

CHAPTER 17.224  
**OVERLAY ZONES**

**§ 17.224.010. Purpose.**

This Chapter sets forth additional standards for defined areas (i.e., overlay zones) that are applied in addition to standards provided in the base zones. These standards are intended to ensure that proposed uses and development are compatible with existing and future development on neighboring properties and produce an environment of desirable character consistent with the General Plan.

(Ord. 1670(19) § 11)

**§ 17.224.020. Overlay Zones.**

- A. Airport Overlay Zone (AO). The Airport Overlay (AO) Zone applies to areas of the City in the vicinity of the Lompoc Airport. The AO Zone is established for the general purpose of protecting the public health, safety, and welfare by minimizing the hazards to landing and take-off of aircraft and to increase the safety for land uses in the vicinity of the airport. The limitations on development imposed by the AO Zone are based upon the classification of the runway to be affected and are derived from the Santa Barbara County Airport Land Use Plan. The planning boundaries as designated by the Airport Land Use Commission, constitute the Airport Safety Zone, as designated by the Airport Land Use Commission.
- B. Cultural Resources Overlay Zone (CRO). The Cultural Resources Overlay (CRO) Zone applies to areas of the City where the protection of cultural resources is critical. The CRO Zone streamlines the process of development review within the archaeological high sensitivity zone on the City's south side and directs procedures that apply in cases where development requiring any ground disturbance is proposed.
- C. Southside Overlay Zone (SO). Special circumstances apply to those properties identified in Exhibit A to Ordinance No. 1566(13) (the "Southside Residential Properties") located in the Southside Overlay (SO) Zone. Those circumstances were discussed in staff reports and at public hearings at which the Council considered the SO Zone. Based on these discussions and considerations, the properties in the SO Zone shall be deemed legal conforming, regardless of underlying density requirements of the base zone in which the SO Zone properties are located as of the effective date of Ordinance No. 1566(13).
- D. Planned Development Overlay Zone (PD). The Planned Development Overlay (PD) Zone applies to areas of the City appropriate for a flexible design approach to the development, which allows the development of diverse and varied uses and development that may not comply with all of the otherwise applicable standards of this Code in order to promote the orderly growth of Lompoc consistent with the General Plan.
- E. Special Event Overlay Zone (SEO). The Special Event Overlay (SEO) Zone applies to areas of the City that have a base industrial zone (I Zone or BP Zone) but are

frequented by tourists and visitors for wine tasting and related activities. The SEO Zone is intended to facilitate special events in these areas.

- F. H Street Overlay Zone (HSO). The H Street Overlay (HSO) Zone applies to lots along the H Street corridor that are anticipated to be redeveloped or developed with commercial, residential, or a mix of uses in buildings and with associated improvements that result in a more attractive built environment that accommodates pedestrians, bicycles, transit, and private vehicles.  
(Ord. 1670(19) § 11)

**§ 17.224.030. Allowed Land Use and Permit Requirements.**

- A. Land uses within any overlay zone shall comply with the allowed uses of the base zone, except as specifically modified, waived, or augmented by the overlay zone in Table 17.224.030.A (Overlay Zones Allowed Uses). If there is a conflict between any of the allowed uses in a base zone and an overlay zone, the overlay zone allowed uses shall control.
- B. The land uses allowed in the overlay zones are listed below, together with the planning permit type required for each use.
- C. Establishment of an Allowable Use.
  - 1. Any one or more land uses allowed in Table 17.224.030.A (Overlay Zones Allowed Uses) may be established on any lot within the overlay zone, subject to the planning permit requirement listed in the Table, and in compliance with all applicable requirements of this Code. Accessory uses are allowed only in conjunction with a primary use to which the accessory use relates.
  - 2. Where a single parcel is proposed for development with two or more of the land uses listed in the Table at the same time, the overall project will be subject to the highest permit level required by the Table for any individual use.
  - 3. Uses not listed below may be allowed in compliance with Section 17.520.050 (Allowable Uses of Land).
- D. Allowed Uses.

Table 17.224.030.A: Overlay Zones Allowed Uses							
Use	Requirement by Zone						Specific Use Regulations
	AO	CRO	SO	PD	SEO	HSO	
Agricultural Uses and Animal Keeping Use Types							
Agricultural Storage	CUP		Refer to base zone			-	-
Agricultural Support Sales and Service	P		Refer to base zone			-	-

Table 17.224.030.A: Overlay Zones Allowed Uses								
Use	AO	Requirement by Zone					HSO	Specific Use Regulations
		CRO	SO	PD	SEO			
Animal Raising and Keeping	-		Refer to base zone				P <sup>1</sup>	17.404.040
Community Garden	-		Refer to base zone				P	17.404.070
Field and Tree Crop Production	P <sup>2</sup>		Refer to base zone				-	-
<b>Industrial, Manufacturing, Processing and Wholesaling Use Types</b>								
Artisan Manufacturing	-		Refer to base zone				MUP	-
Cannabis Cultivation	P		Refer to base zone				-	LMC 9.36
Cannabis Testing Laboratory	-		Refer to base zone				P	LMC 9.36
Construction Storage/ Supply Yard	CUP		Refer to base zone				-	17.404.080
Manufacturing/ Processing: Light/Medium	-		Refer to base zone				CUP	-
Micro-Alcohol Production	-		Refer to base zone				CUP	-
Mini-Storage Warehousing or Facility	CUP		Refer to base zone				-	-
<b>Recreation, Education, and Assembly Use Types</b>								
Business/ Trade School	-		Refer to base zone				P	-
Civic/ Government	-		Refer to base zone				P	-
Community Assembly, Neighborhood	-		Refer to base zone				P	-
Community Assembly, Regional	-		Refer to base zone				CUP	-
Entertainment, Indoor - Neighborhood	-		Refer to base zone				P	-

Table 17.224.030.A: Overlay Zones Allowed Uses							
Use	Requirement by Zone					HSO	Specific Use Regulations
	AO	CRO	SO	PD	SEO		
Entertainment, Indoor - Regional	-		Refer to base zone			CUP	-
Library/Museum	-		Refer to base zone			MUP	-
Recreation, Indoor	-		Refer to base zone			MUP	-
Recreation, Outdoor	-		Refer to base zone			MUP	-
Recreation, Passive	-		Refer to base zone			P	-
Schools, Public or Private	-		Refer to base zone			P	-
Studio, Instructional Services	-		Refer to base zone			P <sup>3</sup>	-
<b>Residential Use Types</b>							
Accessory Dwelling Unit	-		Refer to base zone			P	17.404.020
Caretaker's Unit	-		Refer to base zone			MUP	17.404.060
Emergency Shelters	-		Refer to base zone			CUP	17.404.090
Family Day Care Home, Large	-		Refer to base zone			AUP <sup>4</sup>	17.404.100
Family Day Care Home, Small	-		Refer to base zone			P <sup>4</sup>	17.404.100
Home Occupations	-		Refer to base zone			AUP	17.404.110
Live/Work	-		Refer to base zone			P	17.404.120
Multi-Family Residential	-		Refer to base zone			P <sup>4</sup>	17.404.160
Residential Care Homes <7 Ppl	-		Refer to base zone			P <sup>4</sup>	17.404.200
Residential Care Homes ≥7 Ppl	-		Refer to base zone			CUP <sup>4</sup>	17.404.200

Table 17.224.030.A: Overlay Zones Allowed Uses								
Use	AO	Requirement by Zone					HSO	Specific Use Regulations
		CRO	SO	PD	SEO			
Single Room Occupancy	-		Refer to base zone				P	-
Supportive Housing	-		Refer to base zone				P <sup>5</sup>	-
<b>Retail Trade Use Types</b>								
Alcohol Sales	-		Refer to base zone				P	-
Bar/Nightclub	-		Refer to base zone				MUP	-
Dispensary	-		Refer to base zone				P	LMC 9.36
Drive-Through, Non-Restaurants	-		Refer to base zone				MUP	-
General Retail	-		Refer to base zone				P	-
Outdoor Dining	-		Refer to base zone				P	17.404.170
Outdoor Display	-		Refer to base zone				AUP	17.404.180
Restaurant-w/o Alcohol Sales	-		Refer to base zone				P	-
Restaurant- w/ Alcohol Sales	-		Refer to base zone				P	-
Restaurant- w/ Drive Through	-		Refer to base zone				CUP	-
<b>Services Use Types</b>								
Bed & Breakfast	-		Refer to base zone				MUP	-
Day Care, Commercial	-		Refer to base zone				CUP	-
General Services	-		Refer to base zone				P <sup>3</sup>	-
Hospital	-		Refer to base zone				P	-
Kennel	CUP		Refer to base zone				-	-
Lodging	-		Refer to base zone				P	-
Medical Clinics and Laboratories	-		Refer to base zone				P	-
Offices, General	-		Refer to base zone				P	-

Table 17.224.030.A: Overlay Zones Allowed Uses								
Use	Requirement by Zone						Specific Use Regulations	
	AO	CRO	SO	PD	SEO	HSO		
Public Services, Emergency Services	-		Refer to base zone				P	17.404.190
Safe Parking Program	-		Refer to base zone				AUP	17.404.205
Veterinary Clinics and Hospitals	-		Refer to base zone				P	
Wireless Telecommunications Facility Use Types								
Wireless Tower			Refer to base zone					
Other Wireless Telecommunications Facility			Refer to base zone					
Transportation Facilities Use Types								
Parking Lot	P		Refer to base zone				P	-
Parking Structure	-		Refer to base zone				P	-
Passenger Transportation Facilities	-		Refer to base zone				MUP	-
Vehicle Sales and Services Use Types								
Automotive Sales and Rental	P		Refer to base zone				MUP	-
Gas/Service Station	-		Refer to base zone				CUP	-
Large Vehicle and Boat Sales and Rental	-		Refer to base zone				CUP	-
Automotive Storage, Large Vehicles	CUP		Refer to base zone				-	-
Repair, Minor	-		Refer to base zone				P	-
Repair, Major	-		Refer to base zone				MUP	-
Other Use Types								
Metal Storage Container			See Section 17.404.130					
Temporary Use			See Section 17.404.210					

Notes:

- 1 Permitted use on any lot containing a single-family residence, including a legal nonconforming single-family residence, provided the use complies with Section 17.404.040.
- 2 No reflective surfaces allowed.
- 3 Chemical-based photographic studios, laundry facilities, and similar uses shall not be allowed in mixed-use projects.
- 4 Not allowed on the first floor if located 30 feet from an intersection of any street and H Street as measured from the edge of both streets (i.e., H Street and the intersecting street), except when the residential use does not face a street and residential access is provided at the rear of the building.
- 5 Permitted use only if the supportive housing development satisfies all of the requirements in Government Code Section 65651.

P = Permitted Use

AUP = Administrative Use Permit (See Chapter 17.508)

MUP = Minor Use Permit required (See Chapter 17.520)

CUP = Conditional Use Permit Required (See Chapter 17.520). A conditionally permitted use may be permitted subject to a Minor Use Permit when the use will be in an existing building and all applicable development standards applicable are met.

- = Use not allowed

(Ord. 1670(19) § 11; Ord. 1680(21) § 8; Ord. 1702(23) § 4; Ord. 1733(25), 10/21/25)

**§ 17.224.040. Overlay Zones Development Standards.**

- A. Development and new land uses within any Overlay Zone shall comply with all applicable development standards of the base zone, except as specifically modified, waived, or augmented by the Overlay Zone in Table 17.224.040.A (Overlay Zones Development Standards) or an approved Preliminary Development Plan in the case of the PD Overlay Zone. If there is a conflict between any of the development standards in a base zone and an Overlay Zone, the Overlay Zone development standards shall control.

Table 17.224.040.A: Overlay Zones Development Standards						
Development Feature	Requirement by Zone					
	AO	CRO	SO	PD	SEO	HSO
Lot Requirements						
Lot Area (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone					
Lot Area (max.)						

Table 17.224.040.A: Overlay Zones Development Standards						
Development Feature	Requirement by Zone					
	AO	CRO	SO	PD	SEO	HSO
Lot Width (min.)						
Setbacks						
Front (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone					10 ft. along H St.
Side - Interior (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone					0 ft.
Side - Street (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone					10 ft. along H St.
Rear (min.)						0 ft.
Building Form Standards						
Height (max.)	See Section 17.224.050.A	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone				
Height (max.) - Accessory Building						
Lot Coverage (max.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone					
Floor Area Ratio (max)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone					1.0
Density Standards						
Density (max.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone					
Other Requirements						
Accessory Structures	See Section 17.304.020 (Accessory Structures)					
Fences and Walls	See Chapter 17.312 (Landscaping and Screening Standards)					
Landscaping and Screening	See Chapter 17.312 (Landscaping and Screening Standards) & Title 15, Chapter 15.52 (Water Efficient Landscape and Irrigation Standards)					
Parking	See Chapter 17.308 (Parking Standards)					
Performance Standards	See Section 17.304.090 (Performance Standards)					
Signs	See Chapter 17.316 (Sign Standards)					
Additional Requirements	See 17.224.050 (Additional Standards and Requirements)					

- = No standard

(Ord. 1670(19) § 11)

**§ 17.224.050. Additional Standards and Requirements.**

## A. Airport Overlay Zone.

1. Lompoc Airport Master Plan (LAMP) compliance. Development in the AO Zone shall comply with the standards and limitations included in the LAMP.
2. Limitations and prohibited uses. The following are prohibited within the AO Zone:
  - a. Illuminated signs.
  - b. Any use which would direct steady or flashing lights at aircraft during initial climb or final approach, other than a Federal Aviation Administration (FAA) approved navigational signal or visual approach slope indicator (VASI).
  - c. Any use which would cause sunlight to be reflected toward an aircraft or initial climb or final approach.
  - d. Any use which would generate electrical interference that may be detrimental to operation of aircraft or airport instrumentation.
3. Height limitation—Clear zone. No structure, building, or vegetation shall exceed a height of 15 feet above the elevation of the airport take-off and landing area which has been established at 88.04 feet above mean sea level. The height of the approach zone, extended outward from the clear zone at its widest dimension, is 150 feet above the elevation of 88.04 feet.
4. Processing. Development of any size, involving the erection or placement of buildings or the locating of any object including movable objects, on any parcel within the AO Zone, shall be approved by the Airport Land Use Commission prior to the issuance of any Grading Permit or Building Permit. The City is responsible for issuing the Building Permit for a project consistent with the LAMP. No Building or Grading Permit shall be issued prior to land use clearance by the Airport Land Use Commission.
5. Performance standards. These performance standards are intended to be utilized for evaluating projects that may be acceptable in the clear zone or the approach zone, but have not been considered by the Airport Land Use Commission as being acceptable as identified as permitted and conditionally permitted uses in Table 17.224.030.A (Overlay Zones Allowed Uses). In any event, uses not listed in Table 17.224.030.A may be permitted, subject to a Conditional Use Permit, if the following general standards are met:
  - a. The use does not generate concentrations of people greater than 25 per acre;
  - b. The use does not result in concentrations of explosive, hazardous, or toxic materials of any significance;
  - c. The project has been referred to the Airport Land Use Commission for review and recommendations and the Commission has considered the

Airport Land Use Commission's recommendations prior to making a decision;

- d. Public safety officials indicated, in writing, that they can provide emergency services to the property;
- e. A "drop zone," 40 feet in width, centered on the runway centerline, shall be provided. Uses allowable in the 40-foot wide emergency drop zone may include auto access lanes, landscaping, breakaway light standards, water features, and underground utilities;
- f. The proposed use shall not result in concentrations of highway traffic due to poorly located drive approaches, unusual commercial "attention getting" devices, or signs;
- g. The use shall be compatible with noise and safety performance standards, as identified in the adopted Santa Barbara County Airport Land Use Plan and the adopted Lompoc Airport Land Use Plan (LAMP);
- h. The use will not result in danger to aircraft from light or glare; and
- i. Mitigation measures, pursuant to CEQA, as approved by the Commission, are made a part of the project approval.

B. Cultural Resources Overlay Zone.

1. Applicability.

- a. The CRO Zone includes all property, with an average slope of less than 30%, located south of the centerline of Olive Avenue, and all property within the Archaeological High Sensitivity Zone, as shown in the Cultural Resources Study, Spanne, October 1988.
- b. The CRO Zone standards apply to the following types of development proposals:
  - (i) Planning, Engineering, and Building Division permit applications that involve ground disturbance;
  - (ii) Development of private facilities, including utilities, in the public right-of-way;
  - (iii) Development of public facilities within and outside of the public right-of-way;
  - (iv) Development proposals for annexation and/or development of property outside City limits at the time of application; and
  - (v) Demolition permits that involve ground disturbance.

2. Environmental review. All projects in the CRO Zone are subject to environmental review under NEPA and CEQA, as otherwise required.

However, if the project is ministerial, or the only identified environmental issue is cultural resources, the standards of the CRO can be applied directly, without a separate environmental document being prepared and circulated. Consultation, in the form of written notification shall be given to Native American tribes requesting notification, for any discretionary project within the CRO Zone or Archaeological High Sensitivity Zone.

3. CRO Zone standards.
  - a. Options. If ground-disturbing development is proposed in this area, the property owner or applicant has the option of either obtaining a Phase 1 evaluation of the subject property or properties, or contracting for a qualified archaeological monitor to oversee all ground-disturbing activity associated with development.
    - (i) Phase 1 evaluation. Prior to construction or site disturbance, the project applicant shall retain a qualified archaeologist to conduct a Phase 1 study of the subject property, and submit documented findings and recommendations for future evaluation to the Department. Prior verified Phase 1 evaluations of the property can also be used to meet the requirements of this Subsection. Recommendations of the Phase 1 evaluation shall be followed during construction on the site.
    - (ii) Monitoring. Prior to construction, the applicant shall retain a qualified archaeologist to monitor all ground-disturbing work associated with the proposed project and prepare a report verifying the monitoring activity and its findings. The report shall describe the significance and disposition of any cultural resources identified and shall be submitted to the Department within 30 days of the monitoring activity.
4. Cultural Resource Protection Program. A Cultural Resource Protection Program shall be implemented in cases where cultural resources are uncovered, either while a project is being actively monitored by an archaeologist, or accidentally during construction.
  - a. Work shall stop until a qualified archaeologist has reviewed the find and determined if it qualifies as a historic resource or a unique resource.
  - b. If the find is determined to be historic or unique by the qualified archaeologist, a plan for preservation of the material shall be developed by the archaeologist and implemented.
  - c. If evidence of prehistoric artifacts is discovered, the Chumash Tribe shall be consulted. Preservation in place shall be the preferred manner of mitigation.
  - d. If data recovery through excavation is the only feasible mitigation, a data recovery plan shall be prepared and adopted, prior to any further

excavation. The data recovery plan shall provide for adequate recovery of scientifically consequential information from and about the historical resource.

- e. Data recovery shall not be required for an archaeological resource if the City, as the lead agency, determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological resource, provided that the studies are deposited with the California Historical Resources Regional Information Center.

- 5. Requirements for evaluation. Table 17.224.050.A identifies the requirements for Cultural Resource Evaluation.

Table 17.224.050.A: Requirements for Cultural Resource Evaluation	
Type of Resource On-Site	Required Cultural Resource Process
Development in the CRO Zone, where archaeology is the only environmental issue.	Retain a qualified archaeologist to conduct either a Phase I evaluation of the subject property; and/or retain a qualified archaeologist to monitor all ground-disturbing activity associated with the proposed development. An archaeological protection program shall be developed, if necessary to address cultural resources discovered on the subject property.

- 6. Violations. Any firm, corporation, or person, whether as principal, agent, employee, or otherwise violating or causing the violation of any of the requirements of Subsection B will be guilty of a misdemeanor, and conviction shall be punishable by a fine of not more than \$1,000.00 or by incarceration in the County jail for not more than six months, or by both the fine and incarceration. Any violations of these provisions constitute a separate offense for each and every day during which the violation is committed or continued. In addition, any violation shall constitute a public nuisance and, as such, may be abated or enjoined from further operation consistent with Chapter 17.628 (Property Nuisances).

C. Planned Development Overlay Zone.

- 1. The PD Overlay Zone may be adopted, consistent with Chapter 17.604 (Zoning Code, Zoning Map, and General Plan Amendments), and applied within any established zone except for the Specific Plan Zone.
- 2. Residential density shall not exceed that identified in the Land Use Element of the General Plan.

**D. Special Event Overlay Zone.**

1. Standards for Special Events exempt from a Temporary Use Permit.
  - a. The event shall not exceed 72 hours.
  - b. The event cannot exceed the maximum occupant load or the approved occupant load for any room as approved on the building plans.
  - c. No manufacturing activities shall occur in spaces being used for events. Manufacturing activities include grape processing, destemming, pressing, active fermenting, automatic bottling or fork lift operations.
2. Special Events that are exempt from a Temporary Use Permit. A special event that is contained indoor, outdoor or both, on the same property and within an area under the control of the winery or micro alcohol business management, and complies with the standards for special event in Subsection D.1 shall not require the issuance of a Temporary Use Permit.
3. Special Events that require a Temporary Use Permit.
  - a. Consistent with Section 17.404.210 (Temporary Uses), a special event that is not exempt by Subsection D.2 where the main purpose is not to market the products sold at the location shall require the approval of a Special Event Temporary Use Permit under the process described below.
  - b. To facilitate and encourage special events, a Special Event Temporary Use Permit (TUP) is valid for 365 days. These permits shall be limited to one event per month for the 365-day period.
  - c. The process for the Special Event TUP is as follows:
    - (i) Special Event TUP application is submitted with a description of the types of events and types of configurations of the facility and occupancies, for Planning Division review and approval.
    - (ii) Special Event TUP application must be signed by the property owner and applicant.
    - (iii) Upon Planning Division approval, Special Event TUP will be issued with the following language for applicant to agree to the following:
      - (a) Compliance with all applicable Federal, State, County and local regulations and ordinances shall be maintained during each temporary event.
      - (b) A Special Event TUP shall not exceed one year from the date of issuance.
      - (c) The temporary events shall cease on the last date printed on the permit, and all related equipment, supplies, projects and personnel related to the Special Event Temporary Use Permit

and not part of the day to day operation of the business shall be removed from the site. If no changes to the facility have occurred the applicant may apply for a ministerial, across the counter, new Temporary Use Permit which may be approved for a 12-month period.

- (d) The proposed temporary events shall remain in compliance with standards and regulations stated in LMC Chapter 8.08 (Noise) at all times.
- (e) Pedestrian and vehicular access/circulation shall not be impaired by the temporary events.
- (f) During each event, the parking lot must remain free of obstructions to serve as off-street parking spaces for the customers.
- (g) Any temporary on-site signage advertising the event shall be securely fastened and removed at the end of each event.
- (h) All temporary events are to remain outside of the public right-of-way.
- (i) Any damage to City facilities caused by the applicant (i.e., curb, gutter, sidewalks, wheelchair ramps, etc.) shall be repaired and/or replaced as deemed necessary by the City Engineer. The repair and/or replacement shall be paid IN FULL by applicant.
- (j) A clear driving aisle is to be maintained at all times for emergency personnel and equipment. Vehicles may only park in designated stalls or on the street. No blocking of accessible spaces or fire lane access shall occur.
- (k) During the temporary events, all exits shall remain unlocked at all times and the gate shall be left open.
- (l) The proposed events shall comply with all applicable Building and Fire Codes.
- (m) No pollutants are to be discharged from the site, either as dust, in liquid or in storm water (or drainage inlets).
- (n) Applicant and Property Owner, jointly and severally, agrees to and shall indemnify, defend, protect, and hold harmless City, its officers, employees, agents, and representatives from and against any and all claims, losses, proceedings, damages, causes of action, liabilities, costs, and expenses, including reasonable attorney's fees, arising from, in connection with, or caused by: (i) any act, omission or negligence of Applicant or

Owner, or their respective contractors, licensees, invitees, customers, visitors, agents, sublessees, servants, or employees, wherever on or adjacent to the Property the same may occur; (ii) any use of the Subject Property ("Property"), or any accident, injury, death, or damage to any person or property occurring in, or on or about the Property, or any part thereof; (iii) the conduct of Applicant's or Owner's business; or (iv) the issuance of the Special Event Temporary Use Permit; other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City. In case any action or proceedings be brought against the City, its officers, employees, agents or representatives, by reason of any such claim, Applicant and Owner, jointly and severally, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City.

E. H Street Overlay Zone.

1. Building orientation and entrances.

- a. The primary entrance to a building shall be located to face a street or be connected to a street via a courtyard, walkway, plaza or similar public space. When it is not possible to locate the primary entrance to face the street, plaza, courtyard, or walkway, a secondary entrance should be designed to connect to these public places.
- b. Building entrances shall be clearly identifiable with enhanced architectural features such as a change in plane (e.g., the entrance may be recessed on the street level façade), differentiation in materials and colors, lighting, modulation of roof lines to define the building entrance, or landscape treatments.

2. Building transparency and openings for non-residential uses. The standards of this Subsection are illustrated in Figure 17.212.050.1 (Building Transparency and Openings).

- a. Exterior walls facing and within 20 feet of a street, park, plaza, pedestrian walkway, or other public outdoor space shall include windows, doors, or other openings for at least 50% of the building wall area located between 2.5 and eight feet above the level of the sidewalk, and such walls shall not have a continuous horizontal plane for more than 25 feet without an opening. If residential uses are proposed on the first floor, as allowed by Table 17.224.030.A, the review authority may reduce this requirement.
- b. Openings fulfilling the requirement in Subsection 2.a shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces or into window displays that are at least three feet deep.

- c. Windows on the ground level building façade facing a street shall not be opaque; however, this requirement may be waived by the Director if the use is a medical clinic or similar that requires privacy.
  - d. Alternatives to the building transparency requirement may be approved if the Director finds that the street-facing building walls exhibit architectural relief and detail or are enhanced with landscaping in such a way as to create visual interest at the pedestrian level.
  - e. A parking garage that does not incorporate ground-floor non-residential or residential use or is not otherwise screened or concealed at street frontages on the ground level, must provide a landscaped area at least 10 feet wide between the parking garage and public street. The landscaping may encroach into the City's right-of-way with an Encroachment Permit and shall comply with the standards in Chapter 17.312 (Landscaping and Screening Standards).
3. Pedestrian access. On-site pedestrian circulation and access shall be provided consistent with the following standards.
    - a. Internal connections. A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
    - b. To neighbors. Direct and convenient access shall be provided from commercial and mixed use projects to adjoining residential, mixed-use, and commercial areas to the maximum extent feasible while still providing for safety and security.
    - c. To transit. Safe and convenient pedestrian connections shall be provided from transit stops to building entrances, walkways, plazas, and courtyards.
  4. Maximum block length. Block length is limited to 400 feet measured from curb edge to curb edge. A block length up to 600 feet shall only be allowed when a mid-block pedestrian connection is provided or the Director finds that:
    - a. The location and configuration of the lot makes a mid-block pedestrian connection infeasible or impractical; and
    - b. Safe and convenient pedestrian connections are provided throughout the site and provisions are made to accommodate cross-access to/from pedestrian areas that may be developed on adjacent properties.
  5. Open space. Projects with 50,000 square feet or more of non-residential floor area on sites of two acres or more shall provide open space consistent with the following:
    - a. Forty square feet of open space shall be provided for every 1,000 square

feet of non-residential floor area for the first 100,000 square feet of non-residential floor area, plus 20 square feet of open space for every 1,000 square feet of non-residential floor area over 100,000 square feet.

- b. Open space shall be visible and accessible from a public street or on-site areas normally frequented by customers as determined by the Director. Areas within required setbacks may count towards the open space requirement.
- c. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including, but not limited to, trees, landscaping, shade structures, lighting, drinking fountains, or public art.
- d. The surface of the open space shall allow convenient use for outdoor activity, recreation, and public gathering. The surface may be any practical combination of plant and hardscape materials. Permeable hardscape materials are encouraged.

- 6. Street trees. A minimum of two trees shall be located along every 40 feet of street frontage and may only be located in City right-of-way if approved by the Urban Forestry Division. Street trees shall comply with applicable standards in Chapter 17.312 (Landscape and Screening Standards).

(Ord. 1670(19) § 11; Ord. 1733(25), 10/21/25)