street Parking and Loading): Update bicycle, passenger vehicle, parking standards, and multi-family parking requirements in compliance with the City's 6th Cycle Housing Element.
- Chapter 17.80 (Accessory Dwelling Units): Update several sections of the chapter to be consistent with State Law.
- Chapter 17.84 (Signs): Clarify the number of for sale, lease, or rental advertising sign on commercial properties.
- Chapter 17.92 (Landscaping and Screening Standards): Clarify various drought tolerant landscaping materials eligible to count towards the landscaping requirement calculation.
- Chapter 17.100 (Site Plan Review): Add a section to allow the Planning Commission or City Council to grant a lesser or greater time extension for Site Plan Review development projects.

- Chapter 17.108 (Administrative Approval of Certain Uses): Clarify that any temporary use on a commercial or industrial zoned property will require a Temporary Use Permit (TUP).
- Chapter 17.112 (Conditional Uses): Update reference to code section clarifying that any proposed projects located within the Central Lathrop Phase 2 area (north of Dos Reis Road and South of De Lima Road) will require approval of a Conditional Use Permit (CUP) from the City Council per the City’s 2022 General Plan Update.
- Chapter 17.116 (Nonconforming Uses and Structures): Update various sections of the chapter to clarify alterations and additions to nonconforming uses.
- Chapter 17.124 (Amendments): Add public hearing notice requirement to be consistent with State Law.
- Chapter 17.126 (Reasonable Accommodation for Person with Disabilities): Remove the chapter from the Lathrop Municipal Code, and relocating this regulatory section under new Chapter heading Chapter 17.30 (Specialized Housing Regulations).

APPLICANT: City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

CEQA STATUS: Exempt according to California Environmental Quality Act Article 5 §15061(b)(3), by the “Common Sense Exemption”.

SUMMARY:

The proposed Municipal Code Text Amendment is a staff-initiated proposal to modify various sections of the Lathrop Municipal Code (LMC) to modernize, simplify and streamline Title 17, Zoning. The proposed amendments include:

- Updating the Definitions section to clarify a large residential care home, add a Battery Energy Storage System (BESS) facility;
- Create a Specialized Housing Regulations chapter;
- Update all residential zoning designations to allow a group home for seven (7) or more persons as a conditional use;

- Update the permitted and conditional uses in the Commercial Office (CO-LG) Zoning District and add the BESS facility as a conditional use with spacing requirements in the Service Commercial Zoning District (CS-LG) for the Lathrop Gateway Business Park Zoning Districts;
- Update the OS/P-RI Permitted Uses description of the River Islands Zoning Districts to remove schools so that they are not allowed in the flood zone, and allow Fire Stations as a conditional permitted use as well as public and quasi-public, and utility service facilities as a permitted use in the OS/P-RI zone districts;
- Add a purpose section to clarify the intent of the Home Occupations chapter;
- Remove the Emergency Shelters chapter and relocate it to the newly create Specialized Housing Regulations chapter;
- Update the bicycle, passenger vehicle, and multi-family parking requirements and standards;
- Update the accessory dwelling units requirement and standards;
- Update the number of signs allowed on a commercial property that is for sale, lease, or rent;
- Update the landscaping materials that are allowed to count towards the 35% landscaping calculation for front and street-side yards;
- Add a section to allow the Planning Commission and City Council to approve a greater time extension than one (1) year for Site Plan Review development projects;
- Clarify that a Temporary Use Permit (TUP) is required for commercial and industrial properties;
- Update the Conditional Use chapter to require a Conditional Use Permit (CUP) to be approved by City Council for projects in Phase 2 of the Central Lathrop Phase 2 area (north of Dos Reis Road and south of De Lima Road);
- Update the language to be clear and concise for alterations and additions to nonconforming uses and signs;
- Add a 20-day public hearing notice requirement for an ordinance or zoning ordinance that affect permitted uses of real property;
- Remove the Reasonable Accommodation for Person with Disabilities chapter and relocate it to the newly created Specialized Housing Regulations chapter.

BACKGROUND:

In 2009, the City adopted an Economic Development Strategic Plan to guide the City Council in making decisions regarding economic growth for the City. In 2011, the City indicated a desire to accelerate economic and business growth development efforts by creating an Economic Development Program. To implement the City's economic goals and policies, staff regularly reviews and monitors various department policies, procedures, and the Zoning Ordinance for areas that need improvement. Staff determined and identified various sections of the LMC that are ambiguous, unclear and outdated. The intent of the proposed amendments is to assist and encourage development by providing concise and clear requirements for residents, developers and staff.

From 2013 through 2024, the City has approved similar efforts and updated various sections of the LMC in 8 of its last 12 years. The last significant update was in 2023 with the City approving the Zoning Consistency Project, which updated various sections of the LMC to be consistent with the City's General Plan. The other seven previous updates were well received by the community and staff members that process development applications.

The current amendments follow the same principles of the previous updates through integration of current policies and procedures, application of current State law, and incorporating best practices within the planning profession.

ANALYSIS:

Amendments

According to the LMC, amendments to the Zoning Ordinance must be reviewed by the Planning Commission with their recommendation being forwarded to the City Council for approval. Before any recommendation can be made for approval by the Planning Commission (or final approval by the City Council), the finding that the proposed text amendments will be consistent with applicable provisions of the General Plan must be made. Staff has determined the following text amendments conform to the General Plan. The proposed text amendments will modify the following Chapters and Sections of the LMC:

- Chapter 17.04 General Provisions
The proposed amendment will clarify that temporary canopies and pop-ups are considered accessory structures and that a large residential care home will be defined as a home for 7 or more persons as well as provide a definition for a Battery Energy Storage System (BESS) facility.
- Chapter 17.30 Specialized Housing Regulations
The proposed amendment will create the new chapter to include: Low Barrier Navigation Centers, Transitional and Supportive Housing, Residential Care Facilities, Farm Worker and Employee Housing, and Streamlined Affordable Housing Approvals sections in compliance with the City's 6th Cycle Housing Element. In addition, this chapter will include the existing Emergency Shelters and Reasonable Accommodation for Persons with Disabilities sections from the LMC to help consolidate these similar sections together.
- Chapter 17.32 R One-Family Residential District
The proposed amendment will add Large Residential Care Home which allows for a group home of 7 or more persons as a Conditional Use in compliance with the City's 6th Cycle Housing Element.
- Chapter 17.36 RM Multi-Family Residential District
The proposed amendment will add Large Residential Care Home use which allows for a group home of 7 or more persons as a Conditional Use in compliance with the City's 6th Cycle Housing Element.

- Chapter 17.57 Mossdale Landing Zoning Districts
 The proposed amendment will add Large Residential Care Home which allows for a group home of seven (7) or more persons as a Conditional Use in all residential zoning designations throughout the Mossdale Landing area. This includes Low Density Residential (RL-MV), Medium Density Residential (RM-MV), and High Density Residential (RH-MV) in the Mossdale Landing Urban Design Concept, as well as Low Density Residential (RL-MV) and Medium Density Residential (RM-MV) in the Mossdale Landing East Urban Design Concept and Medium Density Residential (RM-MV) and High Density Residential (RH-MV) in the Mossdale Landing South Urban Design Concept. This will also ensure compliance with the City's 6th Cycle Housing Element.
- Chapter 17.58 Lathrop Gateway Business Park Zoning Districts
 The proposed amendment will update the Commercial Office (CO-LG) Permitted Use and Conditional Use lists to be consistent with other commercial office uses throughout the City. Additionally, the Battery Energy Storage System (BESS) facility use will be added to the Service Commercial (CS-LG) zoning designation as a conditional use with spacing requirements.
- Chapter 17.61 River Islands Zoning Districts
 The proposed amendment to this section will update the Permitted Use description in the OS/P-RI zoning designation to remove schools so that they will not be allowed in the flood zone. Additionally, the Permitted Uses Table will be updated to allow Fire Stations as a conditional use, and public and quasi-public, and utility service facilities as a permitted use in the OS/P zoning designation. This will allow the future Lathrop-Manteca Fire District station and various River Islands administrative offices to be permitted in the OS/P-RI zone.
- Chapter 17.62 Central Lathrop Zoning Districts
 The proposed amendment will add Large Residential Care Home which allows for a group home of seven (7) or more persons as a Conditional Use in all residential zoning designations throughout the Central Lathrop Specific Plan area. This includes the Variable Density Residential District (VR-CL), High Density Residential (HR-CL), and the Residential/Mixed-Use Zoning District (R/MU-CL). This will also ensure compliance with the City's 6th Cycle Housing Element.
- Chapter 17.64 Home Occupations
 The proposed amendment will add a Purpose section to clarify the intent of the section and to provide consistency with the other sections of the LMC.
- Chapter 17.74 Emergency Shelters
 The proposed amendment will remove the chapter from the LMC and relocate it to the newly proposed Chapter 17.30 Specialized Housing Regulations to help consolidate similar chapters in one location.

- Chapter 17.76 Off-Street Parking and Loading
The proposed amendment will update the bicycle parking standards to require bicycle parking with every commercial and industrial development regardless of the amount of parking spaces that are being provided. Additionally, the passenger vehicle parking requirements will be updated to allow gas station and truck stop pump stalls to count toward the overall parking stall count and the parking space size measurements will be updated to be consistent with the industry standard. The proposed amendment will also update the multi-family parking requirements to be consistent with the City's 6th Cycle Housing Element.
- Chapter 17.80 Accessory Dwelling Units
The proposed amendment will update several sections to the chapter which include rental terms, impact fees, permit processes, size limitations, number of allowed ADU's, etc. to be consistent with State Law.
- Chapter 17.84 Signs
The proposed amendment to the chapter clarifies that any commercial property for sale, lease, or rent will be allowed to have a maximum of one (1) advertising sign. This section of the chapter did not previously provide a minimum or maximum amount of signs that are allowed.
- Chapter 17.92 Landscaping and Screen Standards
The proposed amendment will update the chapter to allow for drought tolerant landscaping materials such as mulch, rock, decomposed granite, pavers, stone walkways, and other materials to count towards the 35% front yard and street-side yard landscaping requirement as long as they are integrated with the landscape design. Currently, the LMC allows only living plant materials to count toward the 35% landscaping calculation.
- Chapter 17.100 Site Plan Review
The proposed amendment will update the chapter to allow for the Planning Commission or City Council to grant a lesser or greater time extension for Site Plan Review development projects. Currently, there is only a one (1) year extension that is allowed to be granted. This will allow applicants who experience unusual hardships or due to the size and complexity of the project to request additional time.
- Chapter 17.108 Administrative Approval of Certain Uses
The proposed amendment will clarify that a Temporary Use Permit (TUP) will be required for any temporary use on commercial and industrial zoned properties. This process does not include residential properties.

- Chapter 17.112 Conditional Uses
The proposed amendment will update the chapter to require a Conditional Use Permit to be approved by the City Council for any project that is located within the Central Lathrop Specific Plan Phase 2 area (north of Dos Reis Road and south of De Lima Road). This is a condition that was approved by the City Council as part of the City's 2022 General Plan Update. The amendment also includes fixing a typographical error.
- Chapter 17.116 Nonconforming Uses and Structures
The proposed amendment will clarify various sections of the chapter for ease of use and clarity.
- Chapter 17.124 Amendments
The proposed amendment will update the public hearing notice requirement for any proposed ordinance or zoning ordinance that affects the permitted uses of real property to be given no less than twenty (20) days prior to the public hearing date. This will help ensure compliance with State Law.
- Chapter 17.126 Reasonable Accommodation for Persons with Disabilities
The proposed amendment will remove the chapter from the LMC and relocate it to the newly proposed Chapter 17.30 Specialized Housing Regulations to help consolidate similar chapters in one location.

PUBLIC NOTICE:

A Notice of Public Hearing was advertised in the Manteca Bulletin on December 23, 2025, e-mailed to public hearing subscribers, and posted on the City website. In addition, the meeting agenda was posted at designated posting locations in the City. As of the writing of this report, no comments have been received in favor or against the proposed amendments.

CEQA REVIEW:

The proposed Municipal Code Text Amendment is exempt according to the California Environmental Quality Act (CEQA) Article 5 §15061 by the "Common Sense Exemption" in that CEQA applies only to projects that have a potential for causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The purpose of the amendment is to achieve consistency with the General Plan and to modify existing language in the Municipal Code to provide flexibility and is primarily procedural in nature.

Additionally, the text amendments do not propose or require any specific development project. Any specific development project undertaken in the future pursuant to the amended zoning code would be required to comply with CEQA at that time.

RECOMMENDATION:

Staff recommends the Planning Commission consider Resolution No. 26-2 recommending the City Council adopt the various amendments to the Lathrop Municipal Code to modernize, simplify, and streamline various sections of Title 17, Zoning as proposed by staff.

Approvals:


Trent DaDalt, Associate Planner

1/12/2026
Date


James Michaels, Senior Planner

1/12/2026
Date


Rick Caguiat, Community Development Director

1/12/26
Date


Salvador Navarrete, City Attorney

1-12-2026
Date

Attachments:

1. Planning Commission Resolution No. 26-2
2. Mark-up of Chapter 17.04 General Provisions
3. Mark-up of Adding New Chapter 17.30 Specialized Housing Regulations
4. Mark-up of Chapter 17.32 R One-Family Residential District
5. Mark-up of Chapter 17.36 RM Multifamily Residential District
6. Mark-up of Chapter 17.57 Mossdale Landing Zoning Districts
7. Mark-up of Chapter 17.58 Lathrop Gateway Business Park Zoning Districts
8. Mark-up of Chapter 17.61 River Islands Zoning Districts
9. Mark-up of Chapter 17.62 Central Lathrop Zoning Districts
10. Mark-up of Chapter 17.64 Home Occupations
11. Mark-up of Eliminating Chapter 17.74 Emergency Shelters
12. Mark-up of Chapter 17.76 Off-Street Parking and Loading
13. Mark-up of Chapter 17.80 Accessory Dwelling Units
14. Mark-up of Chapter 17.84 Signs
15. Mark-up of Chapter 17.92 Landscaping and Screening Standards
16. Mark-up of Chapter 17.100 Site Plan Review
17. Mark-up of Chapter 17.108 Administrative Approval of Certain Uses
18. Mark-up of Chapter 17.112 Conditional Uses
19. Mark-up of Chapter 17.116 Nonconforming Uses and Structures
20. Mark-up of Chapter 17.124 Amendments
21. Mark-up of Eliminating Chapter 17.126 Reasonable Accommodation for Persons with Disabilities

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 26-2**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING CITY COUNCIL ADOPT VARIOUS AMENDMENTS TO THE
LATHROP MUNICIPAL CODE TO MODERNIZE, SIMPLIFY, AND STREAMLINE
VARIOUS SECTIONS OF TITLE 17, ZONING (TA-25-158)**

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing to consider the text amendments pursuant to the Lathrop Municipal Code; and

WHEREAS, the proposed text amendments is Citywide and affects all applicable properties in the City; and

WHEREAS, Chapter 17.124 of the Lathrop Municipal Code mandates the transmittal of a recommendation to the City Council by resolution; and

WHEREAS, the proposed text amendments are exempt according to the California Environmental Quality Act (CEQA) Article 5 §15061(b)(3) by the “Common Sense Exemption” in that CEQA applies only to projects that have a potential for causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the Planning Commission finds that the proposed text amendments are consistent with applicable provisions of the Lathrop General Plan and will implement the City’s Economic Development goals by providing streamline procedures, minor clarifications and incorporate updated policies; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend the City Council adopt Municipal Code Text Amendment No. TA-25-158 as shown in Attachments 2 through 21 of the Staff Report, incorporated by reference herein.

PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at its regular meeting on the 21st day of January, 2026 by the following vote:

AYES:

NOES:

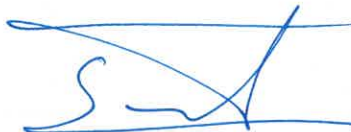
ABSTAIN:

ABSENT:

George Jackson, Chair

ATTEST:

APPROVED AS TO FORM:



Rick Caguiat, Secretary

Salvador Navarrete, City Attorney

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Chapter 17.04 General Provisions

[...]

17.04.080 Definitions

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words used in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular. The masculine shall include the feminine and neuter.

"Accessory dwelling unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

- A. An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.
- B. A manufactured home, as defined in Section 18007 of the Health and Safety Code.

"Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot that is either attached or detached and is entirely enclosed by walls and a solid roof or is partially enclosed with a solid or limited roof covering. Examples include, but are not limited to, greenhouses, pool houses, sunrooms, workshops, storage sheds, barns, as well as carports, garages, patio covers, gazebos and stables. Accessory structures also include temporary canopies (pop ups), tents, play equipment, windmills, water towers, and other similar agricultural structures.

[...]

“Battery Energy Storage System (BESS) facility” means one or more devices, assembled together, capable of storing energy to supply electrical energy at a future time. This may include, but is not limited to, batteries, control systems, inverters, safety systems, metering, and other associated components.

[...]

"Residential care home, large" or "large residential care home" means a licensed group home or residential care facility serving seven or more ~~to 14~~ persons.

[...]

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Chapter 17.30 Specialized Housing Regulations

Article 1 Low Barrier Navigation Centers

17.30.100 Purpose.

The purpose of this chapter is to establish development standards for low-barrier navigation centers and to ensure this use is constructed and operated in a manner that is consistent with the requirements and allowances of state law, specifically Article 12 of Chapter 3 of Division 1 of Planning and Zoning Law commencing with California Government Code Section 65660.

17.30.110 Definitions.

"Low-barrier navigation center" means a housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.
3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

17.30.120 Applicability and review.

The provisions of this chapter shall apply to all low-barrier navigation center projects.

The entitlement shall be a ministerial action without discretionary review or a hearing. The city will notify a developer whether the developer's application is complete within thirty (30) days, pursuant to Government Code section 65943. Action shall be taken within sixty (60) days of a complete application being filed.

17.30.130 Location.

A low-barrier navigation center development is a use by right in areas zoned for mixed use and nonresidential zones permitting multi-family uses.

17.30.140 Development standards.

All low-barrier navigation center development shall meet the following requirements:

- A. Connected Services. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- B. Coordinated Entry System. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- C. Code Compliant. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the California Welfare and Institutions Code.
- D. Homeless Management Information System. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

Article 2 Transitional and Supportive Housing**17.30.200 Purpose.**

The purpose of this section is to establish provisions for the review of supportive and transitional housing. The established provisions of this chapter shall allow for all proposed supportive and transitional housing to be a use by right in residential zones and where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses.

17.30.210 Definitions.

"Transitional housing" shall mean a housing development project as defined in California Government Code section 65582(j), as may be amended or renumbered from time to time, as being building(s) configured as a rental housing development, 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 is a residential use and is subject to only those restrictions that apply to other residential uses of the same type in the same zone.

"Supportive housing" shall mean a housing development project as defined in California Government Code section 65582(g), as may be amended or renumbered from time to time, as being housing with no limit on length of stay, that is occupied by the target population, and that is linked to an on-site or off-site 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. Supportive housing is a residential use and is subject to only those restrictions that apply to other residential uses of the same type in the same zone. "Target population" means persons with low incomes who have one or more disabilities as described in section 65582(i) of the California Government Code.

17.30.220 Location.

Transitional and supportive housing development is a use by right in areas zoned for residential and mixed use subject to the same standards as a residence of the same type in that same zone.

17.30.230 - Development standards.

Development standards shall be the same for supportive and transitional housing as they are for any residential housing development located within the zoning district. Additional standards specific for supportive and transitional housing developments are as follows:

- A. Units within the development are subject to a recorded affordability restriction for fifty-five (55) years.
- B. One hundred percent (100%) of the units, excluding managers' units, within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income residents. For purposes of this paragraph, "lower income households" has the same meaning as defined in section 50079.5 of the California Health and Safety Code.
- C. At least twenty-five percent (25%) of the units in the development or twelve (12) units, whichever is greater, are restricted to residents in supportive housing who meet the criteria of the target population. If the development consists of fewer than twelve (12) units, then one hundred percent (100%) of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the planning agency with the information required by Section 65652 of the California Government Code.
- E. Nonresidential floor area shall be used for on-site supportive services in the following amounts:
 - 1. For a development with twenty (20) or fewer total units, at least ninety (90) square feet shall be provided for on-site supportive services.

2. For a development with more than twenty (20) units, at least three percent of the total nonresidential floor area shall be provided for on-site supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915 of the California Government Code.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stove top, a sink, and a refrigerator.
- H. Parking.
 1. Parking stall requirement shall be one-half per unit and one for each on-site management/staff.
 2. No Parking shall be required within one half mile of a public transit stop.

17.30.240 Application review.

- A. The Community Development Department shall notify the project applicant whether the application is complete within thirty (30) days of receipt of a completed application.
- B. After the application is deemed complete, the Community Development Department shall complete its review of the application within sixty (60) days for projects consisting of fifty (50) or fewer units and one hundred and twenty (120) days for projects consisting of fifty-one (51) units or more .

Article 3 Large Residential Care Facilities

17.30.300 - Purpose.

The purpose of this section is to establish provisions for the review of large residential care facilities. The established provisions of this chapter shall allow for all proposed large residential care facilities to be subject to a Conditional Use Permit (CUP) in zones where residential structure(s) and use(s) are allowed or existing at the time this code was established. "Residential care facility" or "residential care facilities" shall be defined consistent with the California Health and Safety Code Section 1502 which may be amended from time to time.

17.30.310 - Permit required.

- A. A residential care facility consisting of 7 or more person shall be required to obtain a Conditional Use Permit (CUP).

- B. Any required building permit shall be obtained from the Building Department prior to establishing the use and operation within the City of Lathrop.
- C. Any required license or permit by the California Department of Social Services (CDSS) or the California Department of Health Care Services (DHCS) that is required shall be obtained prior to establishing use and operation within the City of Lathrop.

17.30.340 Development standards.

All large residential care facilities shall meet the standard development standards for the zone in which it is located. No additional or special development standards shall be imposed on any large residential care facility.

Article 4 Farm Worker and Employee Housing

17.30.400 - Purpose.

The Employee Housing Act allows for flexibility in housing types for employee housing, including conventional and nonconventional structures, such as: living quarters, boardinghouse, tent, bunkhouse, mobilehome, manufactured home, recreational vehicle, and travel trailers. The laws and regulations governing these structures depend on the housing type; however, all qualified employee housing must comply with: the Employee Housing Act (California Health and Safety Code Section 17000 et seq.) and the Employee Housing Regulations (California Code of Regulations Title 25, Division 1, Chapter 1, Subchapter 3—Employee Housing), which outline specific requirements for the construction of housing, maintenance of grounds, buildings, sleeping space and facilities, sanitation and heating; and the provisions of this section. Under Health and Safety Code section 17021.6, the permitted occupancy in employee housing in a zone allowing agricultural uses (RCO and UR Zones) shall include agricultural employees who may or may not work on the property where the employee housing is located.

17.30.410 - Definitions.

"Farm worker and employee housing" means employee housing defined in California Health and Safety Code section 17008, even if the housing accommodations or property are not located in a rural area, as defined by California Health and Safety Code section 50101.

17.30.420 - Review authority and procedure.

- A. Farm worker and employee housing for seven or more employees shall be considered an agricultural use and shall not require any discretionary approval not required of other agricultural activity in the same zone, provided that:
 - 1. The farm worker and employee housing should not consist of more than thirty-six (36) beds in a group quarters or twelve (12) units or spaces designed for use by a single family or household.

2. All temporary or permanent structures that contain farm worker and employee housing shall meet the setback, lot coverage, height, and other development standards applicable to the zone in which it is located.
 3. Parking shall be provided in accordance with Chapter 17.76 of the Lathrop Municipal Code, unless the applicant provides substantial evidence demonstrating that the actual parking need is lower, subject to the approval of the Community Development Director.
 4. Farm worker and employee housing shall comply, as applicable, with the following: (1) Employee Housing Act (California Health and Safety Code Sections 17000—17062); (2) Mobilehome Parks Act (California Health and Safety Code Sections 18200—18700); and Special Occupancy Parks Act (California Health and Safety Code Sections 18860—18874), as may be amended from time to time.
 5. Farm worker and employee housing shall be reviewed and approved subject to the same requirements as other agricultural uses within the same zone.
 6. Farm worker and employee housing—seven or more employees shall be removed or converted to another permitted use at such time as the agricultural activity to which it relates ceases operation for more than twelve (12) consecutive months.
- B. Farm worker and employee housing providing accommodations for six or fewer employees, pursuant to California Health and Safety Code section 17021.5, shall be deemed a single-family dwelling and is allowed in residential zones. Farm worker and employee housing for six or fewer employees is subject to all City of Lathrop municipal codes, regulations, and other standards generally applicable to other residential dwellings of the same type in the same zone.

Article 5 Streamlined Affordable Housing Approvals

General

17.30.500 Purpose.

The purpose of this chapter is to provide for the implementation of various portions of the California Government Code by providing a streamlined review and approval process for qualifying housing projects.

17.30.505 Special proceedings.

Notwithstanding the requirements of Lathrop Municipal Code (LMC) Chapter 17.81, 17.100, 17.101, 17.104, and 17.112 to the extent that any development project qualifies for one (1) or more of the streamlined review and approval processes provided by this chapter, where that same project concurrently applies for a density bonus or other developer incentives as provided by LMC Chapter 17.81, the designated approving authority for the density bonus, concession, or other developer incentive shall be the same as the approval authority for the streamlined review and approval process.

Infill Affordable Housing Projects

17.30.510 Purpose and qualifying housing developments.

The purpose of this article is to implement the provisions of Section 65913.4 of the California Government Code. This article shall only apply to qualifying housing developments. As used in this Article 5, the term “qualifying housing developments” shall mean those housing developments which meet the qualifications listed in Section 65913.4(a) of the California Government Code.

17.30.515 Exemptions from discretionary review.

Qualifying housing developments shall be subject to streamlined ministerial review hereunder and shall be exempt from all City discretionary review including, but not limited to, Site Plan Review and discretionary design review; provided, that the project conforms with all applicable ministerial provisions of State law, this municipal code (inclusive of this article), and the General Plan. Qualifying housing developments shall only be required to obtain the approvals required by this Article 5 from the Community Development Director prior to issuance of the required building permit, grading permit, improvement plans, or other City-required construction authorization. This limitation does not apply to any required tentative and final subdivision map, tentative and final parcel map, lot line adjustment(s), or other changes in lot configuration governed by LMC Title 16 (Subdivisions), except that any required tentative map proposed concurrently with the qualifying housing development shall be processed concurrently with that project.

17.30.520 Objective development standards.

- A.** Qualifying housing developments shall comply with all ministerial land use regulations, Citywide regulations, and development standards in effect at the time that the application is submitted as those standards are applicable to a residential multi-unit or mixed-use project within the zoning district in which the project is proposed including, but not limited to, residential density, setbacks, height, open yard, and screening requirements as described in this title.
- B.** No streamlined housing project shall include a request for an exception to these standards by applying for a variance, modification, exception, waiver, or other discretionary approval for height, density, setbacks, open yard, land use, development plan approval, or similar development standard, other than modifications for which the development is eligible and granted as part of a density bonus, concession, or incentive pursuant to State Density Bonuses and Other Incentives Law (Section 65915 et seq. of the California Government Code) and LMC Chapter 17.81.
- C.** Any lot developed with a qualifying streamlined development project hereunder shall comply with all adopted objective guidelines, design review standards, and development standards, including but not limited to the objective design standards for streamlined housing projects.

17.30.525 Procedures.

- A.** All proposed qualifying housing developments shall be reviewed and processed in compliance with California Government Code Section 65913.4.

Affordable Housing Developments in Commercial Zones**17.30.530 Purpose and qualifying housing developments.**

- A.** The purpose of this article is to implement the provisions of Sections 65912.100 through 65912.114 of the California Government Code.
- B.** The provisions of this article shall only apply to a qualifying housing development. As used in this Article 5, the term “qualifying housing development” means a multifamily residential (multiple residential unit) development that meets the requirements set forth in this Article 5 and Sections 65912.111 through 65912.114 of the California Government Code. Qualifying housing developments shall meet or exceed the minimum density requirements outlined herein and meet all of the following:
 - 1.** One hundred (100%) percent of the units within the development project, excluding manager’s units, shall be dedicated to lower income households at an affordable cost, as defined in Section 50052.5 of the California Health and Safety Code, or an affordable rent set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee.

2. The units shall be subject to a record deed restriction for a period of fifty-five (55) years for rental units and forty-five (45) years for owner-occupied units.
3. The project complies with all of the labor standards provided in Section 65912.130 and, as applicable, Section 65912.131 of the California Government Code, as may be amended from time to time.

17.30.535 Applicable entitlements.

- A. Qualifying housing developments shall be allowed by right. No conditional use permit or other local discretionary review shall be required.
- B. A qualifying housing development shall be subject to ministerial review of a Site Plan Review Chapter 17.100 by the Community Development Director, subject to the objective design and development regulations applicable by this article.
- C. A development proposed pursuant to this article shall be eligible for a density bonus, incentives, or concessions, waivers, or reductions of development standards, and parking ratios pursuant to LMC Chapter 17.81 and Section 65915 of the California Government Code, as may be amended from time to time.

17.30.540 Site requirements.

A qualifying housing development shall only be subject to the streamlined review process provided by this article if the subject site complies with all of the following criteria:

- A. The site is located in any zoning district where office, retail, or parking are a principally permitted use.
- B. The site is a legal lot.
- C. At least seventy-five (75%) percent of the perimeter of the site adjoins lots that are developed with urban uses. As used in this section, the term “urban uses” shall mean current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination thereof. Parcels that are only separated by a street, pedestrian path, or bicycle path shall be considered to be adjoined.
- D. The site is not, nor is it adjoined to any site, where more than one-third (1/3) of the square footage of the site is dedicated to industrial use (as defined in Section 65912.111(d)(3) of the California Government Code). Parcels that are only separated by a street shall be considered to be adjoined.
- E. The site satisfies the requirements specified in Section 65913.4(a)(6) of the California Government Code, exclusive of Section 65913.4(a)(6)(A)(iv) of the California Government Code.

- F. The site is not an existing lot of land or site that is governed under the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.
- G. For a site within a neighborhood plan area (as defined in Section 65912.101(p) of the California Government Code), the neighborhood plan applicable to the site permitted multi-family housing (multiple residential unit development) on the site.
- H. For a vacant site, the site satisfies both of the following:
 - 1. It does not contain tribal cultural resources, as defined by Section 21074 of the California Public Resources Code, that could be affected by the development that were found pursuant to a consultation as described by Section 21080.3.1 of the California Public Resources Code and the effects of which cannot be mitigated pursuant to the process described in Section 21080.3.2 of the California Public Resources Code.
 - 2. It is not within a very high fire hazard severity zone, as indicated on maps adopted by the California Department of Forestry and Fire Protection pursuant to Section 4202 of the California Public Resources Code or as designated pursuant to Sections 51179(a) and (b) of the California Government Code.
- I. The development is not located on a site where the development would require the demolition of a historic structure that is placed on a national, State, or local historic register.

17.30.545 Objective development requirements.

A qualifying housing development shall comply with all of the following objective development requirements as determined by the Community Development Director through ministerial review of a Site Plan Review:

- A. The development is a multi-family (multiple residential unit) development.
- B. The residential density for the development will meet or exceed thirty (30) units per acre.
- C. For any housing on the site located within five hundred (500' 0") feet of a freeway, as defined in Section 332 of the California Vehicle Code, all of the following shall apply:
 - 1. The building shall have a centralized heating, ventilation, and air-conditioning system.
 - 2. The outdoor air intakes for the heating, ventilation, and air-conditioning system shall face away from the freeway.

3. The building shall provide air filtration media for outside and return air that provide a minimum efficiency reporting value of sixteen (16).
 4. The air filtration media shall be replaced at the manufacturer's designated interval.
 5. The building shall not have any balconies facing the freeway.
- D. None of the housing/residential use on the site is located within three thousand two hundred (3,200' 0") feet of a facility that actively extracts or refines oil or natural gas.
- E. Objective Development Standards Applicable.
1. The development shall meet applicable objective zoning standards, objective subdivision standards, and objective design review standards, including but not limited to setbacks, height, landscaping, parking, building articulation and fenestration, and other applicable objective development standards as provided by this code and any applicable design guidelines.
 2. If the underlying zoning district(s) of the site allow for multi-family/multiple residential units, those standards of the zoning district shall apply.
 3. If the underlying zoning district(s) of the site does not allow for multi-family/multiple residential units, the zoning designation of the closest lot that allows residential use at a density that meets or exceeds the requirements of subsection (B) of this section shall apply.
 4. The applicable objective standards shall be those in effect at the time that the development application is submitted to the City pursuant to this article.
- F. For any project that is the conversion of the use of an existing nonresidential use building to residential use, the City will not require the provision of common open space beyond what is already existing on the project site.

17.30.550 Procedures.

- A. If the City determines that a proposed development project submitted pursuant to this article is consistent with requirements of LMC Sections 17.30.540 (A-I) and 17.30.545 (A-F), it shall approve the project.
- B. If the City determines a proposed development project submitted pursuant to this article is in conflict with any of the requirements of LMC Sections 17.30.540 (A-I) and 17.30.545 (A-F), it shall provide the applicant with written documentation of which standard(s) the project conflicts with, along with an explanation for the reason(s) the project conflicts with the standard(s), within the following timeframes, or as otherwise provided under Section 65589.5 of the California Government Code:

1. Within sixty (60) days of the initial submittal of the project to the City for projects containing one hundred fifty (150) or fewer units.
 2. Within ninety (90) days of the initial submittal of the project to the City for projects containing more than one hundred fifty (150) units.
 3. Within thirty (30) days of submittal of any development project that was resubmitted to address written feedback provided by the City pursuant to subsection (B)(1) or (B)(2) of this section.
- C. In any subsequent review of the application determined to be in conflict with any of the requirements of LMC Sections 17.30.540 (A-I) and 17.30.545 (A-F), the City will not request the applicant to provide any new information that was not stated in the initial list of items that were determined to be in conflict.
- D. Once the City determines that a project submitted pursuant to this article is consistent with the objective planning standards specified in this article, the Site Plan Review required for the project pursuant to LMC Section 17.30.535, along with any density bonus, incentives, or concessions, waivers, or reductions of development standards, and parking ratios pursuant to LMC Section 17.81 and Section 65915 of the California Government Code, shall be completed within the following timeframes:
1. Within sixty (60) days of the date that the project is determined consistent with the objective planning standards specified in this article for development projects that contain one hundred fifty (150) or fewer units.
 2. Within ninety (90) days of the date that the project is determined consistent with the objective planning standards specified in this article for development projects that contain more than one hundred fifty (150) units.
- E. The City will, as a condition of approval of the development, require the development proponent to complete a phase I environmental assessment, as defined in Section 78090 of the California Health and Safety Code. If a recognized environmental condition is found, the applicant shall undertake a preliminary endangerment assessment, as defined in Section 78095 of the California Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.
1. If a release of a hazardous substance is found to exist on the site, before the City issues a certificate of occupancy, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with current State and Federal requirements.

2. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, before the City issues a certificate of occupancy, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with current State and Federal requirements.

Article 6 Emergency Shelters

§ 17.30.600 Procedure.

Emergency shelters shall be permitted only in accordance with the regulations established in this chapter and for the applicable district (Chapter 17.36 or 17.40).

§ 17.30.610 Emergency shelter standards.

- A. Limitation on Location. An emergency shelter subject to this chapter may be established within the RM zoning district.
- B. Permit Requirement. Construction of a new structure or exterior modification of an existing structure for an emergency shelter in the RM zoning district shall be subject to a ministerial review process. The Community Development Director will review the design, site plan, and management plan to ensure compliance with the standards established for the zoning district and with the development standards established in this section.
- C. Zoning Requirements and Standards. Except as otherwise set forth in this section, all emergency shelters shall comply with the land use regulations for the RM zoning district in which the emergency shelter will be located.
- D. Development Standards. An emergency shelter shall comply with the following standards:
 1. Occupancy. The maximum number of beds or persons permitted to be served nightly by an emergency shelter, or any combination of emergency shelters in the city, shall not exceed eight persons or the unsheltered need identified in the adopted Housing Element, whichever is greater.
 2. Length of Stay. Occupancy for an individual in an emergency shelter is limited to no more than six months. The operator of the emergency shelter shall maintain adequate documentation to demonstrate compliance with this provision.
 3. Management Plan. Prior to the Community Development Director's decision, the operator of the emergency shelter must submit to the Community Development Department, Planning Division a written management plan. At a minimum, the management plan shall include and address the following:

- a. Procedures for staff training to meet the needs of the shelter residents, and have processes to address the following topics: client intake, confidentiality, health and safety training, mental health, and substance abuse treatment and referrals;
- b. Operational rules and standards of conduct for residents, including policies prohibiting the use or possession of controlled substances by residents, rules concerning the use or possession of alcohol, curfew, prohibition of loitering, and any other provisions necessary to ensure compatibility with surrounding uses;
- c. Policies and procedures for eviction from the facility for violation of rules and standards of conduct;
- d. A detailed safety and security plan to protect shelter residents and surrounding uses;
- e. A process for resident screening and identification;
- f. Provisions for on-site or partnerships with off-site organizations to provide job training, counseling, and treatment programs for the residents;
- g. Services to assist residents with obtaining permanent shelter and income;
- h. If applicable, timing and placement of outdoor activities;
- i. Location within the facility for temporary storage of residents' personal belongings;
- j. Provisions for continuous on-site supervision during hours of operation. Specifically, there shall be a minimum of one (1) staff person per eight (8) clients during daytime hours, 7 a.m. to 9 p.m., and a minimum of two (2) staff people at the facility during nighttime hours, 9 p.m. to 7 a.m.;
- k. If applicable, procedures for ensuring safety and security of women and children within the facility;
- l. The exterior of the building must be kept in a good state of repair and the exterior finish and landscaping must be kept clean and well maintained. Each site shall be kept in a neat and orderly manner, free of weeds, loose trash, debris and other litter, including, but not limited to, shopping carts;
- m. Organized outdoor activities on the site may only be conducted between the hours of 8 a.m. and 10 p.m.;

- n. Employees, partners, directors, officers, managers, and similar persons shall be screened prior to occupancy to confirm that they have no history of a previously failed emergency shelter (or similar facility) due to the fault of the operator, and have not been convicted of any of the following offenses within the prior five (5) years:
 - i. A crime requiring registration under California Penal Code Section 290,
 - ii. A violation of California Penal Code Sections 311.2 or 311.4 through 311.7,
 - iii. A violation of California Penal Code Sections 313.1 through 313.5,
 - iv. A violation of California Penal Code Section 647(a), (b), or (d),
 - v. A violation of California Penal Code Sections 315, 316, or 318,
 - vi. A felony crime involving the use of force or violence on another, or
 - vii. The maintenance of a nuisance in connection with the same or similar business operation.

The management of the emergency shelter shall effectuate a background investigation on all employees to the satisfaction of the chief of police.

- 4. Common Facilities and Services. An emergency shelter may include the following facilities and services as ancillary to the emergency shelter use:
 - a. Commercial kitchen facilities;
 - b. Dining area;
 - c. Laundry room;
 - d. Recreation or meeting room;
 - e. Outdoor recreational spaces; provided, that the space is located within a building interior courtyard or is enclosed by a building, solid fence, or wall or some combination thereof to secure the space and ensure that it is not accessible to the general public;
 - f. Animal boarding and related veterinary services for current residents of the facility only; and

- g. Child care facilities for current residents of the facility only.
5. Client Intake Areas. An enclosed intake area shall be provided within the emergency shelter building. The intake area shall be a minimum of 120 square feet in size, located entirely within the building. The intake hours shall be posted clearly on the doors to the emergency shelter. Clients shall be allowed to wait in an interior or exterior waiting area that shall not exceed 200 square feet. Clients shall not loiter nor form a queue outside of the exterior waiting area.
6. Parking. Each emergency shelter shall have a minimum of two (2) off-street parking spaces plus the greater of either: (a) one (1) additional off-street parking space for each 10 beds, or fraction thereof; or (b) one (1) additional parking space per employee.
7. Lighting. Exterior lighting shall be located along all pedestrian pathways, parking lots, entrances and exits, common outdoor areas, and at the front of the building. All lighting shall be maintained in good operating condition and shall be fully-shielded.
8. On-Site Security. Security measures shall be reviewed and approved by the chief of police prior to commencement of operations on the site and shall be sufficient to protect clients and neighbors. On-site security shall be provided during the hours when the emergency shelter is in operation and at all times when clients are present on site. In the event that five or more calls for police services have been received over a 30-day period by the police department, the facility shall be required to provide additional on-site security staff to the satisfaction of the chief of police and the Community Development Director.
9. City, County and State Requirements. An emergency shelter shall obtain and maintain in good standing all required licenses, permits, and approvals from the city, county, and state agencies or departments and demonstrate compliance with applicable building and fire codes. An emergency shelter shall comply with all county and state health and safety requirements for food, medical, and other supportive services provided on site.

Article 7 Reasonable Accommodation for Persons With Disabilities

§ 17.30.700 Purpose.

A request for reasonable accommodation may be made by any person with a disability, their representative or any entity, when the application of a zoning law, building regulation, or other land use regulation, policy or practice acts as a barrier to fair housing opportunities. The process for addressing reasonable accommodation requests established by this chapter applies to requests from persons defined as disabled under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts).

A request for reasonable accommodation may include a modification or exception to the permit requirements, standards, and practices for the siting, development, improvement, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. Requests for reasonable accommodation shall be made in the manner prescribed by this chapter.

§ 17.30.710 Request requirements.

A. Requests for reasonable accommodation shall include the following information:

- 1.** The applicant's name, address, and telephone number.
- 2.** Address of the property for which the request is being made.
- 3.** The current actual use of the property.
- 4.** The basis for the claim that the individual is considered disabled under the Acts.
- 5.** The municipal code provision, land use code provision, or other regulation or policy from which reasonable accommodation is being requested.
- 6.** A description of why the reasonable accommodation is necessary to make the specific property accessible to the individual.

B. Additional Information. If necessary to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with the Acts, specifying in detail the information that is required. In the event that a request for additional information is made, the 30 day period to issue a decision is stayed until the applicant responds to the request.

§ 17.30.720 Review authority.

A. Community Development Director. Requests for reasonable accommodation shall be reviewed by the Community Development Director (Director), or designee if no approval is sought other than the request for reasonable accommodation.

B. Other Review Authority. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application.

§ 17.30.730 Review procedure.

A. Director Review. The director, or designee, shall make a written determination within 30 calendar days and either grant, grant with modifications, or deny a request for reasonable accommodation.

- B. Other Reviewing Authority.** The written determination on whether to grant or deny the request for reasonable accommodation shall be made by the authority responsible for reviewing the discretionary land use application in compliance with the applicable review procedure for the discretionary review.

§ 17.30.740 Findings, decision, and conditions.

- A. Findings and Decision.** The written decision to grant or deny a request for reasonable accommodation shall be consistent with the Acts and shall be based on consideration of the following factors:
- 1.** Whether the housing, which is the subject of the request, will be used by an individual with a disability protected under the Acts.
 - 2.** Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
 - 3.** Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city.
 - 4.** Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city program or law, including, but not limited to, land use and zoning.
- B. Conditions of Approval.** In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the above findings.

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Chapter 17.32 R One Family Residential District

[...]

§ 17.32.040 Conditional uses—Commission approval required.

The following conditional uses may be permitted in accordance with the provisions of Chapter 17.112:

- A.** Public and quasi-public uses of an educational or religious type, including public and parochial elementary schools, junior high schools, high schools and colleges, nursery schools, private nonprofit schools and colleges, churches, parsonages and other religious institutions;
- B.** Public and private charitable institutions, hospitals, sanitariums, rest homes and nursing homes, including a state authorized, certified or licensed family care home, foster home or group home serving seven or more mentally disordered or otherwise handicapped persons, including rehabilitation homes for alcoholics and drug addicts, or dependent and neglected children, where such homes provide care on a 24 hour basis;
- C.** Public uses of an administrative, recreational, public service or cultural type, including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities, and public playgrounds, parks and community centers;
- D.** Modest expansion or remodeling of an existing nonconforming use of a structure or land, limited to 25% or less of the assessed value of existing structures, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than \$100, and nonconforming fences, walls and hedges;
- E.** Incidental and accessory structures and uses as defined in Section **17.04.080** located on the same site as a conditional use;

F. Large residential care home as defined in Section 17.04.080;

G. ~~**F.**~~ Other uses which are added to this list according to the procedure in Section **17.16.020**. (Ord. 92-73; Ord. 97-151)

[...]

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Chapter 17.36 RM Multifamily Residential District

[...]

§ 17.36.040 Conditional uses—Commission approval required.

The following uses may be permitted accordance with the procedures prescribed in Chapter 17.112:

- A.** Public and quasi-public uses of an educational or religious type, including public and parochial elementary schools, junior high schools, high schools and colleges, nursery schools, private nonprofit schools and colleges; churches, parsonages and other religious institutions;
- B.** Public and private charitable institutions, hospitals, sanitariums, nursing homes, rehabilitation homes and rest homes, including state authorized homes as prescribed under Section **17.32.040(B)**;
- C.** Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities, and public playgrounds, parks and community centers;
- D.** Mobilehome parks, in accordance with the provisions of Chapter **17.72**;
- E.** Modest expansion or remodeling of an existing nonconforming use of a structure or land, limited to 25% or less of the assessed value of existing structures, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming use occupying a structure with an assessed valuation of less than \$200, and nonconforming fences, walls and hedges;
- F.** Expansion, remodeling or additions to a conditional use that are not considered an incidental or accessory use as defined in Section **17.04.080**;
- G.** Professional offices, only within the RM-2 district;
- H.** A state authorized licensed day care center for 13 or more children;
- I.** Single room occupancy uses, in accordance with the provisions of Chapter **17.73**;
- J.** Large residential care home as defined in Section 17.04.080;

K. ~~**J.**~~ Other uses which are added to this list according to the procedure in Section **17.16.020**.
(Ord. 92-73; Ord. 16-365 § 1)

[...]

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Chapter 17.57 Mossdale Landing Zoning Districts

Article 1 Mossdale Landing Zoning Districts of the Mossdale Landing Urban Design Concept

[...]

§ 17.57.120 **RL-MV: low density residential—Mossdale Village zoning district.**

[...]

§ 17.57.122 **Conditional uses.**

A. The following uses may be permitted in accordance with the provisions of Chapter **17.112**:

1. A State authorized licensed child day care center as defined by the State of California Department of Social Services.
2. Public and private charitable institutions; State authorized hospitals, sanitariums, rest homes, and nursing homes; State authorized, certified or licensed facility including; a foster home or group home serving nine or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
3. Public and quasi-public use of an educational or religious type, including; private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
4. Gas and electric transmission lines in accordance with Section **17.108.080**, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.

5. Large residential care home as defined in Section 17.04.080.

(Ord. 23-449, 11/13/2023)

[...]

§ 17.57.130 **RM-MV: medium density residential—Mossdale Village zoning district.**

[...]

§ 17.57.132 **Conditional uses.**

A. The following uses may be permitted in accordance with the provisions of Chapter **17.112**:

1. A State authorized licensed child day care center as defined by the State of California Department of Social Services.
2. Public and private charitable institutions; State authorized hospitals, sanitariums, rest homes, and nursing homes; State authorized, certified or licensed facility including: a foster home or group home serving nine or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
3. Boarding or rooming houses as defined in Section **17.04.080** of this title.
4. Public and quasi-public use of an educational or religious type, including: private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
5. Gas and electric transmission lines in accordance with Section **17.108.080**, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.

6. Large residential care home as defined in Section 17.04.080.

(Ord. 23-449, 11/13/2023)

[...]

§ 17.57.140 **RH-MV: high density residential—Mossdale Village zoning district.**

[...]

§ 17.57.142 **Conditional uses.**

A. The following uses may be permitted in accordance with the provisions of Chapter **17.112**:

1. Day care centers.
2. Private non-profit schools and colleges; churches, and other religious institutions.

3. Large residential care home as defined in Section 17.04.080.

(Ord. 23-449, 11/13/2023)

[...]

Article 2 Mossdale Landing East Zoning Districts of the Mossdale Landing East Urban Design Concept

[...]

§ 17.57.230 **RL-MV: low density residential—Mossdale Village zoning district.**

[...]

§ 17.57.232 **Conditional uses.**

A. The following uses may be permitted in accordance with the provisions of Chapter **17.112:**

1. A state authorized licensed child day care center as defined by the State of California Department of Social Services.
2. Public and private charitable institutions; state authorized hospitals, sanitariums, rest homes, and nursing homes; state authorized, certified or licensed facility including: a foster home or group home serving nine or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
3. Public and quasi-public use of an educational or religious type, including: private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
4. Gas and electric transmission lines in accordance with Section **17.108.080**, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.

[5. Large residential care home as defined in Section 17.04.080.](#)

(Ord. 23-449, 11/13/2023)

[...]

§ 17.57.240 **RM-MV: medium density residential—Mossdale Village zoning district.**

[...]

§ 17.57.242 **Conditional uses.**

A. The following uses may be permitted in accordance with the provisions of Chapter **17.112:**

1. A state authorized licensed child day care center as defined by the State of California Department of Social Services.

2. Public and private charitable institutions; state authorized hospitals, sanitariums, rest homes, and nursing homes; state authorized, certified or licensed facility including: a foster home or group home serving nine or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
3. Boarding or rooming houses as defined in Section **17.04.080** of this title.
4. Public and quasi-public use of an educational or religious type, including: private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
5. Gas and electric transmission lines in accordance with Section **17.108.080**, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.

6. Large residential care home as defined in Section 17.04.080.

(Ord. 23-449, 11/13/2023)

[...]

Article 3 Mossdale Landing South Zoning Districts of the Mossdale Landing South Urban Design Concept

[...]

§ 17.57.310 **RM-MV: medium density residential—Mossdale Village zoning district.**

[...]

§ 17.57.312 **Conditional uses.**

A. The following uses may be permitted in accordance with the provisions of Chapter **17.112**:

1. A state authorized licensed child day care center as defined by the State of California Department of Social Services.
2. Public and private charitable institutions; state authorized hospitals, sanitariums, rest homes, and nursing homes; state authorized, certified or licensed facility including: a foster home or group home serving nine or more mentally disordered or otherwise handicapped persons, such as rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24-hour basis.
3. Boarding or rooming houses as defined in Section **17.04.080** of this title.

4. Public and quasi-public use of an educational or religious type, including: private non-profit schools, public or private colleges; churches; parsonages and other religious institutions.
5. Gas and electric transmission lines in accordance with Section **17.108.080**, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.
6. Water quality ponds/associated facilities.

[7. Large residential care home as defined in Section 17.04.080.](#)

(Ord. 23-449, 11/13/2023)

[...]

§ 17.57.320 **RH-MV: high density residential—Mossdale Village zoning district.**

[...]

§ 17.57.322 **Conditional uses.**

A. The following uses may be permitted in accordance with the provisions of Chapter **17.112**:

1. Day care centers.
2. Private non-profit schools and colleges; churches, and other religious institutions.

[3. Large residential care home as defined in Section 17.04.080.](#)

(Ord. 23-449, 11/13/2023)

[...]

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.58 Lathrop Gateway Business Park Zoning Districts

Article 2 CO-LG: Commercial Office Zoning District

§ 17.58.020 Purposes and application.

The CO-LG zoning district provides a range of large and small scale commercial development opportunities for the location of professional and commercial offices; retail; financial; governmental; professional, business services and entertainment activities; clean light industrial uses; and other uses to serve the local and regional community. Land requirements for most commercial office uses generally dictate their application along main roads of the city which generally have convenient access and/or high visibility.
(Ord. 11-307 § 4)

§ 17.58.021 Permitted uses.

- A.** Off-street parking lots improved in conformity with Chapter **17.76** shall be permitted.
- B.** Retail sales uses including, but not limited to:
 - 1.** Antique/collector shop;
 - 2.** Appliance store, new and used;
 - 3.** Automobile, truck and tractor parts;
 - 4.** Automobile and truck sales, service and repair, new and used;
 - 5.** Bakeries, retail and wholesale;
 - 6.** Bicycle shops;
 - 7.** Boat sales, service and repair, new and used;
 - 8.** Book store;
 - 9.** Boutique/gift store;
 - 10.** Bridal shop;
 - 11.** Children's/teen's store;
 - 12.** Clothing store;

13. Convenience-oriented food store;
14. Department store/general merchandise store;
- ~~15. Diaper supply;~~
15. ~~16.~~ Dry goods;
16. ~~17.~~ Electronics/audio/video/computer/software store;
17. ~~18.~~ Feed and seed;
18. ~~19.~~ Furniture stores, new and used;
19. ~~20.~~ Hardware/home improvement/building materials;
- ~~21. Hat store/millinery;~~
20. ~~22.~~ Housewares/tableware/linen stores;
- ~~23. Ice sales and storage;~~
21. ~~24.~~ Jewelry store;
22. ~~25.~~ Leather goods and luggage;
23. ~~26.~~ Lighting store;
24. ~~27.~~ Lumber yards, when accessory to retail establishment, in an enclosed building;
25. ~~28.~~ Machinery/equipment, including farm equipment sales, service, and rental, in an enclosed building;
26. ~~29.~~ Medical and orthopedic appliance store;
27. ~~30.~~ Nursery/garden supply store/landscape materials;
28. ~~31.~~ Office and business supplies;
29. ~~32.~~ Party supplies;
- ~~33. Scientific instrument store;~~
30. ~~34.~~ Stamps, coins and collectables;
31. ~~35. Thrift shop and secondhand store;~~

~~32.~~ ~~36.~~ Tobacconist/cigarette sales;

~~33.~~ ~~37.~~ Toy store;

~~34.~~ ~~38.~~ Wholesale business and sales.

C. Regionally oriented, high volume retail uses, including, but not limited to:

1. Auto malls;
2. Design/contractors centers;
3. Discount/off price/factory outlet stores and centers;
4. Entertainment/lifestyle centers;
5. Furniture outlets;
6. Malls;
7. Power centers;
8. Promotional centers.

D. Service retail uses including, but not limited to:

1. Appliance repair shops, large and small;
2. Automobile and truck upholstery and top shops;
3. Automobile, truck and trailer rental and service, including incidental sales;
4. Automobile ~~and truck~~ washing, either self-service or involving the use of mechanical conveyors, blowers and steam cleaning;
5. Banks/credit unions/savings and loans/financial institutions;
- ~~6. Boat/recreational vehicle storage and parking;~~
- ~~7. Bus depots and transit stations;~~
- ~~8. Cafeterias;~~
- ~~9. Catering;~~

- ~~6. 10.~~ Cleaning, pressing and dyeing establishments, using nonflammable and nonexplosive cleaning fluid;
- ~~7. 11.~~ Day care centers;
- ~~8. 12.~~ Medical and dental clinics, and prescribing pharmacies within;
- ~~9. 13.~~ Electronics repair;
- ~~10. 14.~~ Employment agency;
- ~~15. — Exterminators;~~
- ~~11. 16.~~ Facial/massage/day spa;
- ~~17. — Heating, ventilating and air conditioning shops, including incidental sheet metal;~~
- ~~12. 18.~~ Hotel/motel/extended-stay hotels;
- ~~13. 19.~~ Interior decorating and window coverings;
- ~~14. 20.~~ Laundromats;
- ~~15. 21.~~ Liquor stores ~~Linen supply service;~~
- ~~16. 22.~~ Lube/oil change shops;
- ~~23. — Mattress repair;~~
- ~~17. 24.~~ Mortuary;
- ~~18. 25.~~ Motorcycle and motorsports sales, service and repair, new and used;
- ~~19. 26.~~ Musical instrument repair and sales;
- ~~20. 27.~~ Outdoor dining;
- ~~21. 28.~~ Parking lots and structures, improved, off-street and in conformity with Chapter 17.76;
- ~~29. — Plumbing and sheet metal;~~
- ~~22. 30.~~ Real estate/title office;
- ~~23. 31.~~ Restaurants;

~~24. 32. Rug and carpet cleaning and dyeing;~~

~~25. 33. Secretarial services;~~

~~26. 34. Sign painting shop;~~

~~27. 35. Storage building, incidental to a permitted use;~~

~~28. 36. Storage, garages and buildings, including mini storage facility;~~

~~29. 37. Taxidermists;~~

~~30. 38. Tire sales, services, retreading and recapping, automobile and truck;~~

~~31. 39. Tool or cutlery sharpening or grinding;~~

~~32. 40. Vending machines, within enclosed areas;~~

~~33. 41. Veterinarian services and offices, including small animal hospitals or clinics, short-term boarding of animals and incidental care such as bathing and trimming; provided that all operations are conducted entirely within a completely enclosed structure which complies with specifications of soundproof construction as prescribed by the building official.~~

E. Educational and recreational uses including, but not limited to:

1. Auditoriums/concert hall;

2. Banquet facility;

3. Billiards/pool hall;

4. Bowling alley;

5. Community/civic center;

6. Church/religious facility;

~~7. 6. Dance hall/studio;~~

~~8. 7. Health clubs/fitness centers/physical therapy/gymnasium;~~

~~9. 8. Instruction and training in gymnastics, martial arts, aerobics, yoga;~~

~~10. 9. Meeting hall;~~

11. ~~10.~~ Music/audio recording studio;

12. ~~11.~~ Professional and trade schools and colleges;

13. ~~12.~~ Theater (dinner, movie, live, etc.);

F. Office uses including, but not limited to:

1. Administrative headquarters;
2. Administrative offices—City, county, state, and federal;
3. Business, consulting, commercial, professional, and administrative services and offices;
4. Business park or regional office centers;
5. Courier offices;
6. Laboratories, research and development services;
7. Medical and dental offices, laboratories and clinics, and prescription pharmacies in conjunction therewith or with a hospital;
8. Offices incidental to another permitted use;
9. Public and private nonprofit charitable institutions;
10. Radio and television broadcasting;
11. Stock brokerage offices.

G. Open space.

H. Incidental and accessory structures and uses on the same site as a permitted use.

~~**I.** Electrical transmission and distribution substation, gas regulator station, public service pumping stations and elevated pressure tanks.~~

I. J. Other uses which are added to this list according to the procedure in Section **17.16.020**.
(Ord. 11-307 § 4)

§ 17.58.022 **Permitted uses—Administrative approval required.**

The following uses may be permitted in accordance with the provisions of Chapter 17.108:

A. Retail sales uses including, but not limited to:

1. Convention center;
2. Farmer's markets, including indoor and outdoor facilities;
3. Hospital/medical center;
4. Machinery/equipment sales, services, and rentals, unenclosed;
5. Newspaper publishing;
6. Park and ride facilities;
- ~~7. Public utility service yards;~~
- ~~7. 8.~~ Storage yards for commercial vehicles, unenclosed;
- ~~8. 9.~~ Temporary Christmas tree lot;
- ~~9. 10.~~ Temporary pumpkin patch.

B. Eating, drinking and entertainment establishments, including, but not limited to:

1. Amusement arcade;
2. Fast food drive-through/drive-in facility;
3. Private clubs;
4. Skating rinks, game arcades and other similar commercial recreation facilities, in an enclosed building.

C. Other, including, but not limited to:

1. Communication buildings, sites and facilities, including communication towers;
- ~~2. Recycled water storage ponds and sprayfields, not previously identified in previous approvals;~~
- ~~3. Storm drain detention and retention ponds not previously identified in previous approvals.~~

D. Other uses added to this list by the planning commission according to the procedures in Section 17.16.020 of the Lathrop Municipal Code.

(Ord. 11-307 § 4)

§ 17.58.023 Conditional uses—Commission approval required.

A. The following uses may be permitted in accordance with the provisions of Chapter **17.112**:

- 1.** Ambulance stations;
- 2.** Bars, cocktail lounges, and nightclubs;
- ~~**3.** Church/religious facility;~~
- ~~**3. 4.**~~ Communication buildings, sites and facilities, including communication towers;
- ~~**4. 5.**~~ Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined by Section 17.04.080 of the Lathrop Zoning Ordinance;
- ~~**6.** Gas/service station/convenience store, automobile and truck;~~
- ~~**5. 7.**~~ Gunsmiths/gun shop;
- ~~**6. 8.**~~ Incidental and accessory structures and uses, as defined in Section **17.04.080**, located on the same site as a use permitted by administrative approval or conditional use;
- ~~**9.** Liquor store or sales, on/off premises;~~
- ~~**10.** Lumber yards, not including planing mills or saw mills, unenclosed;~~
- ~~**7. 11.**~~ Modest expansion or remodeling of an existing nonconforming use of a structure or land up to 50% or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than \$200, and nonconforming fences, walls and hedges;
- ~~**8. 12.**~~ Pawnshops;
- 9.** Travel plaza or truck stop as defined by Section **17.04.080**;
- ~~**10. 13.**~~ Unenclosed commercial recreation facilities including amusement or theme parks, drive-in theaters, golf driving ranges, pony ride rings, race tracks, riding stables, skating rinks, sports arenas and sports stadiums;

~~11. 14.~~ Other uses which are added to this list according to the procedure in Section **17.16.020.**

(Ord. 11-307 § 4)

[...]

Article 3 CS-LG: Service Commercial Zoning District

[...]

§ 17.58.033 Conditional uses—Commission approval required.

A. The following uses may be permitted in accordance with the provisions of Chapter **17.112:**

1. Any use listed as a permitted use in the IL, limited industrial district;
2. Bars, cocktail lounges and nightclubs;
3. Battery Energy Storage System (BESS) facility, provided that no other BESS facility shall be located closer than a half-mile (1/2) of another BESS facility;
- ~~4. 3.~~ Communication buildings, sites and facilities, including communication towers;
- ~~5. 4.~~ Electroplating shops;
- ~~6. 5.~~ Energy production, biomass and steam/electric;
- ~~7. 6.~~ Excavations according to the requirements of Chapter **17.88;**
- ~~8. 7.~~ Expansion or remodeling of an existing nonconforming use of a structure or land, up to 50% or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than \$200, and nonconforming fences, walls and hedges;
- ~~9. 8.~~ Expansion, remodeling or additions to a conditional use that are not considered an incidental or accessory use;
- ~~10. 9.~~ Gunsmith/gun shop;
- ~~11. 10.~~ Liquor stores or sales, on/off-premises;
- ~~12. 11.~~ Railroad freight and passenger stations;

13. ~~12.~~ Recreation facility, indoor and outdoor, including, but not limited to, golf driving ranges, pony riding rings, race tracks, riding stables, skating rinks, sports arenas and sports stadiums, and other similar open, unenclosed commercial recreation facilities;

14. ~~13.~~ Recycling services, consumer and scrap operations;

15. ~~14.~~ Recycled water storage ponds and sprayfields;

16. ~~15.~~ Other uses which are added to this list according to the procedure in Section **17.16.020.**

(Ord. 11-307 § 4)

[...]

Article 4 **IL-LG: Limited Industrial Zoning District**

§ 17.58.040 **Purposes and application.**

The IL-LG district is intended to provide opportunities for certain types of limited industrial uses to concentrate in mutually beneficial relationships to each other; to provide adequate space to meet the needs of modern industrial development, including off-street parking and truck loading areas; and to provide industrial employment opportunities for residents of the city and region. The IL district is intended to protect areas appropriate for industrial use from intrusion by residences and other inharmonious uses; to protect residential, commercial and nuisance-free, nonhazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation, hazardous chemicals and other hazardous and objectionable influences incidental to certain industrial uses; and to reserve appropriately located areas for various types of industrial plants and related activities. Land requirements for most limited industrial uses generally dictate a location with close access to major transit corridors and highways without the need for high visibility.

(Ord. 11-307 § 4)

§ 17.58.041 **Permitted uses.**

- A. Off-street parking lots improved in conformity with Chapter **17.76** shall be permitted.
- B. Any use listed as a permitted use in the CS-**LG**, service commercial district.

[...]

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Chapter 17.61 River Islands Zoning District

[...]

§ 17.61.090 OS/P-RI: open space/public use district.

- A.** Purpose and Application. The open space and public use zoning district is intended to provide for open space preservation and public uses in areas of the River Islands Phase 2 development and outside of Paradise Cut.
- B.** Use Types Permitted in the OS/P-RI Zoning District. Lakes, waterways, natural open space, levees and other flood protection facilities, recreational uses such as parks, wildlife preserves, ~~schools~~, public and quasi-public uses, utility and service structures and facilities and other uses consistent with the scale and character of the district.
- C.** Permitted and Conditionally Permitted Uses. Permitted and conditionally permitted uses shall be those described in Section **17.61.210**, Table 17.61.1, except that uses listed in Section **17.20.040** (Conditional uses) shall be permitted uses herein submit to securing a site plan approval. Such permitted and conditionally permitted uses shall be located in areas covered by an urban design concept and subsequent neighborhood development plans and/or architectural guidelines and development standards.
- D.** Development Standards. Specific development standards for the OS/P-RI zoning district shall be further detailed in neighborhood development plans as required under Section **17.61.120**. The neighborhood development plan shall include, but not be limited to, development standards for density, floor area ratios, lot coverage, building height, setbacks, lot width and depth, sign regulations, off-street parking, and standards for landscaping and irrigation.

(Ord. 21-422 § 1)

[...]

§ 17.61.210 River Islands zoning districts and permitted uses.

TABLE 17.61.1 Stewart Tract—River Islands Zoning Districts and Permitted Uses ¹								
Land Use ^{2,3}	RL-RI	RM-RI	RH-RI	MU	CR	TOD	RCO/OS	OS/P
[...]								
CIVIC/COMMUNITY USES								
Administrative centers and courts				P	P	P		
Assembly uses	C	C	C	C	C	C		
City offices				P	P	P		
Community center	C	C	C	C	C	C		
Convention centers				C	C	C		
Fire station	C	C	C	C	C	C		C
Libraries	C	C	C	C	C	C		
Mortuaries, columbariums and crematoriums				C	C	C		
Police station	C	C	C	C	C	C		
Post office				C	C	C		
Private schools and other educational facilities	C	C	C	C	C	C		
Public schools and other educational facilities	P	P	P	P	P	P		
Public and private charitable institutions	C	C	C	C	C	C		
Transit stations				C	C	C		
PARKS & OPEN SPACE								
Equestrian facilities							C	C
Multi-use and nature trails								P
Private recreation facilities	C	C	C	C	C	C		C
Public and private parks and playgrounds	P	P	P	P	P	P		
Wildlife preserves					C		P	P
OTHER								
Communications equipment buildings	P	PA	PA	PA	PA	PA	PA	PA
Enclosed temporary materials storage yards	PA	PA	PA	PA	PA	PA		PA
Expansion, remodeling or additions to a conditional use not considered an incidental or accessory use	C	C	C	C	C	C		
Flood control, water pumping stations/reservoirs; elevated pressure tanks; irrigation ditches/canals; settling and water conservation recharge basins; drainage ponds; streets and roads as necessary for access to permitted uses	P	P	P	P	P	P	P	P
Gas/electrical transmission lines subject to provisions of Section 17.108.080; electrical substations; gas regulator stations	P	PA	PA	PA	PA	PA	PA	PA
Incidental and accessory structures and uses located on the same site as a conditional use	C	C	C	C	C	C	C	C

TABLE 17.61.1 Stewart Tract—River Islands Zoning Districts and Permitted Uses ¹								
Land Use ^{2,3}	RL-RI	RM-RI	RH-RI	MU	CR	TOD	RCO/OS	OS/P
Incidental and accessory structures and uses located on the same site as permitted use	P	P	P	P	P	P		
Parking lots and garages improved in conformity with the standards prescribed for off-street parking facilities			C	C	C	C		
Public and quasi-public, and utility and service facilities								P
Underground storage tanks for petroleum or oils				P	P	P		

Notes:

1 P = Permitted uses; PA = Permitted but administrative approval required; C = Conditional use permit required; Blank = Prohibited use

2 Other uses may be added to Table 17.61.1 by the planning commission according to the procedure in Section [17.16.020](#).

3 Housing developments that include a minimum 20% of units affordable to lower income households shall be ministerial and exempt from this section.

(Ord. 16-365 § 1; Ord. 20-411 § 1; Ord. 20-422 § 1; Ord. 22-442 § 1; Ord. 23-449, 11/13/2023)

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Chapter 17.62 Central Lathrop Zoning Districts

[...]

Article 2 VR-CL: Variable Density Residential District

[...]

§ 17.62.024 Conditional uses; planning commission approval required.

The following uses may be permitted in accordance with the provisions of Chapter **17.112** of the Lathrop Zoning Code:

- A.** A state authorized licensed day care center for 13 or more children.
- B.** Churches and other religious facilities.
- C.** Modest expansion or remodeling of an existing nonconforming use of a structure or land, up to 50% or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than \$200, and nonconforming fences, walls and hedges.
- D.** Gas and electric transmission lines in accordance with Section **17.108.080** of the Lathrop Zoning Code, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.
- E.** Public and quasi-public uses of an educational or religious type including parochial schools, colleges; nursery schools; private non-profit schools and colleges; churches; parsonages and other religious institutions.
- F.** Public uses of an administrative, public service or cultural type including city, libraries, museums, art galleries; and other public buildings, structures and facilities; and community centers, excepting city centers.
- G.** Public and private charitable institutions, hospitals, sanitariums, rest homes, and nursing homes, including a state authorized, certified or licensed family care home, foster home or group home serving seven or more mentally disordered or otherwise handicapped persons, including rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24 hour basis.
- H.** Recycled water storage and water quality ponds not previously identified in previous approvals.
- I.** Spray fields not previously identified in previous approvals.

J. Storm drain detention and retention ponds. not previously identified in previous approvals.

K. [Large residential care home as defined in Section 17.04.080.](#)

~~L. K.~~ Other uses added to this list according to the procedures in Section **17.16.020** of the Lathrop Zoning Code.

(Ord. 04-245 § 3)

[...]

Article 3 HR-CL: High Density Residential

[...]

§ 17.62.034 **Conditional uses; planning commission approval required.**

The following uses may be permitted in accordance with the provisions of Chapter **17.112**:

- A. A state authorized licensed day care center for 13 or more children;
- B. Churches and other religious facilities;
- C. Modest expansion or remodeling of an existing nonconforming use of a structure or land, up to 50% or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than \$200, and nonconforming fences, walls and hedges;
- D. Gas and electric transmission lines in accordance with Section **17.108.080** of the Lathrop Zoning Code, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks;
- E. Public and quasi-public uses of an educational or religious type, including parochial schools, colleges, nursery schools, private non-profit schools and colleges, churches, parsonages and other religious institutions;
- F. Public uses of an administrative, recreational, public service or cultural type, including city libraries, museums, art galleries, and other public buildings, structures and facilities; and community centers;
- G. Public and private charitable institutions, hospitals, sanitariums, including a state authorized, certified or licensed family care home, foster home or group home serving seven or more mentally disordered or otherwise handicapped persons, including rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24 hour basis;

- H. Rest and nursing homes; convalescent and assisted care facilities and boarding or rooming houses;
- I. Reclaimed water storage and water quality ponds not previously identified in previous approvals;
- J. Spray fields not previously identified in previous approvals;
- K. Storm drain detention and retention ponds not previously identified in previous approvals;
- L. [Large residential care home as defined in Section 17.04.080.](#)

M. ~~L.~~ Other uses added to this list according to the procedures in Section [17.16.020](#) of the Lathrop Zoning Code.

(Ord. 04-245 § 3)

[...]

Article 4 R/MU-CL: Residential/Mixed-Use Zoning District

[...]

§ 17.62.044 Conditional uses—Planning commission approval required.

The following uses may be permitted in accordance with the provisions of Chapter **17.112** of the Lathrop Zoning Code:

- A. State authorized licensed day care centers.
- B. Churches and other religious facilities.
- C. Modest expansion or remodeling of an existing nonconforming use of a structure or land, up to 50% or less of the value of the structure, or reestablishment of a nonconforming use which has been damaged, except nonconforming signs and outdoor advertising structures, nonconforming uses occupying a structure with an assessed valuation of less than \$200, and nonconforming fences, walls and hedges.
- D. Gas and electric transmission lines in accordance with Section **17.108.080** of the Lathrop Zoning Code, electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks.
- E. Public and quasi-public uses of an educational or religious type, including parochial schools, colleges, nursery schools, private non-profit schools and colleges, churches, parsonages and other religious institutions.

- F.** Public uses of an administrative, recreational, public service or cultural type including post offices, libraries, museums, art galleries, and other public buildings, structures and facilities; and community centers, senior centers and youth centers.
 - G.** Public and private charitable institutions, hospitals, sanitariums, including a state authorized, certified or licensed family care homes, foster homes or group homes serving seven or more mentally disordered or otherwise handicapped persons, including rehabilitation homes for the alcohol and/or chemically dependent, or dependent and neglected children, where such homes provide care on a 24 hour basis.
 - H.** Reclaimed water storage and water quality ponds.
 - I.** Spray fields.
 - J.** Storm drain detention and retention ponds.
 - K.** Bars, cocktail lounges or nightclubs.
 - L.** Microbreweries.
 - M.** Street fair or farmer's market.
 - N.** Theater—Indoor (dinner, movie, live play, etc.).
 - O.** Video arcade.
 - P.** [Large residential care home as defined in Section 17.04.080.](#)
 - ~~Q. P.~~** Other uses added to this list according to the procedures in Section **17.16.020** of the Lathrop Zoning Code.
(Ord. 04-245 § 3; Ord. 22-431 § 1)
- [...]

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Chapter 17.64 Home Occupations

§ 17.64.010 Procedure.

Home occupations shall be permitted only in accordance with the regulations in Chapter **17.108** and this chapter.

(Ord. 92-73; Ord. 22-431 § 1)

§ 17.64.015 Purpose ~~Standards.~~

The purpose and intent of this chapter is to allow someone residing in a residential district the ability to take part in a home occupation as long as it is harmonious with and does not change the character and quality of the environment of the residential neighborhood area. The intent of a home occupation is to be incidental and an accessory use to the residential land use district through the conditions set forth in this chapter.

§ 17.64.020 Standards.

- A.** Before approving an application for a home occupation in accordance with the provisions of Chapter **17.108** and this section, the planning director shall determine that the proposed home occupation will comply with the following standards:
- 1.** A home occupation within a dwelling unit shall be clearly incidental to the use of the structure as a dwelling.
 - 2.** A home occupation shall not be conducted in any accessory structure, other than a garage, and there shall be no storage of equipment or supplies in any accessory structure, other than a garage, or outside the dwelling.
 - 3.** Only residents of the dwelling may be engaged in work activities at the residence. Employees may not come to the residence for work purposes, including pick-up of materials, vehicles, assignments, or similar purposes.
 - 4.** Sales of goods on the premises shall be limited to the products of the home occupation, and no merchandise or goods shall be sold, kept or displayed for the purposes of sale on the premises.

[...]

New text is shown by underline; deleted text is shown by ~~strikethrough~~

~~Chapter 17.74 Emergency Shelters~~

~~§ 17.74.010 Procedure.~~

~~Emergency shelters shall be permitted only in accordance with the regulations established in this chapter and for the applicable district (Chapter 17.36 or 17.40).
(Ord. 16-365 § 1)~~

~~§ 17.74.020 Emergency shelter standards.~~

- ~~A. — Limitation on Location. An emergency shelter subject to this chapter may be established within the RM zoning district.~~
- ~~B. — Permit Requirement. Construction of a new structure or exterior modification of an existing structure for an emergency shelter in the RM zoning district shall be subject to a ministerial review process. The community development director will review the design, site plan, and management plan to ensure compliance with the standards established for the zoning district and with the development standards established in this section.~~
- ~~C. — Zoning Requirements and Standards. Except as otherwise set forth in this section, all emergency shelters shall comply with the land use regulations for the RM zoning district in which the emergency shelter will be located.~~
- ~~D. — Development Standards. An emergency shelter shall comply with the following standards:~~
- ~~1. — Occupancy. The maximum number of beds or persons permitted to be served nightly by an emergency shelter, or any combination of emergency shelters in the city, shall not exceed eight persons or the unsheltered need identified in the adopted Housing Element, whichever is greater.~~
 - ~~2. — Length of Stay. Occupancy for an individual in an emergency shelter is limited to no more than six months. The operator of the emergency shelter shall maintain adequate documentation to demonstrate compliance with this provision.~~
 - ~~3. — Location. No emergency shelter shall be located within 300 feet of another emergency or homeless shelter. Emergency shelters shall not be required to be more than 300 feet apart.~~
 - ~~4. — Management Plan. Prior to the community development director's decision, the operator of the emergency shelter must submit to the community development department, planning division a written management plan. At a minimum, the management plan shall include and address the following:~~

- ~~a. — Procedures for staff training to meet the needs of the shelter residents, and have processes to address the following topics: client intake, confidentiality, health and safety training, mental health, and substance abuse treatment and referrals;~~
- ~~b. — Operational rules and standards of conduct for residents, including policies prohibiting the use or possession of controlled substances by residents, rules concerning the use or possession of alcohol, curfew, prohibition of loitering, and any other provisions necessary to ensure compatibility with surrounding uses;~~
- ~~c. — Policies and procedures for eviction from the facility for violation of rules and standards of conduct;~~
- ~~d. — A detailed safety and security plan to protect shelter residents and surrounding uses;~~
- ~~e. — A process for resident screening and identification;~~
- ~~f. — Provisions for on-site or partnerships with off-site organizations to provide job training, counseling, and treatment programs for the residents;~~
- ~~g. — Services to assist residents with obtaining permanent shelter and income;~~
- ~~h. — If applicable, timing and placement of outdoor activities;~~
- ~~i. — Location within the facility for temporary storage of residents' personal belongings;~~
- ~~j. — Provisions for continuous on-site supervision during hours of operation. Specifically, there shall be a minimum of one staff person per eight clients during daytime hours, seven a.m. to nine p.m., and a minimum of two staff people at the facility during nighttime hours, nine p.m. to seven a.m.;~~
- ~~k. — If applicable, procedures for ensuring safety and security of women and children within the facility;~~
- ~~l. — The exterior of the building must be kept in a good state of repair and the exterior finish and landscaping must be kept clean and well maintained. Each site shall be kept in a neat and orderly manner, free of weeds, loose trash, debris and other litter, including, but not limited to, shopping carts;~~
- ~~m. — Organized outdoor activities on the site may only be conducted between the hours of eight a.m. and ten p.m.;~~

~~n. — Employees, partners, directors, officers, managers, and similar persons shall be screened prior to occupancy to confirm that they have no history of a previously failed emergency shelter (or similar facility) due to the fault of the operator, and have not been convicted of any of the following offenses within the prior five years:~~

~~i. — A crime requiring registration under Penal Code Section 290;~~

~~ii. — A violation of Penal Code Sections 311.2 or 311.4 through 311.7;~~

~~iii. — A violation of Penal Code Sections 313.1 through 313.5;~~

~~iv. — A violation of Penal Code Section 647(a), (b), or (d);~~

~~v. — A violation of Penal Code Sections 315, 316, or 318;~~

~~vi. — A felony crime involving the use of force or violence on another, or~~

~~vii. — The maintenance of a nuisance in connection with the same or similar business operation.~~

~~The management of the emergency shelter shall effectuate a background investigation on all employees to the satisfaction of the chief of police.~~

~~5. — Common Facilities and Services. An emergency shelter may include the following facilities and services as ancillary to the emergency shelter use:~~

~~a. — Commercial kitchen facilities;~~

~~b. — Dining area;~~

~~c. — Laundry room;~~

~~d. — Recreation or meeting room;~~

~~e. — Outdoor recreational spaces; provided, that the space is located within a building interior courtyard or is enclosed by a building, solid fence, or wall or some combination thereof to secure the space and ensure that it is not accessible to the general public;~~

~~f. — Animal boarding and related veterinary services for current residents of the facility only; and~~

~~g. — Child care facilities for current residents of the facility only.~~

- ~~6. Client Intake Areas. An enclosed intake area shall be provided within the emergency shelter building. The intake area shall be a minimum of 120 square feet in size, located entirely within the building. The intake hours shall be posted clearly on the doors to the emergency shelter. Clients shall be allowed to wait in an interior or exterior waiting area that shall not exceed 200 square feet. Clients shall not loiter nor form a queue outside of the exterior waiting area.~~
 - ~~7. Parking. Each emergency shelter shall have a minimum of two off-street parking spaces plus the greater of either: (a) one additional off-street parking space for each 10 beds, or fraction thereof; or (b) one additional parking space per employee.~~
 - ~~8. Lighting. Exterior lighting shall be located along all pedestrian pathways, parking lots, entrances and exits, common outdoor areas, and at the front of the building. All lighting shall be maintained in good operating condition and shall be fully shielded.~~
 - ~~9. On-Site Security. Security measures shall be reviewed and approved by the chief of police prior to commencement of operations on the site and shall be sufficient to protect clients and neighbors. On-site security shall be provided during the hours when the emergency shelter is in operation and at all times when clients are present on-site. In the event that five or more calls for police services have been received over a 30-day period by the police department, the facility shall be required to provide additional on-site security staff to the satisfaction of the chief of police and the community development director.~~
 - ~~10. City, County and State Requirements. An emergency shelter shall obtain and maintain in good standing all required licenses, permits, and approvals from the city, county, and state agencies or departments and demonstrate compliance with applicable building and fire codes. An emergency shelter shall comply with all county and state health and safety requirements for food, medical, and other supportive services provided on-site.~~
- ~~(Ord. 16-365 § 1; Ord. 23-449, 11/13/2023)~~

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Chapter 17.76 Off-Street Parking and Loading

[...]

D. Parking Space Schedule.

1. Residential Uses.

- a. One-Family Dwellings. There shall be two spaces for each dwelling unit within a garage.
- b. Duplexes, Triplexes and Quadruplexes. There shall be two spaces for each dwelling unit within a garage.
- c. Multifamily Dwellings such as Townhomes, Condominiums, and Apartments. There shall be 1 space per studio unit, 1.25 spaces per 1 bedroom unit, and 2 spaces per 2 bedroom unit ~~one covered space plus one additional space per dwelling unit. Guest parking shall be provided at 0.25 spaces per dwelling unit for projects with greater than eight dwelling units.~~
- d. Additional Parking for Multifamily Units. Except for driveways allowed in the front setback area of a garage or carport, all additional parking for two- or four-unit structures and multifamily units shall be to the rear or side of such units. If parking is located to the side of the units, the first parking space shall be to the rear of the front yard setback line.
- e. Housing for the Elderly. There shall be one space for each dwelling unit; provided, however, that sufficient space shall be set aside and incorporated into the site plan for the number of spaces prescribed under subsection (D)(1)(c) above in the event of a change of use to housing for the nonelderly.
- f. Private Clubs, Fraternity or Sorority Houses, Lodging and Rooming Houses. There shall be one space for each two houses.
- g. Motels, Hotels, Inns and Bed and Breakfast Establishments There shall be one space for each guest room, plus one space for each employee.

2. Uses Within CN and CC Districts.

- a. For uses within an integrated shopping center located within a CN or CC district, involving a combination of three or more retail uses permitted within the CN district for which building area, off-street parking, off-street loading, landscaping, lighting and other features are developed, managed

and maintained as if a single unit, there shall be three spaces for each 1,000 square feet of gross leasable area, or four spaces for each 1,000 square feet of gross leasable area if the center includes a supermarket.

- b. For other uses within a CN or CC district, the number of spaces otherwise required for the type of use.
3. Other Commercial Uses—Industrial Use.
- a. Banks. One space for each 300 square feet of floor area.
 - b. Offices (not including medically related or public administrative offices). One space for each 400 square feet of floor area.
 - c. Retail Stores—Food. One space for each 150 square feet of floor area; mini-market food stores shall have one space for each 300 square feet of floor area for stores under 2,000 square feet of gross floor area.
 - d. Retail Stores, Other than Food and Personal Establishments. One space for each 300 square feet of floor space.
 - e. Retail Stores Which Handle Bulky Merchandise. Retail stores which handle primarily bulky merchandise, such as furniture, household appliances, motor vehicles, farm implements, machinery and bulk supplies shall have one space for each 600 square feet of floor area.
 - f. Service Commercial Uses, Repair Shops and Wholesale Establishments. One space for each 800 square feet of floor area, plus one space for each employee and one space for each vehicle stored on the property for more than 24 hours. [For a gas station, travel plaza, or truck stop use, each pump stall shall count towards the total number of parking spaces required.](#)
 - g. Commercial and Industrial Uses Conducted Primarily Outside of Buildings. One space for each employee of the maximum working shift, plus one space for each vehicle stored on the property for more than 24 hours.
 - h. Manufacturing, Processing and Packaging. Two spaces for each 1,000 square feet of floor area.
 - i. Warehouse, Storage and Distribution. One space for each 2,000 square feet of floor area.

[...]

§ 17.76.030 Standards for off-street and on-street parking facilities.

Off-street parking facilities shall conform to the following standards:

- A. All parking areas shall have adequate ingress and egress to and from a street or alley. Sufficient room for turning and maneuvering vehicles shall be provided on the site. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the public works director.
- B. Entrances and exits to parking lots and other parking facilities shall be provided only at locations approved under site plan review procedures of this code.
- C. Each parking space shall be not less than ~~18~~ **20 feet and not more than 26** feet in length, except as allowed under Section ~~17.76.110(A)~~ of this code, and ~~9~~ **nine to 12** feet in width, exclusive of aisles and access drives, except that up to 40% of all spaces may be provided for compact cars with such spaces ~~not less than 16~~ **17** feet in length and ~~8~~ **eight** feet in width, and marked for compact cars. ~~The length of a parking space may be reduced by two feet where the space heads into any one side of a curbed planter at least four feet in width for cars or on both sides of a curbed planter which is at least six feet in width.~~ Spaces for the handicapped shall meet state standards.
- D. Parking lot lighting shall be deflected away from abutting sites so as not to cause annoying glare to such sites.
- E. A photometric plan shall be prepared for parking lots with five or more spaces. Parking lots, driveways, trash enclosure/areas shall be illuminated during the hours of darkness with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light. The illumination shall not exceed 10 foot-candles in any one location.
- F. No commercial repair work or servicing of vehicles shall be conducted on a parking site.
- G. The parking area, aisles and access drives shall be paved so as to provide a durable, dustless surface, and shall be so graded and drained as to dispose of surface water, with the design and specifications of such work subject to city standards and the approval of the director of public works.
- H. Parking lot design shall be consistent with the city of Lathrop design and construction standard details.
- I. Parking spaces shall not be allowed in tandem except where parallel parking is provided along a driveway having sufficient width for the purpose, or in the driveways of single-family houses or in parking lots operated as a commercial enterprise apart from any other use.
- J. The requirements of this section shall apply to all uses for which a site plan must be approved in accordance with the provisions of Chapters **17.100** and **17.112**.
- K. At least one on-street parking space shall be provided for each single-family residence within any residential zoning district.

(Ord. 92-73; Ord. 98-164; Ord. 18-384 § 1; Ord. 21-418 § 14)

[...]

§ 17.76.120 Bicycle parking and storage standards.

- A._ Applicability. Bicycle parking shall be required for commercial, professional office, and industrial users ~~with 20 or more parking spaces~~, and for all public and quasi-public (institutional) uses.

[...]

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Chapter 17.80 Accessory Dwelling Units

§ 17.80.010 Application.

This chapter provides standards by which the city shall evaluate and ministerially approve an application for the siting and construction of an accessory dwelling unit (ADU) ~~or junior accessory dwelling unit (JADU)~~ on a lot with an existing or proposed dwelling located in areas zoned to allow single-family or multifamily residential use in compliance with California Government Code Sections 66310 ~~65852.2~~ through and 66342 ~~65852.22~~, as may be amended.

For the purposes of this chapter “livable space” shall be defined as a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking or sanitation.

(Ord. 92-73; Ord. 97-151; Ord. 16-355 § 1; Ord. 16-365 § 1; Ord. 18-384 § 1; Ord. 19-405 § 1; Ord. 20-416 § 1; Ord. 23-449, 11/13/2023)

§ 17.80.020 Permitted locations and types.

- A. ADUs are permitted in all zone districts allowing single-family or multifamily residential uses on lots developed with existing or proposed dwellings.
- B. An ADU may be established in the following methods:
 - 1. Attached to, or located within, an existing or proposed primary dwelling.
 - 2. A new detached structure, or located within or attached to an accessory structure, including detached garages or similar structures.
 - 3. Conversion of existing attached or detached accessory structures, including garages, storage areas, or similar structures.
 - 4. Reconstruction of an existing structure or living area that is proposed to be converted to an ADU, or a portion thereof, in the same location and to the same dimensions and setbacks as the existing structure.
- C. Only one ~~One~~ JADU may be established within the space of an existing or proposed single-family residence, on a lot that is zoned to allow single-family residential uses. JADU's are not permitted on multi-family development sites.
- D. On a lot that is zoned to permit an existing or proposed single-family dwelling, a ~~A~~ JADU may be established within the space of the single-family ~~primary~~ dwelling in combination with the construction of one detached, new construction ADU not exceeding 1,200 square feet with four-foot side and rear yard setbacks, for a total of four (4) dwelling units per lot including the single-family dwelling.

E. Multiple ADUs not to exceed the number specified in subsections 1 through 3 below, as applicable, that are located on a lot that has an existing or proposed multi-family dwelling, but are detached from that multi-family dwelling and are subject to the height limitation per Section 17.80.030 (A) (4) of this Chapter, and as applicable, with minimum side and rear yard setbacks of 4 feet, shall be permitted ~~on lots developed with existing multifamily dwellings~~ subject to the following provisions:

1. A minimum of one ADU within an existing multi-family dwelling unit may be constructed, or up to 25% of the existing multi-family dwelling unit count, is permitted within nonlivable space, including, but not limited to, storage rooms, passageways, attics, basements, or closets.
2. On a lot with an existing multi-family dwelling, not more than eight (8) detached accessory dwelling units. However, the number of ADUs allowable pursuant to this Section shall not exceed the number of existing multi-family units on the lot. ~~The construction of two detached ADUs, subject to four-foot side and rear setbacks. In this case, only two detached ADUs are permitted on lots developed with existing multifamily dwellings.~~
3. On a lot with a proposed multi-family dwelling, not more than two (2) detached ADUs are permitted.

(Ord. 92-73; Ord. 97-151; Ord. 16-355 § 1; Ord. 16-365 § 1; Ord. 18-384 § 1; Ord. 19-405 § 1; Ord. 20-416 § 1; Ord. 23-449, 11/13/2023)

§ 17.80.030 Development standards.

A. Development Standards. Accessory dwelling units shall comply with the following standards:

1. ADU Type, Location and Size.
 - a. Attached Unit. An ADU attached to an existing primary dwelling shall not exceed 50% of the total existing or proposed living area of the primary dwelling, except that an attached ADU up to a maximum size of 850 square feet for a one-bedroom unit or up to 1,000 square feet for two- or more bedroom unit may be permitted.
 - b. Detached Unit. An ADU structurally independent and detached from the existing or proposed primary dwelling shall not exceed 1,200 square feet.
 - c. ADUs shall have independent exterior access from the primary dwelling. No passageway to the primary dwelling shall be required.
 - d. ADUs shall not be required to provide fire sprinklers if they are not required for the primary residence.

- e. Except as otherwise provided in Government Code Section [66341](#) ~~65852.26~~, no ADU may be sold or otherwise conveyed separately from the property and the primary residence.

f. There is no owner-occupant requirement for ADUs.

2. JADU Location, Size, and Standards.

- a. A JADU shall be constructed entirely within an existing or proposed [single-family](#) ~~primary~~ dwelling (and enclosed uses within the dwelling, such as an attached garage are part of the proposed or existing dwelling) and shall not exceed 500 square feet [of livable space per Government Code Section 66313.](#)
- b. JADUs shall have an independent exterior entrance from the [single-family](#) ~~primary~~ dwelling but may also include shared access between two units. In instances where the JADU shares a bathroom with the primary dwelling, the JADU shall have an interior entry to the primary dwelling's main living area, independent of the exterior entrances of the JADU and the primary dwelling.
- c. A JADU, at a minimum, shall include an efficiency kitchen as defined in Section **17.04.080**.
- d. The property owner [shall be required to](#) reside in either the [single-family](#) ~~principal~~ dwelling unit or the [JADU junior accessory dwelling unit if there are shared sanitation facilities between the single-family dwelling and the JADU per Government Code 66333 \(b\).](#) ~~However, this requirement is not applicable if the JADU has separate sanitation facilities.~~
- e. JADUs are prohibited from being sold or conveyed separately from the primary dwelling unit. Prior to issuance of a building permit for the JADU, the property owner shall file with the city a deed restriction for recordation with the County Recorder, which shall run with the land and include the provisions listed in Government Code Section [66333](#) ~~65852.22~~.

3. Setbacks.

- a. Have minimum interior side and rear setbacks of four feet and street side setback of 10 feet. Such ADU shall not have a greater front yard setback requirement than that of the primary residence.

- b. No setback shall be required for an existing living area or accessory structure in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.
 - c. Setback from Structures. Be set back from other structures on the parcel consistent with the city-adopted building code.
4. Height. An attached or detached ADU shall comply with the following requirements:
 - a. A proposed detached ADU that is located within one-half mile of a major transit stop or high quality transit corridor on a lot with a single-family or multifamily dwelling unit may be constructed to a maximum height of 20 feet or match the roof pitch of the primary dwelling unit, whichever is greater.
 - b. Where a lot has an existing or a proposed single-family or multifamily dwelling unit, a proposed detached ADU may be constructed to a maximum height of 18 feet or match the height of the primary dwelling unit, whichever is greater.
 - c. Where a proposed ADU is being attached to a primary dwelling unit, the height of the ADU shall be limited to 35 feet, not to exceed two stories.
 - d. Where a lot has an existing or a proposed single-family or multifamily dwelling unit, a proposed ADU may be constructed above an existing or proposed detached garage and shall be limited to 35 feet in height, not to exceed two stories.
5. Location on Parcel. An accessory dwelling unit can either be attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing dwelling.
6. Fire sprinklers. Fire sprinklers are required for a JADU or ADU only if fire sprinklers are required for a primary residence per the California Building Code. A proposal to construct a JADU or ADU shall not trigger a requirement for fire sprinklers to be installed for an existing primary residence.

- B.** Compatibility. The accessory dwelling unit shall be designed and constructed to be compatible with the existing house as to height, style, materials, and colors.
- C.** Off-Street Parking.
1. At least one additional off-street parking space shall be provided for the accessory dwelling unit or bedroom, whichever is less, unless otherwise exempt under Section **17.80.030(E)**.
 2. The parking spaces required for the accessory dwelling unit can be in tandem to the required parking of the main residential structure, may be uncovered, and can be located within the front setback as long as all other yard requirements are met.
 - ~~3. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, those off-street parking spaces are not required to be replaced.~~
 4. The accessory dwelling unit shall utilize the same vehicular access which serves the existing dwelling unit.
- D.** Off-Street Parking Exemption. Off-street parking shall not be imposed in any of the following instances:
1. When t~~F~~The accessory dwelling unit is located within one-half mile walking distance of public transit;
 2. When t~~F~~The accessory dwelling unit is located within an architecturally and historically significant historic district;
 3. When t~~F~~The accessory dwelling unit is part of the existing primary residence or an existing accessory structure;
 4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit;
 5. When there is a car share vehicle located within one block of the accessory dwelling unit.
 6. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of a JADU or ADU or when such structure is being converted to an accessory dwelling unit, those off-street parking spaces are not required to be replaced.

- E. Mobilehomes or Manufactured Housing. Mobilehomes or manufactured housing on permanent foundations shall be permitted as an accessory dwelling unit, only if they are installed on permanent foundations, and the mobilehome complies with the 1974 National Manufactured Housing Construction and Safety Act.
- F. Addressing. Detached ADUs shall have a separate address from the primary dwelling. An attached ADU or JADU may request a separate address from the primary dwelling.
(Ord. 92-73; Ord. 97-151; Ord. 16-355 § 1; Ord. 18-384 § 1; Ord. 19-405 § 1; Ord. 20-416 § 1; Ord. 22-431 § 1; Ord. 23-449, 11/13/2023)

§ 17.80.040 Utilities and impact fees.

- A. Utility Service and Kitchen Facilities. Accessory dwelling units shall be provided with adequate water, sewer and other utilities.
- B. Fees. Fees charged for the construction of ADUs shall be consistent with Government Code Section ~~66311.5~~ ~~65852.2(f)~~
(Ord. 92-73; Ord. 97-151; Ord. 16-355 § 1; Ord. 18-384 § 1; Ord. 19-405 § 1; Ord. 20-416 § 1; Ord. 23-449, 11/13/2023)

§ 17.80.050 Process and timing.

- A. Approval Process. An accessory dwelling unit and junior accessory dwelling unit is considered and approved ministerially, without discretionary review or hearing, if it meets the minimum standards in this chapter.
- B. Timing. The city must act on an application to create an accessory dwelling unit or junior accessory dwelling unit within ~~15~~ ~~60~~ days from the date that the city receives a completed application; and the city must act on an application to create an accessory dwelling unit or junior accessory dwelling unit within 60 days from the date that the city receives a complete application if there is an existing single-family or multi-family dwelling on the lot, unless either:
1. The applicant requests a delay, in which case the 60 day time period is tolled for the period of the requested delay; or
 2. In the case of a junior accessory dwelling unit and the application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on a lot, the city may delay acting on the permit application for the junior accessory dwelling unit until the city acts on the permit application to create new single-family dwelling, but the application to create the junior accessory dwelling unit will still be considered ministerially without discretionary review or a hearing.
 3. If the city deems the application incomplete, the city shall provide list of incomplete items and a description of how the application can be made complete.

(Ord. 20-416 § 1)

§ 17.80.060 Compliance with other regulations.

Notwithstanding the above standards, all accessory dwelling units established under this chapter shall meet all of the requirements of the zoning district for which the accessory dwelling unit is in as to fences, walls and hedges; frontage; width and depth of site; height of structures; distance between structures; signs; applicable building and fire codes and general provisions and exceptions.

(Ord. 92-73; Ord. 97-151; Ord. 16-355 § 1; Ord. 18-384 § 1; Ord. 19-405 § 1; Ord. 20-416 § 1)

17.80.070 Unpermitted ADUs and JADUs

A. The City may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if denial is based on either of the following grounds:

1. The ADU or JADU violates applicable building standards; or

2. The ADU does not comply with the state ADU or JADU law or this section.

B. The City may deny a permit to legalize an existing but unpermitted ADU or a JADU that was constructed before January 1, 2020, if the City makes a finding that correcting a violation is necessary to comply with standards specified in California Health and Safety Code Section 17920.3.

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Chapter 17.84 Signs

[...]

§ 17.84.040 Regulation of signs within the C districts.

[...]

C. Maximum Total Aggregate Area in the CS and CH Districts.

1. Primary Frontage. An allowable minimum sign area of up to 100 square feet shall be permitted for each primary business frontage along a street, regardless of the width of such primary business frontage. A maximum total sign area, not to exceed 500 square feet, shall be permitted for each primary building frontage based on two square feet of sign area for each lineal foot of primary business frontage occupied by the business.
2. Secondary Frontage. An allowable minimum sign area of up to 50 square feet shall be permitted for each secondary business frontage, regardless of the width of such secondary frontage occupied by the business. A maximum total sign area, not to exceed, 200 square feet shall be permitted for each secondary business frontage based on two square feet of sign area for each lineal foot of secondary business frontage occupied by the business.

D. Directional Signs. Directional signs for off-street parking and off-street loading facilities shall not exceed six square feet of each sign; parking lot identification signs shall not exceed six square feet per face of sign; provided that no directional sign shall exceed three feet in height, as measured from finished grade. Higher directional signs shall be allowed only when such a sign is setback a sufficient distance from the public right-of-way and driveways as to not impede the clear sight of any vehicle utilizing the driveway for ingress and egress.

E. Sale, Lease and Rental Signs. Signs pertaining to the sale, lease, rental or display of a structure or land shall not exceed 32 square feet per single face of sign and shall be limited to only one (1) sign per said structure or land.

F. Projecting Signs. No sign, other than a directional sign, shall project more than 24 inches into a required rear yard or required interior side yard. No sign, other than a sign required by law or a marquee sign, shall project more than 14 inches into a public right-of-way.

[...]

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Chapter 17.92 Landscaping and Screening Standards

[...]

§ 17.92.020 Residential developments.

- A. Single-Family Developments—Development Standards. All new single-family developments that require a development permit shall meet the following requirements:
1. Landscaping. All required yards shall be landscaped and maintained as provided by the provisions of this title. All front yards must contain in addition to other landscaping, a minimum of one tree planted in accordance with Section **17.92.100** and in conformance with the approved tree schedule and criteria as provided in Section **17.92.090**. Corner lots shall include a minimum of one tree for each street frontage. All existing trees on undeveloped property shall be maintained unless removal or relocation has been approved by the planning director and as identified on an approved landscape plan pursuant to Section **17.92.040**.
 2. Landscape Plan. Each project shall include a landscape plan as described in Section **17.92.040**.
 3. Irrigation Plan. Each project shall include an irrigation plan described in Section **17.92.050**.
 4. Water Conservation. Each project shall meet the requirements for water conservation set forth in Section **17.92.060**.
 5. Landscaping Requirement. For one-family residential zone districts:
 - a. Landscape Area. At least 35% of the front yard and street-side yard shall be landscaped consisting of living plant materials including, but not limited to, trees, shrubs, groundcover, natural turf, flowers, and vines. Mulch and hardscaping elements such as rocks, decomposed granite, gravel, pavers, stone walkways and other similar materials integrated into the design of the landscaping improvement will count towards meeting the 35% requirement. Tree planting must be planted in accordance with this title. For building permits issued for new residential construction after July 15, 2015, no more than 25% of the actual front and street-side yard area shall be natural turf if irrigated with potable water.

[...]

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Chapter 17.100 Site Plan Review

[...]

§ 17.100.100 Lapse of site plan approval.

A site plan approval shall lapse and shall become void 36 months following the date on which approval by the planning commission or city council became effective unless, prior to the expiration of 36 months, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion of the site or structures which were the subject of the site plan.

Approval may be extended for an additional period not to exceed 12 months upon written application to the approving body before expiration of the first approval. Notwithstanding, if a development agreement has been adopted for a subject site, the expiration date of subsequent project approvals may be set forth in the development agreement.

The period of time specified in this section shall not include any period of time in which the city is precluded from approving discretionary permits, discretionary entitlements, and/or ministerial permits related to urban level flood protection pursuant to Government Code Section **65962**.

(Ord. 92-73; Ord. 96-136; Ord. 97-151; Ord. 16-361 § 1)

§ 17.100.105 Time limit for development—Extension.

The planning commission or city council may establish a lesser or greater time limit than that provided by Section 17.100.100, within which the subject property and use or any stage or phase thereof shall be commenced and completed. The time limits set by the commission or council shall be reasonable, based on the size, nature and complexity of the proposed development. The time limit may be extended by the commission or council for good cause, such as proof of an unusual hardship not of the applicant's own making.

§ 17.100.110 Revocation.

The revocation of a site plan shall be governed by the provisions of Section **17.112.120**.

(Ord. 92-73; Ord. 22-431 § 1)

§ 17.100.120 Site plan approval to run with the land.

A site plan approved pursuant to the provisions of this chapter shall run with the land, and shall continue to be valid upon a change of ownership of the site which was the subject of the site plan. (Ord. 92-73)

[...]

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Chapter 17.108 Administrative Approval of Certain Uses

[...]

§ 17.108.090 Review of temporary uses.

In order to assure the protection of the health, safety and welfare of the citizens of the city, while still providing for their pleasure and convenience, the community development director or the city manager's designee may issue a permit for the establishment of temporary uses within the city in accordance with the following procedure and conditions; however, at his or her discretion or at the request of the planning commission, he or she may refer any application for a temporary use or structure to the planning commission for consideration.

- A. Prior to the establishment of any temporary use on commercial and industrial zoned properties ~~any lot or parcel~~ in the city, an administrative approval shall be obtained from the planning division. Such permit may be issued for any use which is deemed by the community development director or the city manager's designee, to be of a temporary nature upon making the findings required in Section **17.108.030**.
- B. Temporary uses for which permits may be granted include, but are not limited to, carnivals, circuses, religious revivals, Christmas tree lots, promotions and sales in trucks or trailers, animal shows or displays, pumpkin patches, and live entertainment held indoors such as a live band, disc jockey, karaoke, or similar activities, incidental to the primary use of an existing business.
- C. Temporary uses conducted entirely within a structure that is occupied by an existing business or organization shall be exempt from the provisions of this section, except as otherwise permitted pursuant to subsection **B** of this section.
- D. Ingress and egress shall be limited to that designated by the community development department. Appropriate directional signs, barricades, fences or landscaping shall be provided where required.
- E. Off-street parking facilities shall be provided on the site of each temporary use.
- F. Upon termination of the temporary use or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to its original condition.
- G. The opening and closing time for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the community development director or the city manager's designee, based on the impact of the use on surrounding properties.

[...]

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Chapter 17.112 Conditional Uses

[...]

§ 17.112.060 Action by the planning commission and City Council.

- A. ~~The planning commission shall act on the application within 30 days following the closing of the public hearing.~~ The commission may grant an application for a conditional use permit as the use permit was applied for, or in modified form (unless the project is located within the Central Lathrop Specific Plan Phase 2, north of Dos Reis Road and South of De Lima Road, which requires City Council action), if, on the basis of the application and the evidence submitted, the commission makes all of the following findings:
1. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right;
 2. That the proposed location of the conditional use is in accordance with the objectives of the zoning code and the purposes of the district in which the site is located;
 3. That the proposed use will comply with each of the applicable provisions of this chapter.
- B. A use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may deny an application for a use permit. A use permit may not grant variances to the regulations prescribed by this chapter for which variance procedures are prescribed by Chapter 17.120.
- C. Within five days following a decision of the commission, the secretary of the commission shall transmit to the city clerk the use permit application, the scale drawings of the site and surrounding area, and all other data filed therewith, the minutes of the public hearing, staff reports, the findings of the commission and its decision on the application.

(Ord. 92-73)

[...]

§ 17.112.090 Lapse of use permit.

A use permit shall lapse and shall become void 36 months following the date on which the use permit became effective unless by conditions of the use permit, a lesser or greater time is prescribed in accordance with Section **17.112.110**, or unless prior to the expiration of 36 months, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion on the site which was the subject of the use permit application. A use permit may be renewed for an additional period of 12 months or for a lesser or greater period as prescribed in Section **17.112.110**, provided that, prior to the expiration of the time period granted, an application of renewal of the use permit is filed with the planning department. The planning commission may grant or deny an application for renewal of a use permit. Notwithstanding, if a development agreement has been adopted for a subject site, the expiration date of subsequent project approvals may be set forth in the development agreement.

The period of time specified in this section shall not include any period of time in which the city is precluded from approving discretionary permits, discretionary entitlements, and/or ministerial permits related to urban level flood protection pursuant to Government Code Section **65962**. (Ord. 92-73; Ord. 97-151; Ord. 16-361 § 1; Ord. 18-384 § 1)

§ 17.112.100 Time limit for development—Extension.

The planning commission or city council may establish a lesser or greater time limit than that provided by Section [17.112.090](#) ~~17.12.100~~, within which the subject property and use or any stage or phase thereof shall be commenced and completed. The time limits set by the commission or council shall be reasonable, based on the size, nature and complexity of the proposed development. The time limit may be extended by the commission or council for good cause, such as proof of an unusual hardship not of the applicant's own making. (Ord. 92-73; Ord. 18-384 § 1)

[...]

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Chapter 17.116 Nonconforming Uses and Structures

[...]

§ 17.116.030 Alterations and additions to nonconforming uses and signs.

Except as otherwise set forth in this chapter, ~~provided in Sections 17.116.040 through 17.116.090,~~ no ~~structure, the use of which is~~ non-conforming use, ~~and or no~~ nonconforming sign shall be moved, altered, expanded, or enlarged unless required by law or ~~unless the moving, alteration or enlargement~~ will result in the elimination of the nonconforming use or sign. No structure ~~partially~~ occupied by a nonconforming use shall be moved, altered or enlarged in such a way as to permit the enlargement of the space occupied by the nonconforming use.

(Prior code § 184.08(C))

§ 17.116.040 Alterations and additions to nonconforming structures or site.

No nonconforming structure or site shall be altered, expanded, enlarged, or reconstructed so as to increase the ~~amount of floor space or the~~ discrepancy between existing conditions and the current standard of coverage, front yards, side yards, rear yards, height of structure, ~~or distances between structures setbacks, and applicable development standards~~ prescribed in the regulations ~~prescribed~~ for the district in which the structure or site is located, or substantially modify the site as determined by the Community Development Director, except as may be permitted through the granting of a conditional use permit under the provisions of Chapter **17.112**. With the exception of single-family dwellings, the modest expansion of a nonconforming use which may be allowed within any zoning district under conditional use permit procedures shall not exceed 25% of the existing floor area of the structure. Single-family dwellings may be expanded subject to the following limitations:

- A. Expansion of single-family dwellings up to 50% of the existing floor area of the structure shall be permitted subject to approval of any administrative approval application;
- B. Expansion of single-family dwellings in excess of 50% of the existing floor area of the structure shall be permitted subject to approval of a conditional use permit;
- C. In no case shall an expansion be approved that results in a single-family dwelling of more than 2,000 square feet of living area.

(Prior code § 184.08(D); Ord. 21-418 § 18)

[...]

§ 17.116.110 **Change of nonconforming use.**

Except as otherwise set forth in this chapter, the nonconforming use of a structure or site may be changed to another nonconforming use, provided the change of use is approved by the planning commission through the granting of a conditional use permit under the provisions of Chapter 17.112 and in accordance with the following procedure:

- A. An application for a change of use shall be made to the commission on a form prescribed by the commission, which form shall include the following data:
 - 1. The name and address of the applicant;
 - 2. A statement that the applicant is the owner of the property or is the authorized agent of the owner;
 - 3. The address or description of the property;
 - 4. A statement of the precise nature of the existing or pre-existing nonconforming use, the proposed nonconforming use, and any other data pertinent to the findings prerequisite to the granting of the application as set forth in subsection E below.
- B. The application shall be filed with the planning department. Notice shall be given to the applicant of the time when the application will be considered by the commission ~~council~~, and notice may be given of the time to any other interested party.
- C. The commission shall hold a public hearing on an application for a change of use. Notice of the hearing shall be given not less than 10 days, nor more than 30 days prior to the date of the hearing in the manner set forth in Chapter **17.112**.
- D. The Community Development ~~planning~~ Ddirector shall make an investigation of the application and shall prepare a written report thereon, which report shall be submitted to the commission. The commission shall consider the report of the director before taking action on the application.

[...]

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Chapter 17.124 Amendments

[...]

§ 17.124.040 Notice of public hearing.

- A. The planning commission shall hold a public hearing on each application for a change in district boundaries or of a district regulation, off-street parking or loading facilities requirement, general provision, exception or other provision of this title initiated by the city council within 45 days of the date when the application was filed or the proposal was initiated.
- B. Notice of a public hearing shall be given not less than 10 days prior to the date of the hearing by publication in at least one newspaper of general circulation within the city, which notice shall contain the date, time and place of the public hearing, the identity of the hearing body (planning commission or city council), a general explanation of the matter being considered, and a general description, either in text or by diagram, of the location of the real property, if any, which is the subject of the hearing.
- C. Notice of public hearing for any proposed ordinance or zoning ordinances that affect permitted uses of real property shall be given not less than 20 days prior to the date of the hearing by publication in at least one newspaper of general circulation within the city, which notice shall contain the date, time and place of the public hearing, the identity of the hearing body (Planning Commission or City Council), a general explanation of the matter being considered, and a general description, either in text or by diagram, of the location of the real property, if any, which is the subject of the hearing.
- ~~D.~~ Notice of a public hearing for an amendment pertaining to real property shall be given not less than 10 days prior to the date of the hearing in all of the following ways:
 - 1. Publication as specified under subsection **B** above;
 - 2. First class mailing, postage prepaid, at least 10 days prior to the hearing, a notice of the time and place of the hearing to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant;
 - 3. First class mailing, postage prepaid, a notice of the time and place of the hearing to all persons whose names appear on the property owners' list submitted under Section **17.124.030**;
 - 4. First class mailing, postage prepaid, a notice of the time and place of the hearing to any person who has filed a written request therefor with the city council. Such request may be submitted at any time during the calendar year, and shall apply to the balance of such year.

[...]

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~~Chapter 17.126 Reasonable Accommodation for Persons with Disabilities~~

~~§ 17.126.010 Purpose.~~

~~A request for reasonable accommodation may be made by any person with a disability, their representative or any entity, when the application of a zoning law, building regulation, or other land use regulation, policy or practice acts as a barrier to fair housing opportunities. The process for addressing reasonable accommodation requests established by this chapter applies to requests from persons defined as disabled under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts).~~

~~A request for reasonable accommodation may include a modification or exception to the permit requirements, standards, and practices for the siting, development, improvement, and use of housing or housing related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. Requests for reasonable accommodation shall be made in the manner prescribed by this chapter.
(Ord. 16-365 § 1)~~

~~§ 17.126.020 Request requirements.~~

~~A. Requests for reasonable accommodation shall include the following information:~~

- ~~1. The applicant's name, address, and telephone number.~~
- ~~2. Address of the property for which the request is being made.~~
- ~~3. The current actual use of the property.~~
- ~~4. The basis for the claim that the individual is considered disabled under the Acts.~~
- ~~5. The municipal code provision, land use code provision, or other regulation or policy from which reasonable accommodation is being requested.~~
- ~~6. A description of why the reasonable accommodation is necessary to make the specific property accessible to the individual.~~

~~B. Additional Information. If necessary to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with the Acts, specifying in detail the information that is required. In the event that a request for additional information is made, the 30 day period to issue a decision is stayed until the applicant responds to the request.~~

~~(Ord. 16-365 § 1)~~

~~§ 17.126.030 Review authority.~~

- ~~A. Community Development Director. Requests for reasonable accommodation shall be reviewed by the community development director (director), or designee if no approval is sought other than the request for reasonable accommodation.~~
- ~~B. Other Review Authority. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application.~~
- ~~(Ord. 16-365 § 1)~~

~~§ 17.126.040 Review procedure.~~

- ~~A. Director Review. The director, or designee, shall make a written determination within 30 calendar days and either grant, grant with modifications, or deny a request for reasonable accommodation.~~
- ~~B. Other Reviewing Authority. The written determination on whether to grant or deny the request for reasonable accommodation shall be made by the authority responsible for reviewing the discretionary land use application in compliance with the applicable review procedure for the discretionary review.~~
- ~~(Ord. 16-365 § 1)~~

~~§ 17.126.050 Findings, decision, and conditions.~~

- ~~A. Findings and Decision. The written decision to grant or deny a request for reasonable accommodation shall be consistent with the Acts and shall be based on consideration of the following factors:~~
- ~~1. Whether the housing, which is the subject of the request, will be used by an individual with a disability protected under the Acts.~~
 - ~~2. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.~~
 - ~~3. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city.~~
 - ~~4. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city program or law, including, but not limited to, land use and zoning.~~
 - ~~5. Potential impact on surrounding uses.~~
 - ~~6. Physical attributes of the property and structures.~~

~~7. Alternative reasonable accommodations which may provide an equivalent level of benefit.~~

~~B. Conditions of Approval. In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the above findings.~~

~~(Ord. 16-365 § 1)~~