

Chapter 18.45

DOWNTOWN DISTRICTS (DP, DMX, AND WMX)

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18.45.010 Purpose.

This chapter lists the uses that may be permitted within the downtown zoning districts, the type of permit or approval required for each use, and basic development standards for the site and building. The purpose of each district is as follows:

A. DP – Downtown Pedestrian. The DP district is applied to the 10-block downtown area surrounding Todos Santos Plaza and the blocks connecting the plaza and the Concord BART station for pedestrian-oriented commercial uses, residential and mid-rise vertical mixed-use development with a minimum FAR of 1.0 up to 4.0 FAR, and residential densities of 33 to 100 units per net area. The DP district requires pedestrian-oriented uses at ground level with retail and related personal services, and restaurant uses permitted at storefronts facing the plaza. Office, commercial services, multifamily residential, and other service-oriented uses are also permitted on upper floors. Development should reflect high quality architectural design and amenities that promote and support active pedestrian use. The DP district is consistent with and implements the downtown pedestrian (DTPD) land use designation of the general plan.

B. DMX – Downtown Mixed-Use. The DMX district is applied to downtown areas appropriate for a cohesive mix of high density residential, commercial and office, and mixed uses, including hotels with a minimum FAR of 1.0 up to 6.0 FAR, and residential densities of 33 to 100 units per net acre. Well-designed vertical mixed-use within a single building is encouraged with retail at ground level and office and multifamily residential on upper floors. Single uses and horizontal mixed-use with retail, office, and residential uses located in separate buildings but within a single development may also occur. The DMX district is consistent with and implements the downtown mixed-use (DTMU) land use designation of the general plan.

C. WMX – West Concord Mixed-Use. The WMX district is applied to the area west of downtown, along Concord Avenue and the Walnut Creek Channel, and adjoining areas of the city appropriate for a mix of schools, commercial, office, retail, multi-tenant

office/warehouses, and institutional development at up to 4.0 FAR. The WMX district allows new automobile dealers, shopping centers, hotels, restaurants, office buildings and multi-tenant commercial spaces, including contractor showrooms and storage uses when located entirely within a building and public/quasi-public uses. The WMX district does not allow residential uses. The WMX district is consistent with and implements the West Concord mixed-use (WCMU) land use designation of the general plan. [Ord. 21-3 § 8 (Exh. A); Ord. 17-11 § 3 (Exh. 6); Ord. 16-5 § 1 (Exh. B); Ord. 16-425.2 § 1 (Exh. B); Ord. 14-3 § 1; Ord. 12-4. DC 2012 § 122-153].

18.45.020 Table 18.45.020 – Downtown districts – Allowed uses and permit requirements.

A. Applicability. Table 18.45.020 identifies the uses allowed by the development code in each downtown zoning district and the type of permit required to establish each use. See CDC 18.25.030(B) or Division VII of this title (Permits and Permit Procedures). Additional requirements may apply pursuant to Division IV (Development Standards) and Division V (Standards for Specific Uses) of this title.

Table 18.45.020 Downtown Districts Allowed <u>Uses</u> and <u>Permit</u> Requirements					ZC = Permitted <u>Use</u> , Zoning Clearance AP = Administrative <u>Permit</u> Required MP = Minor <u>Use</u> Permit Required UP = <u>Use</u> Permit Required 6409 = Section 6409 Application – = <u>Use</u> Not Allowed
<u>Land Use</u> Classifications	<u>Permit</u> Required by <u>District</u>			Additional Requirements	
	DP	DMX	WMX		
Office, Commercial, and Retail <u>Uses</u>					
Adult Day Care Center	–	AP ⁽⁶⁾	–		
Adult-Oriented Business	–	–	–	Chapter 18.210 CDC, Adult-Oriented Businesses	
Animal Services					

Boarding, Kennel	-	AP	UP	
<u>Dog Day Care, Training</u>	-	AP	ZC	
Grooming	ZC	ZC	ZC	
Hospital, Veterinary Clinic	-	ZC	ZC	
Antique, Collectible Store	ZC	ZC	ZC	

Automobile Sales and Rental/Leasing

Auction	-	-	-	
Brokers, Office Only	ZC ⁽¹⁾	ZC ⁽¹⁾	ZC	
Brokers, Office with Vehicle Display	-	-	ZC	
Dealership, New	-	-	ZC	
Dealership, Used	-	-	-	
Dealership, Motorcycles	-	-	ZC	
Rental	-	-	AP	

Automobile Services and Repair

Car Wash, Attended	-	-	UP	CDC <u>18.200.090, Gas stations and car washes</u>
Car Wash, Unattended	-	-	-	CDC <u>18.200.090, Gas stations and car washes</u>
<u>Gas Station</u>	-	-	UP	CDC <u>18.200.090, Gas stations and car washes</u>
Maintenance Services	-	-	ZC	
Major Repair/Body Work	-	-	-	

Minor Repair	-	-	ZC	
Banks and Financial Services				
Bank, Credit Union	AP ⁽³⁾	ZC	ZC	
Bank with Drive-Through Service	-	-	UP	CDC 18.200.060, Drive-through facilities
Check Cashing Business	-	-	-	
<u>Building Materials Sales and Services</u>				
No <u>Outdoor Storage</u>	-	-	ZC	
With <u>Outdoor Storage</u>	-	-	UP	CDC 18.200.160, Outdoor sales and displays
Business Support Services	ZC ⁽¹⁾	ZC	ZC	
Catering Service	ZC ⁽¹⁾	ZC	ZC	
<u>Eating and Drinking Establishments</u>				
<u>Bar, Night Club, Lounge</u>	AP	AP	AP	CDC 18.200.080, Entertainment <u>uses</u>
<u>Food Vendor Group Site</u>	-	MP	MP	CDC 18.200.210, Food <u>vendor group sites</u>
Micro-Brewery/Distillery	MP	MP	MP	CDC 18.200.040, <u>Alcoholic beverage sales</u>
Micro-Brewery/Distillery, Large ⁽⁷⁾	UP	UP	UP	CDC 18.200.040, <u>Alcoholic beverage sales</u>
Restaurant, Full Service	ZC	ZC	ZC	
Restaurant, Limited Service	ZC	ZC	ZC	

Restaurant, with Drive-Through	-	-	UP	CDC <u>18.200.060</u> , Drive-through facilities
Restaurant, with Live Entertainment	AP	AP	UP	CDC <u>18.200.080</u> , Entertainment <u>uses</u>
Tasting Room	AP	AP	AP	CDC <u>18.200.040</u> , Alcoholic beverage sales
Fitness Facility, Health Club	ZC ⁽⁸⁾	ZC	ZC	
Food, Beverage Sales				
Convenience Store, no Alcohol Sales	ZC ⁽⁸⁾	AP	ZC	CDC <u>18.200.220</u> , Convenience stores
Convenience Store, with Alcohol Sales	-	-	UP	CDC <u>18.200.040</u> , Alcoholic <u>beverage sales</u> CDC <u>18.200.220</u> , Convenience stores
Grocery Store	AP	AP	AP	
Liquor Store	-	-	-	CDC <u>18.200.040</u> , Alcoholic <u>beverage sales</u>
Hotel, Motel	UP	UP	UP	
Maintenance Services				
Office with No <u>Outdoor Storage</u> or Activities	-	-	ZC	
Office with <u>Outdoor Storage</u> or Activities	-	-	-	
Nursery, Preschool, Childcare	UP ⁽¹⁾	MP	AP	CDC <u>18.200.050</u> , Child day care facilities

Offices				
Administrative, Information Processing	ZC ⁽⁸⁾	ZC	ZC	
Professional	ZC ⁽⁸⁾	ZC	ZC	
Personal Services				
General	AP ⁽³⁾	ZC	ZC	
Improvement, Instructional	ZC ⁽⁸⁾	ZC	ZC	
Restricted	-	-	UP	
Repair Service, Appliance and Small Equipment	-	-	UP	
Retail Sales				
Big Box	-	UP	UP	
General	ZC	ZC	ZC	
Nursery, Garden Center	-	-	ZC	CDC 18.200.160, Outdoor sales and displays
Restricted	-	-	UP	
With Drive-Through	-	-	UP	CDC 18.200.060, Drive-through facilities
Secondhand Sales	-	AP	AP	
Business Park and Industrial Uses				
Auto Wrecking, Dismantling Yards	-	-	-	

Contractors, Special Trade				
Cabinet Shop	-	-	ZC	
Contractor Office, No <u>Outdoor Storage</u>	-	-	ZC	
Contractor Yard, <u>Outdoor Storage</u>	-	-	-	
Fleet-Based Service	-	-	UP	
Freight and Truck Terminal	-	-	-	
Heavy Vehicle and Large Equipment, Sales/Rental, Service and Repair				
<u>Commercial Vehicles and Equipment</u>	-	-	-	
Recreational Vehicle	-	-	-	
Laboratory, Research, and <u>Development</u>	AP ⁽¹⁾	AP ⁽¹⁾	AP ⁽¹⁾	
Manufacturing, <u>Processing</u>				
Artisan/Custom Product	-	-	ZC	
Industry, Heavy	-	-	-	
Within a <u>Building</u>	-	-	-	
With <u>Outdoor Storage</u> or Activities	-	-	-	
Warehouse Show Room with Assembly and Sales	-	-	ZC	
Media Production Facility	ZC	ZC	ZC	
<u>Storage</u>				

Hazardous Materials	-	-	-	
Self-Storage Facility, Mini-Storage	-	-	-	
Vehicle	-	-	-	
Towing Service	-	-	-	
Warehouse, with No <u>Outdoor Storage</u>	-	-	ZC	
Warehouse, with <u>Outdoor Storage</u>	-	-	-	
Wholesaling, Distribution	-	-	ZC	

Residential Uses

Bed and Breakfast Inn	AP	AP	-	
<u>Dwelling, Dwelling Unit, Housing Unit</u>				
Single-Family, Detached	-	-	-	
Single-Family, Detached – Small <u>Lot</u> Subdivision	-	-	-	
Single-Family, Attached	-	-	-	Chapter <u>18.152</u> CDC, Objective Design Standards
Duplex	-	-	-	Chapter <u>18.152</u> CDC, Objective Design Standards
Multifamily	ZC ⁽¹¹⁾ , UP ⁽¹³⁾	ZC ⁽¹¹⁾ , UP	-	Chapter <u>18.152</u> CDC, Objective Design Standards

<u>Family Day Care Home (14 or fewer children)</u>	ZC	ZC	–	
Group Housing	–	UP	–	
<u>Home-Based Business</u>	ZC ⁽⁶⁾ , AP	ZC ⁽⁶⁾ , AP	–	CDC <u>18.200.100, Home-based businesses</u>
Live/Work Unit	UP ⁽¹⁾	UP	–	CDC <u>18.200.110, Live/work or work/live units</u>
<u>Mixed-Use Projects</u>	ZC ⁽¹²⁾ , ⁽¹³⁾ UP	ZC ⁽¹²⁾ , UP	–	Chapter <u>18.152</u> CDC, Objective Design Standards CDC <u>18.200.140, Mixed-use projects</u>
<u>Mobile Home Park</u>	–	–	–	
Residential Care Facility, Small	–	ZC	–	Allowed within a legally existing single-family residence.
Residential Care Facility, Large	–	UP	–	Allowed within a legally existing single-family residence.
Residential Facility for Seniors, Assisted Living	UP ⁽⁶⁾	UP	–	
Supportive Housing	ZC, UP ⁽¹⁰⁾	ZC, UP ⁽¹⁰⁾	ZC, UP ⁽¹⁰⁾	California Government Code Section <u>65650</u> et seq.
Transitional Housing, Multifamily	UP	UP	–	
Transitional Housing, Single-Family	–	–	–	
Work/Live Unit	UP ⁽¹⁾	UP	–	CDC <u>18.200.110, Live/work or work/live units</u>

Public/Quasi-Public and Recreational <u>Uses</u>				
Airport	-	-	-	
Ambulance Service	-	-	-	
<u>Cannabis Uses</u>				
Commercial Cultivation	-	-	-	
Distribution (Type 11)	-	-	-	
Distribution Transport Only (Type 13)	-	AP	AP	Only allowed if a <u>city</u> cannabis distributor transport only (Type 13) license has been approved by the chief of police, pursuant to Chapter <u>5.80 CMC</u> in conjunction with a <u>city</u> cannabis storefront retailer license.
Indoor Personal <u>Cannabis</u> Cultivation	ZC	ZC	ZC	Up to six plants per residence, pursuant to <u>state law</u>
Industrial Hemp Cultivation				
Manufacturing	-	-	-	
Microbusiness	-	-	-	
Non-Storefront Retail	-	-	-	
Storefront Retail	-	AP	AP	Only allowed if a <u>city</u> cannabis storefront retailer license has been issued by the <u>city</u> , pursuant to Chapter <u>5.80 CMC</u> .
Testing Laboratory	-	-	-	

Cemetery, Columbarium, Mausoleum	-	-	-	
Conference, Convention Facility	-	UP	UP	
Cultural Institution	ZC	ZC	MP	
<u>Emergency and Homeless Shelter</u>	-	-	-	CDC <u>18.200.070</u> , <u>Emergency shelter</u> and homeless shelters
Low Barrier Navigation Center	ZC, UP ⁽¹⁰⁾	ZC, UP ⁽¹⁰⁾	ZC, UP ⁽¹⁰⁾	California Government Code Section <u>65660</u> et seq.
Government Office	ZC ⁽⁸⁾	ZC	ZC	
Farmers' Market	UP	UP	UP	
Funeral Parlor, Mortuary	-	-	UP	
Heliport	-	-	-	
Library	ZC ⁽¹⁾	ZC	ZC	

Medical

Hospital, Medical Center	-	-	-	
Medical Services Facility	-	UP	AP	
Nursing Facility/Extended Care	-	UP	-	
Urgent Care Facility	-	-	AP	
Meeting Facility, Public/Private	AP ⁽¹⁾	AP	AP	
Military	-	-	-	
Parking Facility	-	AP	AP	

Public Maintenance and Service Facility	-	-	-	
Recreational Facilities				
Bingo Hall	-	-	UP	
Commercial Recreation, Indoor	AP	AP	AP	
Golf Course, Country Club	-	-	-	CDC <u>18.200.130, Mechanical and electronic games</u>
Park and Recreation Facility	ZC	ZC	ZC	
Residential Recreation Facility	-	-	-	
Sports and Entertainment, Assembly	-	-	-	CDC <u>18.200.080, Entertainment uses</u>
Sports and Recreation Facility	-	-	UP	CDC <u>18.200.130, Mechanical and electronic games</u>
Recycling Facilities				
Small Collection Facility.	-	-	AP	CDC <u>18.200.170, Recycling facilities</u>
Large Collection Facility.	-	-	-	
Processing Facility	-	-	-	
Religious Facility	-	-	UP	
Schools				
Elementary, Middle, Secondary	UP ^(1, 9)	UP	UP	
College, University	AP ^(1, 9)	AP	AP	

Trade School, Vocational Training	AP ^(1, 9)	AP	AP	
Social Services Facility	UP ^(1, 2)	MP/AP ^(4, 5)	AP	
Theater, Auditorium	UP	UP	UP	CDC <u>18.200.130</u> , Mechanical and <u>electronic games</u>
Utility Facility, Transmission Towers	–	–	–	
Wireless Communications Facility	AP, MP or 6409	AP, MP or 6409	AP, MP or 6409	Chapters <u>18.205</u> and <u>18.207</u> CDC

Open Space and Agricultural Uses

Companion Animal, Horses, Fowl	–	–	–	
Community Gardens	UP	UP	UP	
Crop Production, Orchard, Vineyard	–	–	–	
Livestock, Grazing	–	–	–	
Mining and Quarrying	–	–	–	

- (1) Not allowed on ground floor.
- (2) Allowed on upper floors subject to use permit approval.
- (3) "Personal Services, General" and "Bank, Credit Union" uses located on the ground floor shall not cumulatively occupy more than 20 percent of any street frontage properties directly facing Todos Santos Plaza.
- (4) Allowed on ground floor subject to a minor use permit approval.

- (5) Allowed on upper floors subject to an administrative permit approval.
 - (6) Allowed with residential use only.
 - (7) A facility which exceeds 3,000 square feet.
 - (8) Not allowed on ground floor locations directly facing Todos Santos Plaza.
 - (9) Not allowed on properties directly facing Todos Santos Plaza.
 - (10) Use permit required for any facility that does not meet the requirements set forth in the referenced article of the California Government Code.
 - (11) Zoning clearance required for multifamily projects when a project is located entirely on a parcel or parcels listed in the current housing element sites inventory that conform to objective development standards and Chapter 18.152 CDC (Objective Design Standards).
 - (12) Zoning clearance required for mixed-use projects when a project is located entirely on a parcel or parcels listed in the current housing element sites inventory, with at least two-thirds of the total square footage designed for residential use, and that conform to objective development standards and Chapter 18.152 CDC (Objective Design Standards).
 - (13) Residential uses shall be located above the ground floor of the building for properties directly facing Todos Santos Plaza, and the ground floor shall be occupied by a retail or restaurant use.
- [Ord. 24-7 §7 (Exh. E); Ord. 24-6 §8 (Exh. E); Ord. 24-5 §7 (Exh. E); Ord. 21-5 (Exh. C); Ord. 21-3 §8 (Exh. A); Ord. 21-2 §5 (Exh. F); Ord. 20-4 (Exh. B); Ord. 19-5 §1 (Exh. E); Ord. 18-3 §7 (Exh. A); Ord. 17-13 §3 (Exh. A); Ord. 17-11 §3 (Exh. 6); Ord. 17-5 §2 (Exh. I); Ord. 17-2 §2 (Exh. G); Ord. 14-6 §§ 5, 6; Ord. 14-3 §2; Ord. 12-5; Ord. 12-4, DC 2012 § 122-154].

18.45.030 Table 18.45.030 – Downtown districts – Development standards.

Subdivisions, new uses and structures, and alterations to existing uses and structures shall be designed, constructed, and established in compliance with the requirements specified in Table 18.45.030. Additional requirements may apply pursuant to Division IV (Development Standards) and Division V (Standards for Specific Uses) of this title.

Table 18.45.030

Downtown Districts

Development Standards⁽¹⁾

Standards	DP⁽⁴⁾	DMX⁽⁴⁾	WMX	Additional Standards
Density (du/net acre) minimum/maximum	33 – 100 du/net acre	33 – 100 du/net acre	NA	
<u>Floor Area Ratio (FAR)</u> minimum	0.75	1.00	–	
<u>Floor Area Ratio (FAR)</u> maximum ^(4, 5)	4.0	6.0	4.0	
<u>Lot Area</u> (square feet) minimum	5,000	10,000	25,000	<u>Development on sites with less than the minimum lot size requires a use permit.</u>
<u>Lot Width</u> (feet) minimum				
<u>Interior Lot</u>	50	100	100	
<u>Corner Lot</u>	60	110	110	
<u>Lot Depth</u> (feet) minimum	100	100	100	
<u>Building Height</u> (feet)				
Minimum	30	30	–	
Maximum	70	200	140 ⁽⁸⁾	In DMX, increased height may be allowed with a use permit.

Standards	DP ⁽⁴⁾	DMX ⁽⁴⁾	WMX	Additional Standards
<u>Building Height</u> – First floor minimum (feet, floor to floor height) (2)	15	15	–	
<u>Setbacks</u> (feet) required minimum ⁽³⁾				
Front	0	10	10	
Interior Side	0 ^(7, 9)	0	10	CDC <u>18.150.180</u> , Transitional requirements
Corner Side	0 ⁽⁹⁾	10	10	
<u>Rear</u>	0 ^(7, 9)	0	0	
Front and <u>Street Side Yard</u> required maximum	10	–	–	
Open Space/Unit (square feet) minimum	200	175	–	See CDC <u>18.150.100</u> , Open space and recreational facilities for residential developments

- (1) See Division IV (General Development Standards) and Division V (Standards for Specific Uses) of this title for additional requirements. Lot area, width, depth and setback limits listed here may not apply if a site in DP or DMX is subdivided into individual multifamily fee simple/condominium units.
- (2) Nonresidential building height and setbacks shall be established specified by the permit, except when permit does not regulate a standard regulated by an abutting district, or if permit is not required, the regulations of abutting district shall apply to adjacent portion of the property.
- (3) Measured from property line to face of building or structure.
- (4) Standard does not apply to small, independent parcels corresponding to individual dwellings within a larger multifamily residential, mixed-use, or townhome development.
- (5) Parking structures are included within the FAR calculation, unless located below grade. For structures only partially above grade, the portion above ground level will be calculated towards the floor area ratio. Refer to the parking ordinance.
- (6) Projects outside of minimum and maximum FAR range may be allowed subject to use permit approval.

- (7) For residential uses five to 10 feet, with at least 50 percent of facade at 10 feet.
 - (8) For residential uses, minimum of 10 feet.
 - (9) Setback area shall be paved for public use if needed for a wider public sidewalk. Two of the five feet may be landscaped.
 - (10) Corner lots adjacent to an R or NTS district, corner side yard shall be minimum 10 feet. Where side or rear lot line abuts a lot in an R or NTS district, the minimum side or rear yard shall be the same as required in abutting R or NTS district.
 - (11) Height shall comply with Contra Costa County airport land use plan. See Chapter 18.100 CDC, Airport Overlay District (A).
- [Ord. 13-5; Ord. 12-5; Ord. 12-4, DC 2012 § 122-155].

The Concord Municipal Code is current through Ordinance 25-3, passed April 22, 2025.

Disclaimer: The city clerk's office has the official version of the Concord Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.cityofconcord.org/>

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