

**OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
TO THE COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF UNION CITY**

RESOLUTION NO. 15-2013

**RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF UNION CITY ADOPTING A
REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN**

WHEREAS, the California Department of Finance issued a Finding of Completion to the Successor Agency to the Community Redevelopment Agency of the City of Union City (“Successor Agency”) on April 3, 2013; and

WHEREAS, pursuant to Health and Safety Code 34191.5, within six months after receiving a Finding of Completion from the Department of Finance, the Successor Agency is required to submit for approval to the Oversight Board and the Department of Finance a Long-Range Property Management Plan that addresses the disposition and use of the real properties of the former redevelopment agency; and

WHEREAS, the Successor Agency owns 18 parcels, the development of all of which are addressed by (i) the Amended and Restated Redevelopment Plan for the Union City Community Redevelopment Project Area, adopted in 2002 (as subsequently amended, the “Redevelopment Plan”); (ii) the Five-Year Implementation Plans (the “Implementation Plans”) that the former Redevelopment Agency adopted pursuant to Health & Safety Code Section 33490; and (iii) as applicable, the Station District Transit-Oriented Development Plan (the “Station District Plan”) and the DIPSA Specific Plan; and

WHEREAS, four of the parcels and a portion of a fifth parcel are designated for governmental uses consistent with the current use of such parcels; and

WHEREAS, eight parcels are within the Station District Plan, are less than ¼ mile from BART, have been identified as a Priority Development Area by the Association of Bay Area Governments, have high potential for transit-oriented development, and are a part of a transit-oriented development plan; and

WHEREAS, the cost of constructing high-density transit-oriented development is higher than the anticipated income that can be generated from current market-rate rents and condominium sale prices, and therefore the land sale price may be very low; and

WHEREAS, 11 parcels have a history of extensive environmental contamination that will significantly increase development costs including the cost to dispose of contaminated soils; and

WHEREAS, one parcel has inadequate infrastructure and likely has a negative value because of the cost of installing basic infrastructure; and

WHEREAS, the Long-Range Property Management Plan provides for the conveyance of 17 Successor Agency-owned parcels to the City of Union City for governmental use or for future development in accordance with the Redevelopment Plan, the Implementation Plans, and as applicable,

the Station District Plan and the DIPSA Specific Plan, and provides for one parcel to be conveyed to the New Haven Unified School District for continued governmental use as a school parking lot; and

WHEREAS, the Long-Range Property Management Plan provides that any land sale proceeds net of City carrying costs, maintenance costs, appraisal costs, and costs of sale will be allocated to the affected taxing entities in proportion to each such entity's share of the property tax base.


NOW, THEREFORE, BE IT RESOLVED that the Oversight Board to the Community Redevelopment Agency of the City of Union City hereby:

1. Approves and adopts the Long-Range Property Management Plan in the form presented to the Board.
2. Authorizes and directs staff to submit the Long-Range Property Management Plan to the Department of Finance.
3. Directs staff to prepare an agreement with the taxing entities that will provide that net proceeds from land sales will be distributed to the taxing entities in proportion to each entity's share of the property tax base unless the directive issued by the Department of Finance to enter into such agreements is rescinded or reversed pursuant to Department of Finance policy, legislation, or court order.

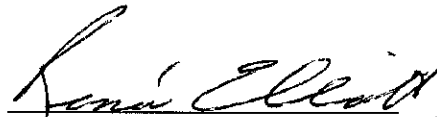
PASSED, APPROVED, AND ADOPTED by the Oversight Board for the Successor Agency to the Community Redevelopment Agency of the City of Union City at a regular meeting held on the 26th day of August 2013, by the following vote:

AYES: Board Members Cedillo, Evanoff, Matthews, Severin, Valle, Chair Dutra-Vernaci
NOES: None
ABSENT: Vice Chair Jaramillo
ABSTAIN: None

APPROVED:


CAROL DUTRA-VERNACI
Chair

ATTEST:


RENEE ELLIOTT
Clerk of the Oversight Board

ATTACHMENT I

Long Range Property Management Plan

Successor Agency to the Community Redevelopment Agency of the City of Union City

August 26, 2013

Introduction

The Successor Agency to the Community Redevelopment Agency of the City of Union City (the “**Successor Agency**”) owns a total of 18 parcels of real property. All of these parcels were acquired for specific purposes consistent with: (i) the Amended and Restated Redevelopment Plan for the Community Redevelopment Agency of the City of Union City, adopted in 2002 (the “**Redevelopment Plan**”); (ii) the Five-Year Implementation Plans (the “**Implementation Plans**”) that the former Redevelopment Agency adopted pursuant to Health & Safety Code Section 33490; and (iii) as applicable, the Station District Transit-Oriented Development Plan (the “**Station District Plan**”), and the DIPSA Specific Plan.

Each of the 18 parcels is identified on the attached Property Inventory (“**Inventory**”) in the format required by the Department of Finance. Assessor’s Maps of all of the parcels are included as Exhibit 1.

The 18 parcels are grouped into four categories based upon the following major project objectives as described in the aforementioned plans:

- (A) Creation of Station District Transit Oriented Development;
- (B) Facilitation of mixed-use development on Mission Boulevard;
- (C) Facilitation of the redevelopment of the Horner-Veasby Area; and
- (D) Existing Governmental Use.

This Long Range Property Management Plan (this “**Plan**”) describes the objectives for each of these categories, describes the proposed plan for disposition of each of the parcels, and provides the valuation and other data required by the Department of Finance (the “**Department**”) and Health and Safety Code Section 34191.5(c).

A. Creation of Transit Oriented Development (TOD) at the Union City Station District

Creation of the Transit Oriented Development (TOD) at the Union City Station District (“**Station District**”) is a complex and multi-agency planning effort that has been underway since 1999. In its entirety, the Station District comprises approximately 100 acres located less than ¼ mile from the Union City Bay Area Rapid Transit (BART) station. A map of the Station District

is included as Exhibit 2. The Station District Plan is included as Exhibit 3. The Station District is served by transit providers BART, AC Transit, Union City Transit, Dumbarton Express, and private employer buses. Future passenger rail service will include Capital Corridor, ACE, and Dumbarton Rail. The passenger rail service map is included as Exhibit 4.

The Successor Agency owns 8 parcels, totaling approximately 15 acres within the Station District, identified on the Inventory and identified in Exhibit 1 as items 1 through 8. Six of the parcels are currently vacant.

The former Community Redevelopment Agency of the City of Union City, the City of Union City (the “City”), and local, regional, state and federal agencies have invested more than \$100 million on planning studies, environmental review, hazardous materials remediation, and construction of public improvements and infrastructure to support the Station District TOD and the enhanced intermodal/BART station. These investments and funding sources are identified in Exhibit 5.

Development in the Station District is governed by the City’s Station District Mixed Use Commercial (CSMU) zoning designation which was adopted to facilitate development consistent with the high-density, mixed-use goals of the Station District Plan. The complete Zoning Code for CSMU is included as Exhibit 6. Minimum site area is 20,000 square feet, minimum commercial building height is three stories in addition to structured parking, and minimum residential density is 60 units per acre. The City adopted these high-density zoning requirements in order to qualify the Station District as a “Priority Development Area” by the Association of Bay Area Governments. This designation made the area eligible to receive federal, state, regional, and county funding to construct Station District infrastructure, residential amenities, removal of physical barriers to the BART Station; improve pedestrian, bicycle, and bus access to BART; and to expand the passenger capacity and improve passenger circulation within the BART Station. In addition, high density residential zoning was required as a precondition to the receipt of state, regional, and federal grants that financed the construction of Station District infrastructure.

The residential high density requirements that are necessary to fulfill the goals of the Station District Plan and the requirements of state and local grants provided for Station District infrastructure result in very expensive project construction costs. Even with the significant infrastructure supplied by Union City and its governmental funding partners, the construction cost for residential densities at 60 units per acre exceeds what can be recouped through current market-rate rents and market-rate condominium sale prices. As a result, development of the Station District parcels is not at present financially feasible without significant public financial subsidy in the form of financial assistance and land price write-down. By way of example, the 157-unit affordable housing/mixed use project recently completed in the Station District was built at a density of 72 units per acre at of cost approximately \$400 a square foot. The project required significant public subsidy to be completed.

Further increasing the construction costs in the Station District is the history of extensive environmental contamination on the Station District parcels. Six of the Station District parcels 087-0340-001-00, 087-0340-002-00, 087-0340-003-00, 087-0340-005-00, 087-0340-006-00 and

087-0340-007-00 (items 1 through 6 on the Inventory) had extensive soil contamination resulting from their former use as a PG&E pipe yard. Although the properties were cleaned to California Department of Toxic Substances Control residential standards, off-haul of surplus soils during construction is prohibitively expensive due to the history of soil contamination. Off-site soil hauling and disposal costs during street infrastructure and plaza construction to serve the aforementioned affordable housing project exceeded \$400,000. The remaining properties are likely to have similarly expensive soil off-haul costs when developed. Furthermore, two of the Station District parcels 087-0019-018-00 and 087-0019-00 (items 7 and 8 on the Inventory) were former agricultural lands. There is extensive DDT contamination on the properties that will need to be removed and disposed of in a toxic landfill when the parcels are developed.

The Station District has a long history of failed development attempts. In 2003 Lennar Communities, Inc., and in 2004, TMG Partners each attempted to develop Station District parcels 087-0340-001-00, 087-0340-002-00, 087-0340-003-00, 087-0340-004-00, 087-0340-005-00, 087-0340-006-00 and 087-0340-007-00 (items 1 through 6 on the Inventory). These development teams were selected through a competitive request for proposals process. However, both developers dropped out because they determined that development was not financially feasible.

In 2007, Barry Swenson Builder was selected through another competitive process. Barry Swenson Builder invested significant funds in design work and obtained environmental clearance to construct up to 160 units per acre on parcels 087-0340-003-00 and 087-0340-002-00 (items 3b and 2 on the Inventory). However, Barry Swenson Builder elected to walk away from developing the properties because they determined that the cost of construction would exceed the likely return based upon current market-rate condominium sale prices and rents.

Windflower Properties, LLC has submitted a proposal to develop parcels 087-0340-003-00 and 087-0340-0020-00 (items 3b and 2 on the Inventory) at a residential density of 75 units per acre. Windflower Properties, LLC will require both a land write-down to \$0 and access to \$10.5 million in Infill Infrastructure Grant (IIG) funding to cover the construction cost gap to make the housing development financially feasible. The City and Windflower are in negotiations with the Housing and Community Development Department (HCD) regarding use of IIG funds to reduce development costs for the proposed project. To meet the requirements of HCD's IIG and TOD grants previously awarded to the City/Redevelopment Agency, the parcels that are the subject of the Windflower proposal must be developed with a minimum of 187 market-rate residential units by not later than July 1, 2017. The ultimate proposed development of parcels 087-0340-003-00 and 087-0340-0020-00 (items 3b and 2 on the Inventory) is anticipated to increase the property tax base from its current zero value to over \$200 million, resulting in an anticipated \$2 million of annual returns to the taxing entities. The Windflower project will not go forward without a clear indication in the very near future that the Successor Agency/City will have the ability to convey these parcels for development of the proposed project within the timeframe required to comply with the IIG and TOD grants.

Proposed Disposition of Station District Parcels. For the reasons described above, the Successor Agency does not anticipate a financial return from the conveyance of the Station District parcels. Although the taxing entities will not benefit from the low value sale of Station District

properties, all taxing entities will benefit from increased property taxes when the properties are developed. In order to maintain site assembly and expedite the development of the Station District in the near term, this Plan proposes the conveyance of the Station District Parcels to the City pursuant to Health & Safety Code Section 34191.5(c)(2)(A) so that the parcels can be subsequently conveyed for development consistent with the Redevelopment Plan, the Implementation Plans and the Station District Plan. Although it is not anticipated that the sale of these parcels will result in financial return, the City is amenable to making a commitment to return to the taxing entities their pro rata share of any proceeds of sale net of the City's costs of interim property maintenance and costs of sale.

The Successor Agency proposes conveyance to the City two of the Station District parcels (items 3a and 6 on the Inventory) for governmental use pursuant to Health & Safety Code Section 34191.5(c)(2) – the first for use as a Pedestrian Promenade and playground, and the second for a public plaza and transit loop road. These uses are required to implement the Station District Plan as described and depicted in Exhibit 3.

B. Mission Boulevard Mixed-Use Development

The Mission Boulevard properties, comprising one city block and consisting of six parcels (items 11 through 16 on the Inventory) were purchased to improve the appearance of the Mission Boulevard corridor and to stimulate economic development on the corridor. These now vacant properties formerly contained blighted buildings and businesses that created problems for the Union City Police Department. An underground leaking gasoline tank was removed from the property.

The block has a long history of failed development attempts. Four different developers, including the Olson Company, Dutra Enterprises Inc., Pacific West Communities, and Gerald Simpkins, each tried to develop the block as a mixed-use retail/commercial development. The developers did not go forward because the cost of construction exceeded what could be collected in market-rate rents.

Proposed Disposition of Mission Boulevard Parcels. In order to maintain site assembly and expedite the development of the Mission Boulevard parcels, this Plan proposes the conveyance of the Mission Boulevard parcels to the City pursuant to Health & Safety Code Section 34191.5(c)(2)(A) so that the parcels can be subsequently conveyed for development consistent with the Redevelopment Plan, the Implementation Plans and the City General Plan. The parcels will only be sold as a consolidated block. The sale of individual parcels would be inconsistent with the policies of the Redevelopment Plan and the City General Plan.

Although it is not anticipated that the sale of these parcels will result in significant financial return, at such time that the parcels are sold, the proceeds will be distributed to the affected taxing entities net of the City's costs of interim property maintenance and costs of sale.

C. Development of Horner/Veasby Area

The former Redevelopment Agency purchased the Horner/Veasby parcel (item 17 on the Inventory) in order to create a unified development area. The Horner/Veasby Area faces significant impediments to development. It is located in the flood plain, the soils are vulnerable to liquefaction, the area lacks drainage capacity such that all storm water runoff must be held on site, the sewer lines are substandard, and the streets lack sidewalks, curbs, and gutters. Several properties will need to be assembled to facilitate development, and multi-million dollar infrastructure improvements will be needed before the properties can be developed.

Proposed Disposition of Horner/Veasby Parcel. In order to facilitate development of the Horner/Veasby area, this Plan proposes the conveyance of the Horner/Veasby parcel to the City pursuant to Health & Safety Code Section 34191.5(c)(2)(A) so that the parcel can be subsequently conveyed for development consistent with the Redevelopment Plan, the Implementation Plans and the City General Plan. Although it is not anticipated that the sale of this parcel will result in significant financial return, at such time that the parcel is sold, the proceeds will be distributed to the affected taxing entities net of the City's costs of interim property maintenance and costs of sale.

E. Existing Governmental Use

Four parcels and a portion of a parcel are existing governmental uses.

Item 3a is a walkway and playground.

Proposed Disposition of Item 3a. After Item 3 is conveyed to Union City, a lot line adjustment will create the walkway and playground as a unique parcel held for government use pursuant to Health & Safety Code Section 34191.5(c)(2). The walkway and playground are amenities for the residents of the Station District.

Item 6 are a park, fountain and plaza.

Proposed Disposition of Item 6. Item 6 will be conveyed to Union City for its continued governmental use pursuant to Health & Safety Code Section 34191.5(c)(2). Item 6 is an amenity for the residents of the Station District and is a grand entryway to the Union City BART Station.

Item 18 is the parking for the Guy Emanuele Elementary School. The former Redevelopment Agency assembled land for the school and the adjacent Shorty Garcia Park.

Proposed Disposition of Item 18. The Successor Agency will convey the parking lot to the New Haven Unified School District at no charge.

Item 20 is a youth bicycle repair facility and community garden operated by Union City Leisure Services Department.

Proposed Disposition of Item 20. The Successor Agency proposes conveyance of the parcel to the City for governmental use pursuant to Health & Safety Code Section 34191.5(c)(2).

Item 19 is a dog park located under high power voltage lines. The Redevelopment Agency conveyed the property to the City in April 2011. The California Department of Finance requested that this parcel be listed in the Long Range Property Management Plan.

Proposed Disposition of Item 19. The Successor Agency proposes conveyance of this parcel to the City for governmental use pursuant to Health & Safety Code Section 34191.5(c)(2).

Agreement to Be Entered Into with All Taxing Entities

The Successor Agency interprets Health and Safety Code Section 34191.5 to mean that agreements with taxing entities are not required in connection with the disposition of Successor Agency property to the sponsoring city for governmental uses or for subsequent disposition for development consistent with redevelopment and community plans in accordance with a long-range property management plan. However, pursuant to Department of Finance direction, the City of Union City will enter into an agreement with the taxing entities that addresses disposition of each parcel to be conveyed to the City pursuant to this Long Range Property Management Plan. The agreement will specify that any net proceeds from the sale of such parcels will be distributed to all of the taxing entities on a pro rata basis in proportion to each entity's respective share of the property tax base. Notwithstanding the foregoing, this section of this Plan will not be operative if a court order, legislation or Department of Finance policy reverses the Department's directive regarding such agreements.

ASSESSOR'S MAP 486

Code Area Nos. 15-072

N 2

3
Scale 1"=100'

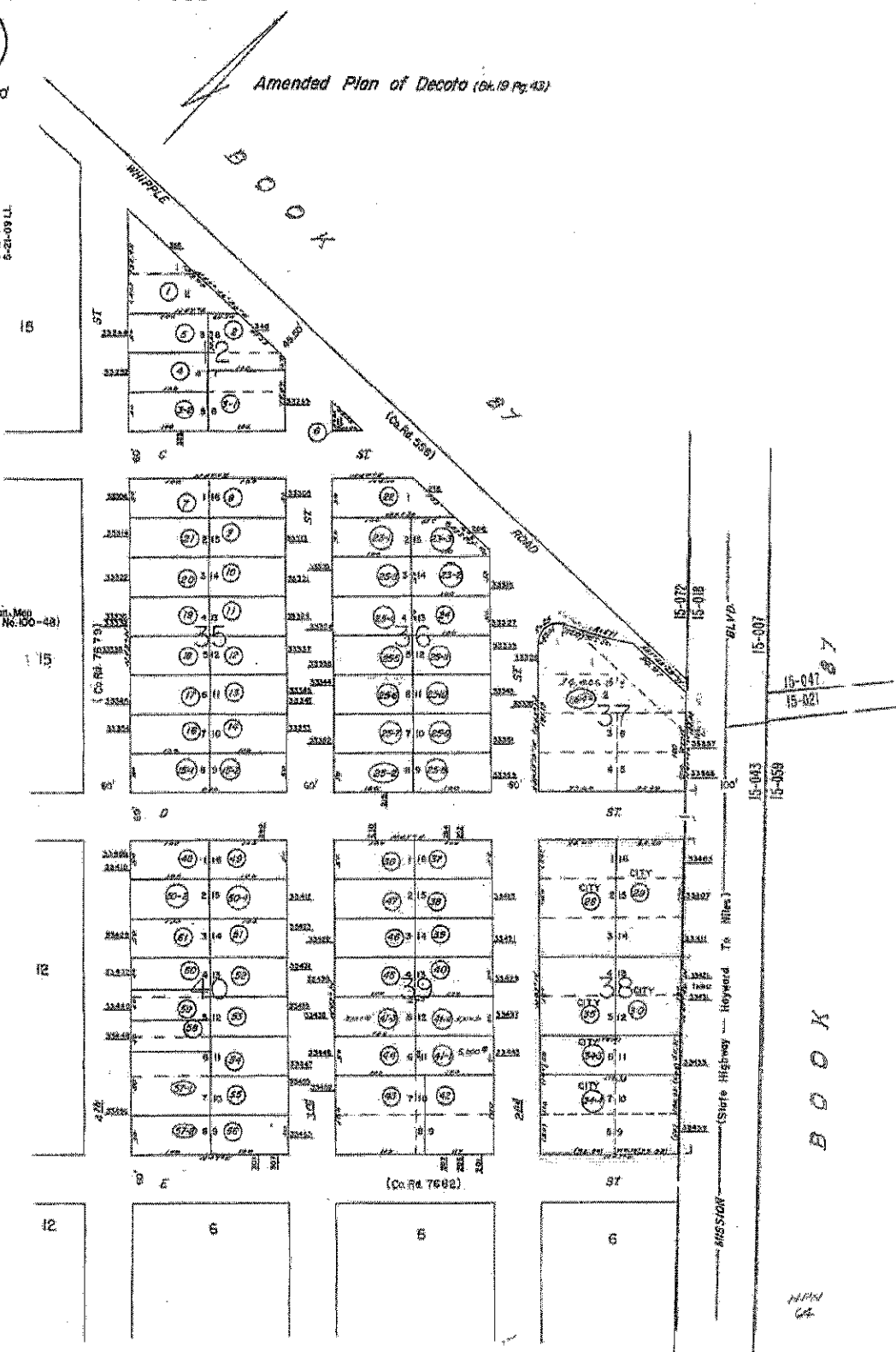
Amended Plan of Decoto (Ch. 19 Pg. 43)

Map 4-20-84 MS
Corrected
9-2-81 MK
5-12-80 MK
3-10-80 MK
2-28-80 LL
2-28-80 LL

Copy of City Ord. 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Note:
Basis - Met. Map
(Co. Surveyors' No. 100-48)

A.C.M. 24



B
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O
K

MAP
64

Foot 1

ASSESSOR'S MAP 482

Code Area Nos. 15-001 15-006
15-051
25-069

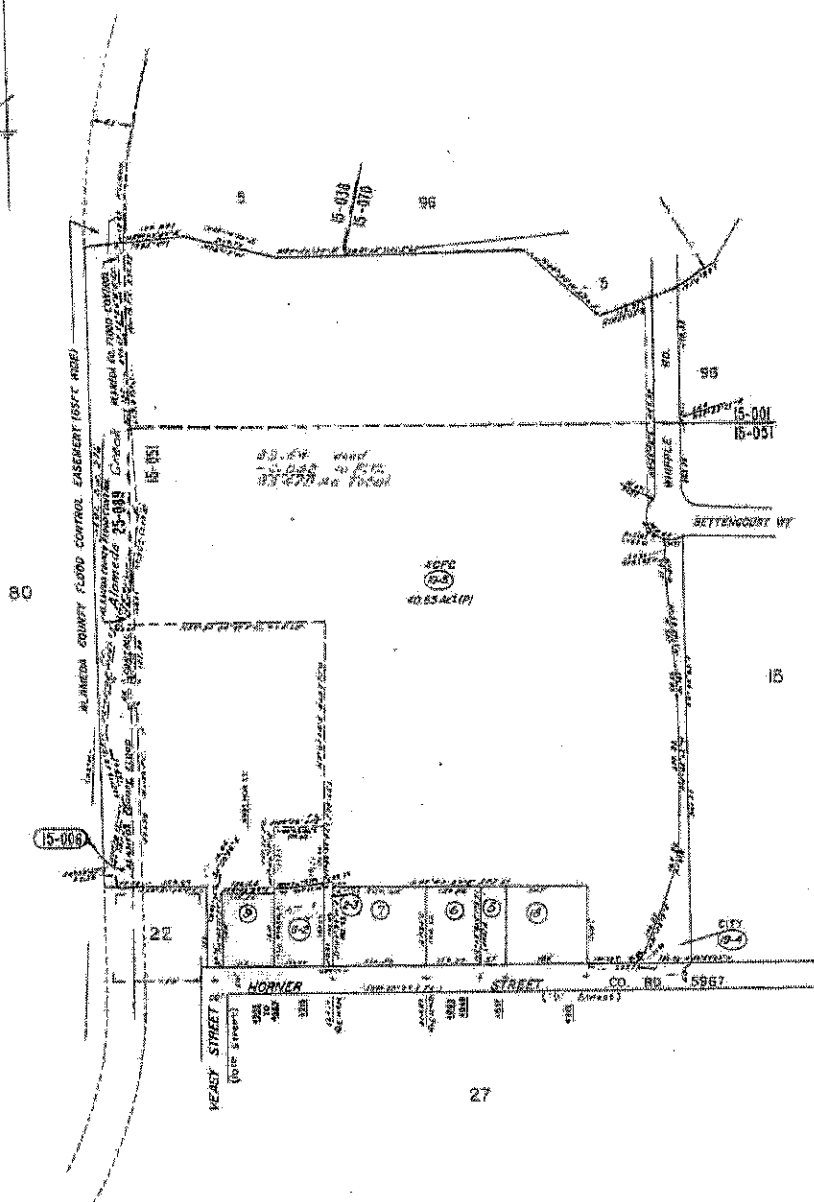
20

Scale: 1" = 200'

Rancho Patro de las Cerritas
(Bk A, Pg. 217)

Corrected: 5-27-59 E.M. 8-25-59 DE
4-13-62 W.M. 8-25-59 DE
3-13-62 W.M. 8-25-59 DE
10-3-62 W.M. 8-25-59 DE
9-16-67 W.M. 8-25-59 DE

Formerly Shown as Block 546
Per 6/2/67



(item 19 on the Inventory)

For Assessment Use Only

ASSESSOR'S MAP 87

Grids Area Nos. 15-025

100

SCALE: 1" = 50'

- (A) TR. 6922 33754
- (B) P.M. 772 67111
- (C) TR. 7172 25103

DATE: 01-12-88
BY: [illegible]
FOR: [illegible]

REVISIONS

DATE: 01-12-88
BY: [illegible]

FORMERLY: [illegible]

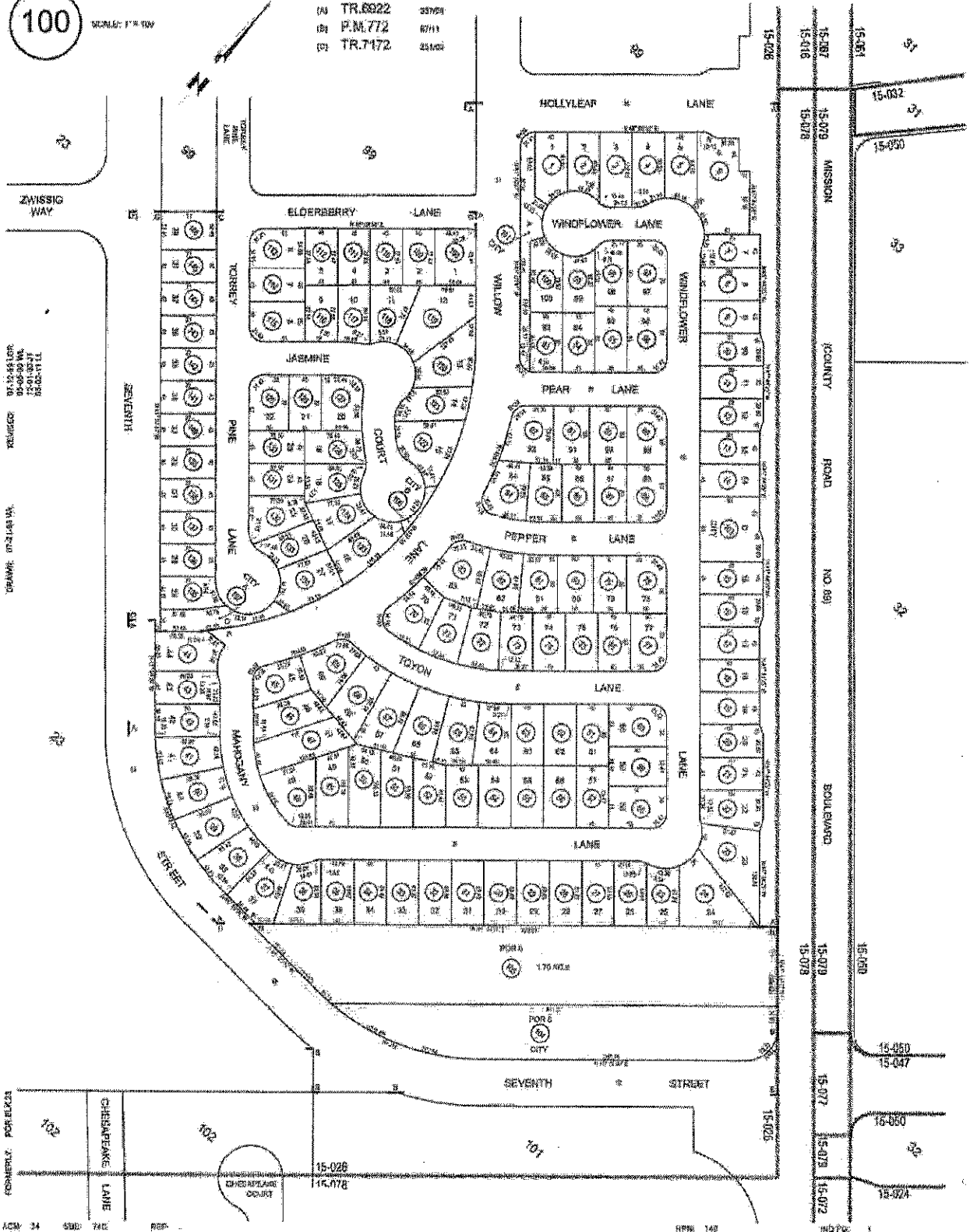
ACM: 24

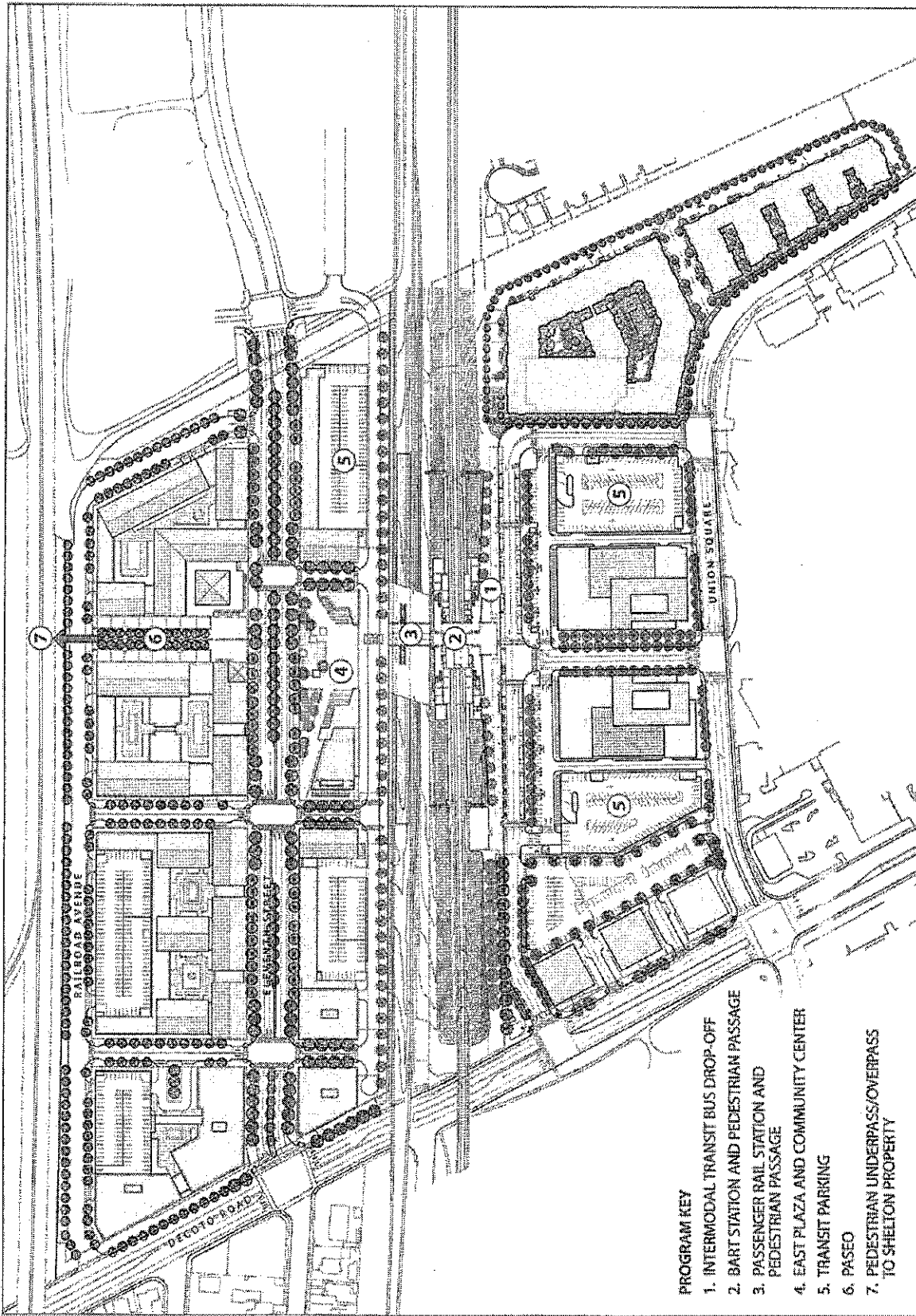
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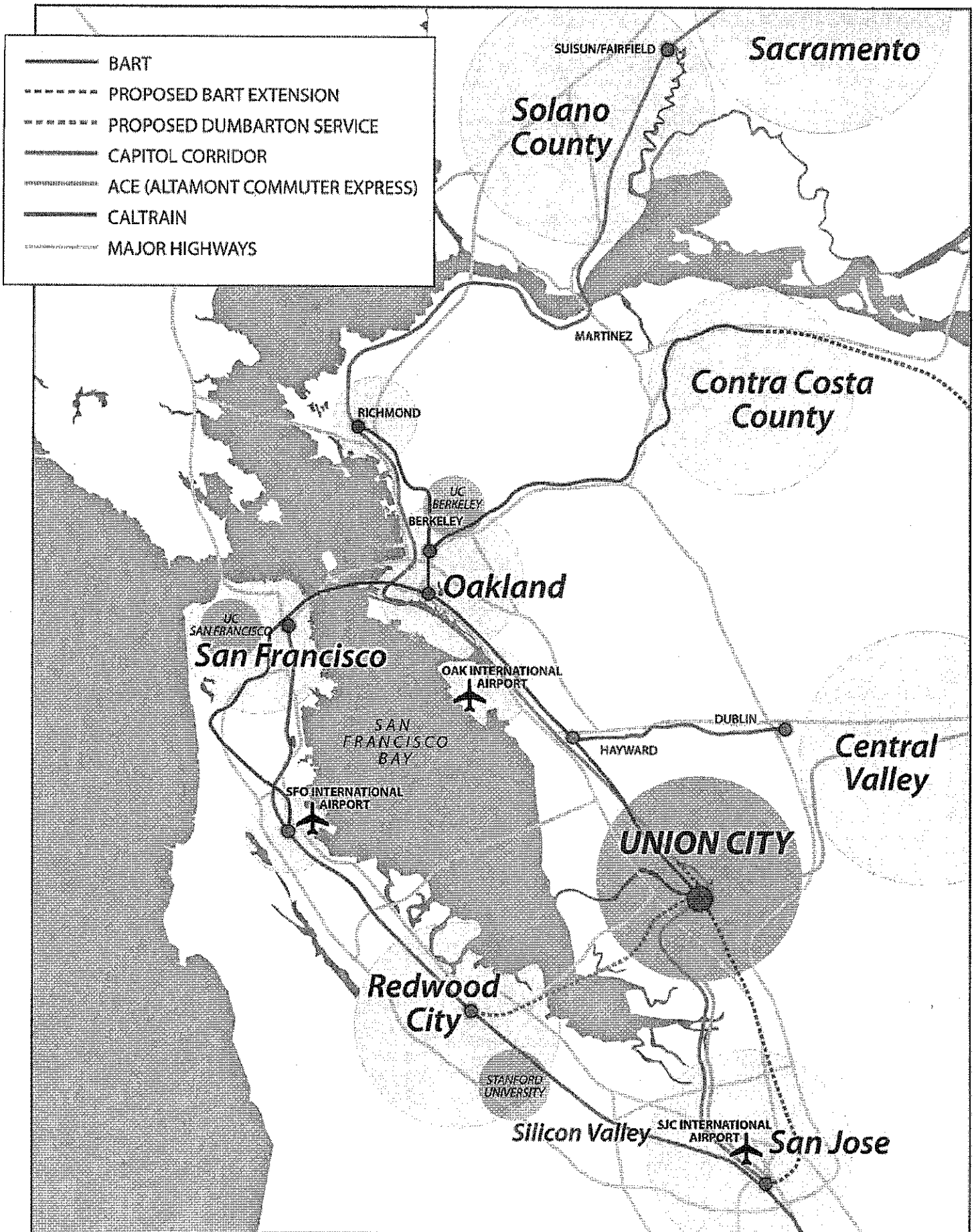
REP:

HPM: 148

IND. PD:







City of Union City
Investment in the Intermodal Station District - Summary of Funding by Project
FY 00-01 through FY 10-11

Project	Total Amount	Source of Funding		
		Union City RDA	Regional	State Federal
District Plan and EIRS	\$1,905,710	\$993,710	\$100,000	\$692,000
Pedestrian Tunnel	\$1,317,700	\$317,700	\$1,000,000	\$120,000
TOD Design	\$2,860,000	\$2,860,000		
BART Phase 1 (includes \$9,314,000 CMA Exchange)	\$46,008,578	\$10,805,239	\$5,793,000	\$9,314,000
Station Way	\$3,098,880	\$3,098,880		\$20,096,339
PG&E property - Clean-up and purchase	\$18,076,000	\$18,076,000		
East-West Connector ROW	\$8,550,000	\$6,473,499		
11th Street	\$12,047,088	\$11,343,335	\$703,753	\$2,076,501
Detention Basin	\$986,445	\$986,445		
Line M Box	\$1,843,329	\$930,851		\$912,478
TOD Infrastructure	\$4,384,614	\$684,614		\$3,700,000
Promenade & Playground	\$1,836,041	\$911,487		\$924,554
East Plaza	\$8,128,167			\$1,768,193
Totals	\$111,042,552	\$57,481,760	\$7,596,753	\$16,398,747
				\$6,359,974
				\$29,565,292

Union City Municipal Code

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Chapter 18.38 STATION MIXED USE COMMERCIAL (CSMU) DISTRICT

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Union City Municipal Code[Up](#) [Previous](#) [Next](#) [Main](#) [Collapse](#) [Search](#) [Print](#) [No Frames](#)[Title 18 ZONING](#)**Chapter 18.38 STATION MIXED USE COMMERCIAL (CSMU) DISTRICT****18.38.010 Purpose.**

The purpose of the station mixed use commercial (CSMU) district is to establish a mixed use town center/central business district of high-density residential, commercial, office, and research and development uses that will serve as an important regional center, while providing strong pedestrian connections throughout the district. This zoning district is designed to facilitate the achievement of the following objectives:

- A. To create an environment surrounding the intermodal facility that is mixed use and transit-oriented and has good connectivity with the rest of the City;
- B. To ensure that the station district includes opportunities for research and development; office; commercial; high-density, mixed-income residential; ground floor retail; and community uses;
- C. To promote land uses and urban design that maximize transit use and minimize automobile dependence;
- D. To ensure that the intermodal facility is the nucleus of a vibrant, transit-oriented mixed use district that is a community and regional destination;
- E. To provide a pedestrian-friendly atmosphere with development that minimizes parking impacts on the quality of the streetscape and the neighborhood;
- F. To attract local-serving businesses to the area to support and balance residential, office, and research and development (R and D) uses in the district;
- G. To guide all new development in the station district in such a way as to ensure harmony with existing and potential uses both within the station district and in adjacent neighborhoods.

(Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.020 Permitted uses.

The following uses shall be permitted:

- A. Commercial Uses as Part of a Mixed Use Project.
 1. Apparel and accessory stores, excluding thrift stores;
 2. Bakeries with retail sales;
 3. Banks/savings and loans, excluding check cashing businesses;
 4. Business services, such as photocopying services and small printing shops, computer and data processing, graphic design, sign shops;
 5. Food stores, up to twenty-five thousand (25,000) square feet, excluding convenience markets;
 6. Health clubs;
 7. General merchandise/retail stores, excluding adult business stores, clearance center/dollar stores, pawn shops, second hand/thrift stores, and retail tobacco stores;
 8. Health services, such as medical, dental, optical, physical therapy and pharmacies;
 9. Professional offices;

10. Restaurants and cafés, in-line only (not as stand-alone buildings);
 11. Retail food outlets, such as bagel, coffee, candy and tea stores (with minimal or no seating), in-line only (not as stand-alone buildings);
 12. Specialty wine shops.
- B. Civic Uses.
1. Cultural activities, such as museums, art galleries and libraries, performing arts;
 2. Public buildings and grounds, community centers and community services; and
 3. Public services and administrative offices, such as police and fire stations, post offices, and public parking lots and structures.
- C. Any other use determined by the Director to be essentially the same or very similar to the above permitted uses. In making this determination, the findings required under Section 18.52.060 shall be addressed.

(Ord. 765-11 § 2, 2011; Ord. 761-11 § 5, 2011; Ord. 739-10 § 1, 2010; Ord. 728-10 § 2, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.030 Conditional uses.

The following conditional uses shall be permitted in the CSMU district upon the granting of a use permit:

- A. Approval by Zoning Administrator (refer to Chapter 18.54 for a detailed description of the administrative use permit process).
1. Adult and child day care facilities;
 2. Educational and instructional uses, such as business, beauty, computer, dance, martial arts, tutorial services;
 3. In-line fast food restaurants;
 4. Sidewalk cafés per Section 18.36.190;
 5. Exterior sidewalk ATMs (automated teller machines), when there is adequate security and lighting and adequate queuing area that does not impede pedestrian or vehicular traffic flow (drive-thru ATMs are not permitted);
 6. Outdoor displays, such as flowers or newspapers, in conjunction with an existing adjacent business;
 7. Personal services, such as laundry, dry cleaning, beauty parlor, barbershop, nail salon, massage, shoe repair, travel agency, tailor, photography studio, and similar uses; and
 8. All other uses determined by the Zoning Administrator to be essentially the same or very similar to the above permitted uses. In making this determination, the findings required under Section 18.52.060 shall be addressed.
- B. Approval by City Council (refer to Chapter 18.56 for a detailed description of the use permit process).
1. Bars and nightclubs;
 2. Commercial recreation facilities, excluding video arcades;
 3. Convenience markets;
 4. Farmers' markets, when in conjunction with the City or the Chamber of Commerce;
 5. Mixed use developments;

6. Lodging, hotels and motels;
7. Research and development (R and D)/flex space with no nuisance characteristics;
8. Residential uses:
 - a. High-density residential development,
 - b. Senior housing,
 - c. Live/work units;
9. Transportation facilities, such as heliports and bus transfer facility or passenger rail facilities;
and
10. Any other use determined by the Planning Commission to be essentially the same or very similar to the above permitted uses. In making this determination, the findings required under Section 18.52.060 shall be addressed.

(Ord. 765-11 § 2, 2011; Ord. 739-10 § 1, 2010; Ord. 731-10 § 2, 2010; Ord. 708-08 § 2, 2008; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.035 Tobacco products.

The sale, donation, or distribution of tobacco products, regardless of floor area, shall be prohibited within one thousand (1,000) feet of "sensitive uses." Distance shall be measured from the closest exterior wall of the structure or portion of the structure in which tobacco is sold, donated, or distributed to the property line of the "sensitive use." (Ord. 739-10 § 1, 2010; Ord. 728-10 § 2, 2010)

18.38.040 Performance standards.

- A. All business, services, and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, approved sidewalk cafés, approved outdoor displays, and approved farmers' markets.
- B. Other provisions of this chapter notwithstanding, all storage, handling or other use of hazardous materials shall be subject to the provisions of Chapter 18.40, Article IV, Use of Hazardous Materials, as required for the research and development campus (RDC) district.
- C. Additions and modifications to commercial or residential projects, which are subject to the provisions of Chapter 18.76, Site Development Review, shall be designed to integrate with the existing project in terms of siting and architectural design. Above-ground utility installations, when permitted through specific site development review, shall be screened from public view. Roof top equipment, with the exception of solar energy equipment, shall be screened by architecturally-designed panels which are in proportion and scale with the roof line of the building.
- D. Trash and refuse collection facilities and disposal facilities shall be enclosed within the building or screened by a solid wall and not be visible from public streets.
- E. All development shall comply with the provisions listed in Chapter 7.04 regarding management of waste and recyclable materials.

(Ord. 771-12 § 8, 2012; Ord. 739-10 § 1, 2010; Ord. 731-10 § 2, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.050 Walls, fences, and hedges.

Walls, fences, or hedges over three (3) feet in height are subject to review and approval through the administrative site development (ASD) review or site development (SD) review process. No walls, fences, or

hedges shall exceed six (6) feet unless for the purposes of screening trash and loading facilities, or as required for sound attenuation. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.060 Minimum site area.

A minimum site area of not less than twenty thousand (20,000) square feet shall be required. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.070 Site area per dwelling unit.

A minimum of sixty (60) units per acre and a maximum of one hundred sixty-five (165) units per acre is permitted. The minimum site area per dwelling unit shall be two hundred sixty-four (264) square feet. (Ord. 765-11 § 2, 2011; Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.080 Site floor area ratio.

For all nonresidential uses, the minimum floor area ratio (FAR) shall be 1.0 and the maximum shall be 4.0. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.090 Frontage, width and depth of site.

Every lot shall have a minimum street frontage width of at least one hundred (100) feet and a minimum depth of two hundred (200) feet. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.100 Lot coverage.

The amount of the site area covered by structures shall not be restricted. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.110 Front yard.

Front yard setbacks shall be fifteen (15) feet from the face of the parking curb to ensure a comfortable pedestrian environment. On Decoto Road, the front yard setback shall be twenty (20) feet from the property line. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.120 Side yards.

Interior side yard setbacks shall not be required. Street side yard setbacks shall be fifteen (15) feet from the face of the parking curb to ensure a comfortable pedestrian environment. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.130 Rear yards.

Rear yards shall not be required, except that street rear yards shall be fifteen (15) feet from the face of the parking curb to ensure a comfortable pedestrian environment. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.140 Height of structures.

The minimum height of buildings shall be three (3) stories and the maximum height of buildings shall be fourteen (14) stories or one hundred sixty feet (160) feet, excluding mechanical penthouses and elevator towers; provided, that they do not exceed twenty-five percent (25%) of the roof area of the building. Buildings higher than five (5) stories or sixty-five (65) feet shall require approval of a use permit. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.150 Design criteria.

New development, to the maximum extent feasible, shall comply with the following design guidelines as illustrated in pages 70 through 74 of the Intermodal Station District and Transit Facility Plan.

A. General Design Standards for Buildings and Structures. General massing, architectural details, materials, fenestration, ground floor treatment and parking garages comply with the following guidelines:

1. Street Walls. Buildings along streets shall:
 - a. Be continuous along setback lines and are required at street corners to maintain an active urban character;
 - b. Allow variations in the building edge (including arcades and column articulations for entrances, mid-block pedestrian ways, interior courtyards, and other design considerations) as long as the appearance of a continuous built edge is maintained;
 - c. Encourage minor street wall variations to add architectural interest and provide pedestrian amenities, such as seating and ATMs;
 - d. Include multiple pedestrian entrances for large buildings to increase street activity and interest;
 - e. Keep vehicle entrances and exits to a minimum and the scale minimized to maintain a pedestrian environment;
 - f. Have ground floor retail where feasible and maximize window coverage to provide flexible use as office or retail;
 - g. Have ground floor retail/commercial space with at least a twelve (12) foot ceiling height and a forty (40) foot to fifty (50) foot minimum depth.
2. Exterior Material Palette Standards. Exterior materials shall be chosen based on character, durability, ease of maintenance and context, and shall include:
 - a. Brick, natural clay colors;
 - b. Stone;
 - c. Steel—Porcelain enamel panels, steel windows, steel exterior doors, steel rails and fences, painted, stainless or pre-weathered steel are acceptable;
 - d. Aluminum—Windows, panels (luco-bond and aluminum plate), storefront, curtain wall, doors; aluminum should be natural finish anodized, powder-coated or kynar (no bronze anodized);
 - e. Glass—Clear, low-e, nonreflective, solar-bronze or solar gray glass, shadow boxes and spandrel glass is permitted;
 - f. Pre-cast concrete, glass-fiber reinforced concrete;
 - g. High-quality, cast-in-place concrete;
 - h. Ceramic tile;

- i. Cement plaster; and
 - j. Wood.
3. Fenestration Standards. Windows and doors on buildings shall be used to help define building character. By establishing the fenestration patterns, the shape, scale, proportion, rhythm, groupings, relationships to plan, and exterior wall planes should all be taken into consideration along with adjacent buildings, structures and open spaces.
4. Ground Floor Treatments Standards. The ground floor on buildings shall:
 - a. Be designed so that the building imparts a sense of human activity, habitation, and interest to the street;
 - b. Not result in blank, undifferentiated street-level façades;
 - c. Incorporate building lighting along public sidewalks and other pedestrian walkways that reflect the design of the overall building and provide a safe environment.
5. Projections/Signage Standards.
 - a. Projections and signs may project over the sidewalk to indicate and demarcate shop fronts and increase pedestrian interest, subject to approvals of an encroachment permit by the Public Works Department and a sign program per Chapter 18.30.
 - b. No commercial billboards, "A" frame signs, and excessive banners are permitted per Chapter 18.30 of this title.
6. Garage Podiums Standards. Garage podiums shall:
 - a. Not include blank walls at the pedestrian level;
 - b. Be screened with retail uses, building lobbies, residential entries, or other habitable uses, or landscaping;
 - c. Be treated as a design feature to be seen from eye level and above with open space uses as the preferred design alternative;
 - d. Be engineered and designed with structure adequate to support "garden-like" plantings, mature trees, shrubs, perennial borders, ground cover, and paving materials balancing planted and paved surfaces;
 - e. Be activated with common lobbies and/or individual entries to garden apartments and townhouses;
 - f. Clearly demarcate differences between common and private open space at the podium level;
 - g. Have direct access from grade to the podium level that is integrated with the street and open space network, such as access from the pedestrian alleys.
7. Parking Design Standards. Parking:
 - a. Is required to be structured, unless it is on-street curbside parking;
 - b. Lots are not allowed after the initial phases of development;
 - c. On the ground floor, should be screened from the sidewalk by street-oriented uses, such as housing units with street access, retail uses, building entrances, lobbies and foyers, community facilities, or landscape elements;
 - d. Entrances and exits for vehicles should be kept to a minimum in scale and number;
 - e. Entrances and exits shall be discouraged on Eleventh Street, Union Square, and Railroad Avenue, and prohibited on Decoto Road;

- f. Entrances and exits shall be encouraged on side streets where side street access is available.
- B. Specific Design Standards for Buildings and Structures. Specific design standards for office and research and development, residential, ground floor service commercial, and parking garages follows:
1. Office/Commercial/Research and Development (R and D) Uses.
 - a. Ground Floor Treatments Standards. Ground floor treatment for office and research and development buildings shall:
 - i. Have building entrances, lobbies and accessory public uses oriented to the nearest public space or street;
 - ii. Have buildings fronting multiple streets to provide multiple public entrances;
 - iii. Have buildings that abut a pedestrian alley provide an entrance facing that alley;
 - iv. Include windows where office or other private uses are at the street level that provide visual transparency and a sense of interior activity to enliven the street.
 - b. Service/Loading Entries Standards. Service entries shall:
 - i. Be located on the side streets and positioned to minimize noise impacts on adjacent residential units and public open space, and to minimize pedestrian/vehicle conflicts and traffic congestion;
 - ii. Have loading dock dimensions limited to minimum functional requirements;
 - iii. Have loading docks located on the interior of the buildings to limit their visibility from the street.
 2. Residential Uses.
 - a. Residential Uses Overall Design Standards. Residential development shall:
 - i. Be designed with the safety and security of children in mind, without creating a "gated community" effect;
 - ii. Incorporate amenities such as play areas and other open spaces within the development;
 - iii. Not include sound walls and security fences that isolate or impede pedestrian access to residential development;
 - iv. Encourage balconies on above ground units where possible.
 - b. Ground Floor Treatments Standards. Ground floors of residential development shall:
 - i. Include multiple entries at the street level to create fine-grained, pedestrian-oriented streets;
 - ii. Include residential units with individual entrances fronting the street;
 - iii. Promote a pedestrian-friendly environment through the use of design features such as stairs, stoops, porches, doors and landscaping.
 - c. Parking Standards. Parking for residential development should promote a pleasant pedestrian experience by:
 - i. Limiting multiple individual garage entrances;
 - ii. Interspersing garage entries with "active uses" such as housing entries or occupied space;
 - iii. Screening parking from the street.

3. Ground Floor Service/Retail.

a. Indoor/Outdoor Connections Standards. Retail establishments and restaurants/cafés shall have:

- i. Strong indoor/outdoor connections;
- ii. Sliding or removable windows/doors;
- iii. Outdoor displays and café seating in front of commercial/retail establishments that are designed to increase pedestrian activity and interest, subject to administrative use permit approval as identified in the café standards located in Section 18.36.190;
- iv. Low planters with wide seat walls;
- v. Recessed entrances and porticos that increase the indoor/outdoor quality or allow for increased outdoor seating or display;
- vi. Awnings and canopies that may encroach into the public right-of-way subject to approval of an encroachment permit by the Public Works Department;
- vii. Visually transparent storefronts with clear glass windows and doors that are not blocked by storage, racks or shelving against glass;
- viii. An entrance on the alley when buildings abut a pedestrian alley.

b. General Parking Garage Standards. Parking garage design shall:

- i. Be clean, well lit, and designed for the safety and security of patrons, while avoiding excessive light spill into adjacent residential areas;
- ii. Complement adjacent land uses.

c. Street Wall Standards. Parking street wall design shall:

- i. Have a seven (7) foot minimum setback for landscape elements that screen the ground floor of parking on streets that do not have retail frontages (except on Eleventh Street where a setback is not allowed at street corners);
- ii. Complement the façades of adjacent uses.

d. Ground Floor Treatments Standards. Ground floor treatments shall:

- i. Emphasize the use of retail and/or commercial space at the street level to maximize window coverage;
- ii. Include retail frontages along Eleventh Street, the public plaza, and facing the Intermodal Transit Facility where commercial space should have at least a ten (10) foot ceiling height and a forty (40) foot to fifty (50) foot depth;
- iii. Be screened with architectural and/or landscape elements in locations where there is no ground floor commercial use.

C. The provisions of Chapter 18.102, Decoto Industrial Park Study Area (DIPSA), including design guidelines and findings, shall apply to all development within the DIPSA.

(Ord. 739-10 § 1, 2010; Ord. 672-06 § 2, 2006; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.160 Distance between main structures.

No distance between structures shall be required. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.170 Residential open space.

All residential development shall provide residential open space features, such as courtyards, pool and spa areas, recreation facilities, and picnic and play areas for use by the tenants/owners following approval by the Planning Commission. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.180 Signs, marquees, awnings.

All signs, marquees, and awnings shall be subject to the applicable limitations and requirements set forth in Chapter 18.30. A sign program shall be required with each development. Any encroachments into the public right-of-way shall require approval of an encroachment permit by the Public Works Department. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.190 Off-street parking.

Parking shall be required subject to the following:

A. Residential Use.

1. For rental units, provide one and one-half (1-1/2) covered and enclosed parking stalls per each unit, except affordable housing developments may be parked at 1.3 parking stalls per unit and may not be enclosed.
2. For ownership units, provide:
 - a. One and one-half (1-1/2) covered and enclosed parking stalls per each one (1) bedroom or studio unit.
 - b. Two (2) covered and enclosed parking stalls per each unit with two (2) or more bedrooms.
3. Parking may be reduced to one (1) parking stall per unit subject to a use permit and a parking in-lieu fee to contribute to the construction of a public parking structure.
4. A minimum of one (1) bicycle parking facility shall be provided for every three (3) units. Bicycle parking facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.090. The enclosed storage space (per Section 18.38.220) for each unit may incorporate space for the required bicycle parking. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.100 and approval by the decision maker.
5. A minimum of one (1) motorized cycle parking stall that is enclosed and weather-protected shall be provided for every twenty-five (25) units.

B. Retail Use. Provide automobile and bicycle parking at commercial district standards per Section 18.36.150 (off-street parking in commercial districts). Automobile parking demand may be reduced subject to a use permit and a parking in-lieu fee to contribute to the construction of a public parking structure.

C. Office and Research and Development (R and D) Use.

1. One (1) parking stall per three hundred (300) square feet of office and/or research and development (R and D) use or parking may be reduced subject to a use permit and a parking in-lieu fee to contribute to the construction of a public parking structure.
2. Bicycle parking facilities shall be provided, at a minimum, in an amount equal to ten percent (10%) of the required automobile parking demand as determined by subsection (C)(1) of this section except for areas within one-half (1/2) mile of the Intermodal Station. For bicycle parking demand ratios in these areas, see subsection (C) (3) of this section. Required facilities shall be designed and

installed in conformance with the design criteria outlined in Section 18.28.080. The number of required bicycle parking facilities may be increased by the decision maker for a specific use if it is found that such use shall create a greater demand for these facilities. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.100 and approval by the decision maker.

3. For areas within one-half (1/2) mile of the Intermodal Station, bicycle parking facilities shall be provided, at a minimum, in an amount equal to twenty percent (20%) of the required automobile parking demand as determined by subsection (C)(1) of this section. A minimum of sixty percent (60%) of the required bicycle parking demand shall be enclosed and secure to accommodate long-term users. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080. The number of required bicycle parking facilities may be increased by the decision maker for a specific use if it is found that such use shall create a greater demand for these facilities. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.100 and approval by the decision maker.

(Ord. 739-10 § 1, 2010; Ord. 719-09 § 2, 2009; Ord. 683-07 § 9, 2007; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.200 In-lieu parking fees.

Where a public parking fund exists for the purpose of developing public parking, applicants may make an in-lieu payment for construction, maintenance and operation of public off-street parking instead of providing off-street parking spaces as required by this chapter subject to approval by the City Council. The fee shall be pursuant to resolution of the City Council. In-lieu payments under this section shall be used for the purposes set forth in the ordinance establishing public parking funds. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.210 Off-street loading.

- A. For commercial uses, loading berth requirements shall be evaluated on a project by project basis. Any required loading berths shall comply with the requirements of Section 18.36.140.
- B. For residential uses, loading berth requirements shall be evaluated on a project by project basis. Any required loading berths shall comply with the following requirements:
1. Public Right-of-Way. Loading berths shall not be located in the public right-of-way.
 2. Access. Sufficient vehicular access shall be provided subject to review and approval by the City Engineer.
 3. Location. Loading berths shall be located away from intersections and near elevators.
 4. Size. Subject to review and approval by the City Engineer, size shall be in scale with proposed project but not less than ten (10) feet in width by twenty-five (25) feet in length, exclusive of aisle and maneuvering space. A minimum of fourteen (14) feet of vertical clearance shall be provided.
- C. Loading zones may be provided on side streets (i.e., Cheeves Way, Berger Way and Galliano Way) in lieu of loading berths subject to use permit approval.

(Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.220 Residential storage.

Each residential unit shall have at least two hundred (200) cubic feet of enclosed, weather-proofed and lockable private storage space in addition to guest, linen, pantry and clothes closets customarily provided. Such space may be provided in any location approved by the Economic and Community Development Department, but shall not be divided into two (2) or more locations. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.230 Laundry facilities.

Laundry facilities shall be provided to serve all residential dwelling units. Such facilities shall include washer and dryer appliances connected to utilities. In developments with common laundry facilities, the facilities must be in easily accessible locations and provide an adequate number of washers and dryers to serve the total number of units. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.240 Mix of uses.

Land use densities and mix of uses (residential, retail, office and light industrial) for the CSMU district shall be consistent with the General Plan. Ground floor retail is permitted throughout the district as part of any residential or commercial development.

The existing Union Square Office Park at the corner of Decoto Road and Union Square shall be retained for high-density office and commercial uses and the Verandas Apartments shall be retained for high-density residential uses. (Ord. 739-10 § 1, 2010; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)

18.38.250 Review.

Through the use permit process established in Chapter 18.56, the approving body may approve additional building height, reduce setbacks for projects, reduce storage requirements for projects or vary from the design criteria established in this chapter; provided, that the development offers a high-quality architectural and pedestrian environment and amenities. Exceptions to the following development standards may also be approved for affordable housing developments: off-street loading, location of bicycle parking, and height of walls, fences, and hedges. (Ord. 739-10 § 1, 2010; Ord. 719-09 § 2, 2009; Ord. 670-06 § 3, 2006; Ord. 624-04 § 2, 2004)