# Chapter 18.25 COMMERCIAL, RETAIL BUSINESS, NEIGHBORHOOD BUSINESS, OFFICE AND LIGHT INDUSTRIAL DISTRICTS

#### Sections:

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- **18.25.110** Recycling facilities.
- **18.25.120** Service stations and automobile washing.
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- **18.25.150** Vehicle storage uses.
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18.25.170 Cannabis retailers.

#### 18.25.010 Specific purposes.

In addition to the general purposes listed in PHMC § <u>18.05.020</u>, the specific purposes of commercial, retail business, neighborhood business, office and light industrial districts regulations are to:

- A. Provide appropriately located areas consistent with the general plan for a full range of office, retail commercial, industrial and service commercial uses needed by Pleasant Hill's residents, businesses and workers.
- B. Strengthen the city's economic base, and provide employment opportunities close to home for residents of the city and surrounding communities.
- C. Create suitable environments for various types of commercial, office and industrial uses, and protect them from the adverse effects of inharmonious uses.



- D. Minimize the impact of commercial, office and industrial development on adjacent residential districts.
- E. Ensure that the appearance and effects of commercial, office and industrial buildings and uses are consistent with city-wide design guidelines and are harmonious with the character of the area in which they are located.
- F. Ensure the provision of adequate off-street parking and loading facilities.
- G. The additional purposes of each district are as follows:
  - 1. NB neighborhood business district. The purpose of the NB district is to provide area for immediate day-to-day convenience shopping and services, and design at a scale that is compatible and in scale with the surrounding neighborhood. Examples include a local retail business, florist, apparel shop, liquor store, grocery store, fruit store, meat market, restaurant, soda fountain, drug or variety store; professional or business office; and service establishments, including barbershop, beauty shop, launderette, shoe, and other small repair facility.
  - 2. RB retail business district. The purpose of the RB district is to provide area for commercial and retail businesses intended to serve the city and the region as a whole, including shopping centers containing a wide variety of commercial establishments, such as retail stores and businesses selling home furnishings, apparel, durable goods and specialty items, restaurants, commercial recreation, service stations and business, personal and financial services.

- 3. PAO professional and administrative office district. The purpose of the PAO district is to provide area for professional and administrative office type uses on a scale compatible with the adjacent districts.
- 4. C general commercial district. The purpose of the C district is to provide area for service commercial uses, including automobile sales and services, animal sales and services, building materials, retail sales, storage and similar uses. An office not accessory to a permitted use is excluded.
- 5. LI light industrial district. The purpose of the LI district is to provide and protect areas for research and development facilities, construction yards, warehousing, and light industrial activities in a landscaped setting, including manufacture, assembly, distribution and storage of goods, but no raw materials processing or bulk handling. (Ord. 890 § 15, 2015; Ord. 856 § 2 (Exh. A), 2011; Ord. 710 § 35-6.1, 1996; 1991 code § 35-6.1)

# 18.25.020 Land use regulations for all commercial, retail business, neighborhood business, office and light industrial districts. $\frac{1}{2}$

Schedule 18.25.020 establishes the uses allowed for each commercial, office and light industrial zoning district as indicated by the letter designations as follows:

"P" designates use classifications permitted in commercial, retail business, neighborhood business, office and industrial districts.

"U" designates use classifications permitted on approval of a use permit.

"T" designates use classifications allowed on approval of a temporary use permit.

"L" followed by a number designates use classifications subject to certain limitations listed by number following the schedule.

The uses listed are based on the use classifications set forth in PHMC Chapter <u>18.15</u>. Use classifications not listed are prohibited unless authorized by zoning administrator resolution under PHMC § <u>18.15.010</u>. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this chapter.

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## NB, RB, PAO, C, AND LI DISTRICTS: LAND USE REGULATIONS

- P Permitted
- **U** Use Permit Required
- T Temporary Use Permit Required
- **L** Limited (see specific limitations listed following schedule)
- Not Permitted

		NOL F CIT	IIIIIeu			
	ND	<b>DD</b>	D4.0	•		Additional Use
	NB	RB	PAO	С	LI	Regulations
Residential Uses						
Bed and breakfast	_	Р	Р	_	_	
Care facility, small, licensed	_	Р	Р	-	_	
Emergency homeless shelter	_	L-17	_	_	L-15	See PHMC
						§ <u>18.20.085</u> .B and C.
Home occupation	_	Р	Р	-	_	See PHMC
						§ <u>18.20.070</u> .
Multifamily residential	_	L-17	U	_	_	
Single-family residential	_	L-17	_	_	_	
Single-room occupancy	_	L-17	U	-	_	See PHMC
						§ <u>18.20.085</u> .
Public and Semipublic						
Care facility, large licensed or unlicensed	U	U	U	U	-	
Clubs and lodges	U	U	U	U	_	
Community center	Р	Р	Р	Р	_	
Cultural institutions	U	U	U	_	_	
Day care, general	_	U	U	_	_	
Emergency medical care	_	U	Р	_	_	
Government offices	U	U	Р	_	_	
Park and recreation facilities	_	U	U	_	_	
Public safety facilities	U	U	U	U	U	
Offender rehabilitation services	_	_	_	_	U	
Religious assembly	U	U	U	U	_	
Schools, public or private	_	U	U	_	_	
I The state of the						



# NB, RB, PAO, C, AND LI DISTRICTS: LAND USE REGULATIONS

- P Permitted
- **U** Use Permit Required
- T Temporary Use Permit Required
- **L** Limited (see specific limitations listed following schedule)
- Not Permitted

	NB	RB	PAO	С	LI	Additional Use Regulations
Utilities, major	U	U	U	U	U	See PHMC § <u>18.25.110</u> .
Utilities, minor	Р	Р	Р	Р	Р	See PHMC § <u>18.25.110</u> .
Wireless telecommunications facility	L-6	L-6	L-6	L-6	L-6	See PHMC Chapter 18.67.
Commercial Uses						
Adult businesses	-	U	U	U	U	See PHMC Chapter 18.70.
Ambulance services	-	_	U	U	_	
Animal boarding	U	U	U	U	U	
Animal clinic	U	U	U	Р	_	
Animal day care	U	U	U	U	U	
Animal grooming	U	Р	U	Р	_	
Animal hospitals	U	U	U	Р	_	
Animals: retail sales	Р	Р	_	_	_	
Artists' studios	Р	Р	Р	Р	_	
Automobile maintenance, limited	_	Р	_	Р	Р	
Automobile service stations	U	Р	_	Р	Р	
Automobile, vehicle/equipment broker	Р	L-3	Р	-	L-3	
Automobile, vehicle/equipment repair	-	-	-	Р	Р	
With body and fender work	_	_	_	U	Р	
Automobile, vehicle/equipment sales and rentals	-	U	-	Р	Р	



# SCHEDULE <u>18.25.020</u> NB, RB, PAO, C, AND LI DISTRICTS: LAND USE REGULATIONS

Permitted

**U** Use Permit Required

T Temporary Use Permit Required

**L** Limited (see specific limitations listed following schedule)

Not Permitted

		<b>D</b> E	D4 0	•		Additional Use
	NB	RB	PAO	С	LI	Regulations
Automobile, vehicle/equipment	_	_	_	Р	Р	See PHMC
wholesaler						§ <u>18.25.150</u> .
Automobile washing	_	U	_	Р	Р	
Banks and savings and loans	Р	Р	U	_	_	
With drive-through service	U	U	U	_	_	
Building materials and services	_	U	_	U	U	
Cannabis retailer, medical	_	L-18	U	U	U	See PHMC
						§ <u>18.25.170</u>
Cannabis retailer, adult-use	_	_	_	_	_	
Cardrooms	_	U	_	_	_	
Catering services	Р	Р	_	Р	_	
Commercial filming	_	U	U	U	U	
Commercial recreation and	U	U	L-1	_	L-12	
entertainment						
Commercial parking facility	_	U	U	U	Р	
Communication facilities	U	U	Р	_	Р	
Drive-through service	_	U	_	_	_	
Eating and drinking	L-7	Р	L-2	_	L-2	See PHMC
establishments						§ <u>18.25.070</u> .
With live	_	_	_	_	_	
entertainment/dancing inside						
of a building						
Type A	_	Р	Р	_	_	See PHMC
						§ <u>18.25.090</u> and



# NB, RB, PAO, C, AND LI DISTRICTS: LAND USE REGULATIONS

Permitted

U Use Permit Required

T Temporary Use Permit Required

**L** Limited (see specific limitations listed following schedule)

Not Permitted

	<b>–</b> [	Not Per	mitted			
						Additional Use
	NB	RB	PAO	С	LI	Regulations
Туре В	-	U	U	_	-	See PHMC
						§ <u>18.25.090</u> and
						PHMC Chapter <u>18.</u>
Type C	-	U	_	_	_	See PHMC
						§ <u>18.25.090</u> and PHMC Chapter <u>18.</u>
With an to 40 and loan and	_	Б	5			
With up to 12 outdoor seats	Р	Р	Р	_	_	See PHMC § <u>18.25.070</u> .
With more than 12 outdoor	U	U	U			See PHMC
seats	U	U	U	_	_	§ <u>18.25.070</u> .
Equipment and appliance	U	Р	Р	_	Р	3 <del></del> .
maintenance and repair services	O	'	,		•	
Fitness studio	U	U	U	_	L-12	
Food and beverage sales	Р	Р	U	_	_	
Funeral and interment services	_	U	_	_	U	
Horticultural, limited	_	_	_	_	_	
Hotels	_	Р	Р	_	_	
Laboratories	_	_	_	U	Р	
Live entertainment						
Type A	_	Р	Р	_	_	See PHMC
•						§ <u>18.25.090</u> and
						PHMC Chapter 18.
Type B	-	U	U	-	_	See PHMC
						§ <u>18.25.090</u> and
						PHMC Chapter <u>18.</u>
Type C	-	U	-	-	-	See PHMC
						§ <u>18.25.090</u> and
						PHMC Chapter 18



# NB, RB, PAO, C, AND LI DISTRICTS: LAND USE REGULATIONS

- Permitted
- **U** Use Permit Required
- T Temporary Use Permit Required
- **L** Limited (see specific limitations listed following schedule)
- Not Permitted

		1011 011	intiou			
						Additional Use
	NB	RB	PAO	С	LI	Regulations
All types, outside of a building	-	U	-	-	-	See PHMC § <u>18.25.090</u> and PHMC Chapter <u>18.70</u> .
Maintenance services	-	_	_	Р	Р	See PHMC
establishment						§ <u>18.25.150</u> .
Medical marijuana dispensaries	-	-	_	-	-	
Motels	_	Р	_	_	_	
Nurseries	_	Р	Р	_	_	
Offices, general and medical	Р	L-3	Р	-	L-3	
With bail bonds	_	_	U	-	_	
Pawn shops	_	U	_	_	_	
Personal improvement services	U	U	U	-	_	
Personal services	Р	Р	U	_	_	
Pharmacy	Р	Р	L-2	Р	L-4	
Wholesale (no retail services)	Р	Р	U	Р	L-4	
Research and development services	-	-	U	-	Р	
Retail sales, less than 20,000 square feet	Р	Р	L-2	Р	L-4	
Firearms sales	-	L-16	L-16	L-16	L-16	This regulation also applies to firearms sales in any planned unit district (PUD).
With enclosed or unenclosed outdoor drop-off, display or storage of goods	U	U	_	U	-	



# NB, RB, PAO, C, AND LI DISTRICTS: LAND USE REGULATIONS

P Permitted

**U** Use Permit Required

T Temporary Use Permit Required

**L** Limited (see specific limitations listed following schedule)

- Not Permitted

	NB	RB	PAO	С	LI	Additional Use Regulations
Retail sales, more than 20,000 square feet	L-5	Р	L-2	Р	L-4	
Automobile parts and accessory sales with incidental installation located entirely within an enclosed building	-	Р	-	Р	Р	
Firearms sales	-	L-16	L-16	L-16	L-16	This regulation also applies to firearms sales in any planned unit district (PUD).
With enclosed or unenclosed outdoor drop-off, display or storage of goods	U	U	_	U	-	
Theaters	_	Р	_	_	_	
Travel services	Р	Р	-	Р	-	
Industrial						
Fuel storage and distribution	-	_	_	_	U	
Industry, custom	_	_	_	U	Р	
Artisan/custom products	_	_	_	Р	Р	
Industry, custom, small-scale	_	_	_	Р	Р	
Industry, limited	_	_	_	U	Р	
Industry, limited, small-scale	_	_	_	Р	Р	
Research and development industry	-	-	U	Р	Р	
Vehicle storage facilities	-	_	-	Р	Р	See PHMC § <u>18.25.150</u> .



# SCHEDULE <u>18.25.020</u> NB, RB, PAO, C, AND LI DISTRICTS:

**LAND USE REGULATIONS** 

Permitted

**U** Use Permit Required

T Temporary Use Permit Required

**L** Limited (see specific limitations listed following schedule)

Not Permitted

			<b>-</b>			Additional Use
	NB	RB	PAO	С	LI	Regulations
Warehousing and storage, limited	-	-	-	Р	Р	
Wholesaling, distribution and storage	_	_	_	Р	Р	Maximum one dwelling unit per site as caretaker housing.
Temporary Uses						See PHMC Chapter 18.100.
Agricultural sales	Т	Т	_	_	_	See L-10.
Animal shows or sales	Т	Т	_	_	_	See L-8.
Arts and crafts shows, outdoors	_	Т	_	_	_	See L-10.
Civic and community events	Т	Т	Т	_	_	See L-10.
Commercial filming, limited	Т	Т	Т	Т	Т	See L-8.
Eating and drinking use	Т	Т	Т	Т	Т	
Farmers' market	_	Т	_	_	_	See L-11.
Live entertainment events	_	Т	_	_	_	See L-8 and L-13.
Real estate sales	Т	Т	Т	Т	Т	
Recreational events	Т	Т	Т	_	_	See L-10.
Religious or group assembly	_	Т	_	_	_	See L-8.
Retail sales, outdoor	Т	Т	_	Т	_	See L-10 and L-14.
Street fairs	_	Т	_	_	_	See L-10.
Swap meets	_	Т	_	Т	_	See L-9.
Trade fairs	_	U	-	-	-	
Nonconforming Uses						See PHMC Chapter 18.65.



#### NB, RB, PAO, C and LI Districts: Limitations on Specific Use Classifications

- L-1 Only tennis/racquetball courts are allowed subject to approval of a use permit.
- L-2 Permitted as an accessory use if limited to the ground floor, as specified in PHMC § 18.25.060.
- L-3 Permitted on the second floor and above as the primary use, or on the ground floor when conducted as accessory to a permitted primary use, and occupying no more than 25% of the floor area of the primary use. Additional office floor area may be allowed upon approval of a use permit, or as part of a planned unit district (PUD).
- L-4 Permitted as accessory to the primary use, occupying no more than 25% of the floor area of the primary use. Retail sales by separate tenants are not allowed.
- L-5 Limited to use with fewer than 20,000 square feet. Uses in excess of 20,000 square feet shall be required to obtain a use permit and the user shall have to demonstrate that the use provides for the day-to-day convenience shopping and services of the neighborhood. Supermarkets are compatible with the neighborhood business district.



- L-6 Permitted, subject to a setback of 200 feet from any residential use.
- L-7 Use permit approval is required if the use is within 100 feet of a residential property line, the establishment conducts business between 10:00 p.m. and 7:00 a.m., and the establishment serves alcoholic beverages.
- L-8 Not more than four events during any calendar year for not more than seven consecutive or nonconsecutive days per event.
- L-9 Not more than four events during any calendar year for not more than two consecutive days per event.
- L-10 Not more than six events during any calendar year for not more than 14 consecutive or nonconsecutive days per event.
- L-11 Permitted as a regularly scheduled weekly event not to exceed 45 times a calendar year.
- L-12 Only allowed through approval of a use permit, in the light industrial overlay zoning district. On-site child care/day care is not permitted.
- L-13 See PHMC § <u>18.25.090</u> for live entertainment standards.
- L-14 See PHMC § <u>18.25.100</u> for outdoor sales standards. (Note that for temporary uses, the temporary use permit procedures apply and not the minor use permit mentioned in that section.)

#### NB, RB, PAO, C and LI Districts: Limitations on Specific Use Classifications

- L-15 Emergency homeless shelters are permitted "by right" in the limited industrial district (LI) subject to the development standards and regulations noted in PHMC § 18.20.085. However, once the city's local need for providing emergency homeless shelters is satisfied (based on the most current homeless census data), a conditional use permit is required for any additional beds or emergency homeless shelters. In addition, no emergency homeless shelter is permitted on the Iron Horse Corridor (the area of the former Southern Pacific right-of-way owned by Contra Costa County as identified in Record of Survey RS 2330, filed for record on June 3, 1998, in Book 113 of Land Survey Maps at Page 46, Contra Costa County records) or on any parcel abutting the Iron Horse Corridor.
- L-16 Permitted, subject to the requirements in PHMC § 18.25.160 for firearm sales uses.
- L-17 Only allowed through approval of a use permit when the underlying general plan land use designation is mixed use, otherwise not permitted.



L-18 Allowed on the second floor and above, through approval of a use permit.

(Ord. 964 § 8, 2023; Ord. 949 § 9, 2021; Ord. 931 § 3, 2019; Ord. 925 § 2, 2018; Ord. 910 § 3, 2017; Ord. 908 § 2, 2017; Ord. 902 § 3, 2016; Ord. 895 § 3, 2016; Ord. 890 § 16, 2015; Ord. 881 § 4, 2014; Ord. 874 § 4, 2013; Ord. 867 § 6, 2012; Ord. 865 §§ 3, 4, 2012; Ord. 856 § 2 (Exh. A), 2011; Ord. 837 §§ 4, 5, 2009; Ord. 833 § 3, 2008; Ord. 819 § 4, 2007; Ord. 768 § 6, 2003; Ord. 710 § 35-6.2, 1996; 1991 code § 35-6.2)

# 18.25.030 Property development regulations in the commercial, office and light industrial districts.

A. Schedule 18.25.030 sets forth the development regulations for the NB, RB, PAO, C and LI districts. The first three columns set forth basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Development Regulations" column refer to regulations following the schedule or to regulations located elsewhere in this chapter.

B. Supplemental regulations applicable to all development in the NB, RB, PAO, C and LI districts are in PHMC §§ 18.25.050 through 18.25.140; they set forth requirements for accessory structures; accessory uses in commercial, office and light industrial districts; eating and drinking establishments with take-out service; hazardous materials storage; live entertainment; outdoor facilities; recycling facilities; and service stations and automobile washing. Regulations applicable to all zoning districts, included in Part 4, include requirements for:

1. Additional site development regulations (PHMC Chapter 18.50);

- 2. Off-street parking and loading (PHMC Chapter 18.55);
- 3. Signs (PHMC Chapter 18.60);
- 4. Nonconforming uses and structures (PHMC Chapter 18.65); and
- 5. Adult uses (PHMC Chapter 18.70).

SCHEDULE $\underline{18.25.030}$ – DEVELOPMENT REGULATIONS IN COMMERCIAL, OFFICE AND
LIMITED INDUSTRIAL DISTRICTS

				_		Additional Development			
	NB	RB	PAO	С	LI	Regulations			
Minimum Lot Area (square									
feet)	7,500	7,500	10,000	7,500	20,000				
Minimum Lot Width (feet)	75	75	100	50	100				
Minimum Yards:									
Front (feet)	25	25	20	10	20	(G)			
Side (feet)	-	-	5	-	_	(A), (G)			
Corner Side (feet)	25	25	20	10	20	(G)			
Rear (feet)	-	-	20	-	-	(A), (G)			
Aggregate Side (feet)	-	-	15	-	-	(G)			
	See PHMC § 18.50.150 regarding creek								
Creek Setbacks			setbacks.						
Scenic Route (feet)	50	50	50	50	50	(I)			
Maximum Building Height									
(feet)	35	35	35	35	35				
Maximum Number of									
Stories	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2				
Maximum Gross FAR	0.35	0.40	0.35	0.35	0.40				
Minimum Site Landscaping	25%	25%	30%	20%	20%	(B)			
Amenities for Bicyclists						(C)			
<b>Building Design</b>						(E)			
Employee Eating Area						(D)			
Storm Drain Outlets						(F)			



# SCHEDULE <u>18.25.030</u> – DEVELOPMENT REGULATIONS IN COMMERCIAL, OFFICE AND LIMITED INDUSTRIAL DISTRICTS

						Additional	
						Development	
	NB	RB	PAO	С	LI	Regulations	
Supplemental Regulations	See	PHMC §§	18.25.050	through <u>1</u>	8.25.140	and Part 4.	
Nonconforming Structures	See PHMC Chapter 18.65.						

(Ord. 964 § 9, 2023; Ord. 890 § 17, 2015; Ord. 856 § 2 (Exh. A), 2011; Ord. 844 § 5 (Exh. B), 2010; Ord. 710 § 35-6.4, 1996; 1991 code § 35-6.4)

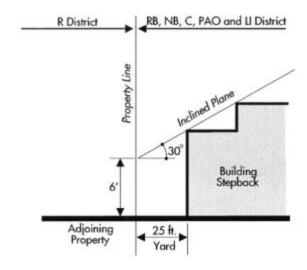
#### 18.25.040 Additional development regulations corresponding to Schedule 18.25.030.

A. NB, RB, PAO, C and LI districts adjoining residential districts.

1. Additional setbacks. In the NB, RB, PAO, C and LI districts, the side or rear yard shall be 25 feet if it adjoins an R district.



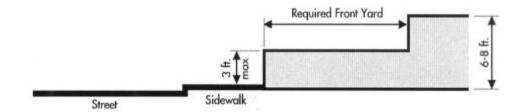
- 2. Planting area. A continuous planting area having at least a minimum width of five feet and at least five trees per 100 linear feet shall be provided along interior property lines adjoining an R district.
- 3. Daylight plane requirement. Structures shall not intercept a 30-degree daylight plane inclined inward from a height of six feet above existing grade at the R district boundary line.



#### REQUIRED DAYLIGHT PLANE AT ADJOINING RESIDENTIAL DISTRICTS

(The diagram is illustrative)

4. Fences and walls. A required yard abutting a residential district shall be enclosed by a solid wood, concrete or masonry wall at least six feet but not more than eight feet in height, except that a wall within 15 feet of a street property line shall not exceed three feet in height. (See also PHMC § 18.25.140.)



#### REQUIRED WALLS: RESIDENTIAL USE ABUTTING NONRESIDENTIAL USE

#### (The diagram is illustrative)



#### B. Minimum site landscaping.

- 1. Decorative hardscape, mulch or pervious pavement may not be used to meet minimum landscape requirements as a matter of right. However, up to 50% of the required landscaping may be provided through the use of decorative hardscape, mulch and/or pervious pavement areas and are to be treated as landscape areas (credited for up to 50% of required project landscaped area subject to architectural review or planning commission approval) as part of a proposed project (see PHMC § 18.52.030.F). The planning and architectural review commissions shall establish guidelines related to the use of decorative hardscape, mulch and pervious pavement.
- 2. PAO district. At least 50% of each required interior side and rear yard shall be planting area.
- C. Office buildings over 50,000 square feet. Showers, clothes changing rooms, and lockers shall be provided for all office buildings and office complexes over 50,000 square feet.
- D. Office buildings over 5,000 square feet. Eating facilities for employees shall be provided for all office buildings containing more than 5,000 square feet.
- E. Design compatibility. The exterior elevation design of all buildings shall be coordinated with regard to color, materials, architectural form and detailing to achieve design harmony, continuity and horizontal and vertical relief and interest. The design of all buildings shall be compatible with the character of the neighboring area.

- F. Storm drains. All storm drain inlets in the NB, RB, PAO, C and LI districts shall comply with the city's national pollutant discharge elimination system (NPDES) regulations. (See PHMC Chapter <u>15.05</u>.)
- G. Vehicular easements. A minimum required yard setback shall be provided and measured from any public or private vehicular easement boundary on the property.
- H. Windows. Not more than 30% of any storefront (exterior) door and/or window pane shall be blocked or made opaque through the use of window treatments, paint, vinyl applications, furniture or any other method that would obstruct visibility into the building unless approved by the architectural review commission. Obstructions more than three feet away from windows are exempt. Product display spaces are allowed subject to review and approval by the zoning administrator or architectural review commission. Any existing use that is not in compliance with this requirement at the time of adoption of the ordinance codified in this section shall bring the use into compliance within 12 months of the date of ordinance adoption.
- Scenic routes. See 2040 General Plan, Land Use Goal 2 (LU-2). (Ord. 964 § 10, 2023; Ord. 934 § 4, 2019; Ord. 906 § 5, 2016; Ord. 890 § 18, 2015; Ord. 856 § 2 (Exh. A), 2011; Ord. 745 § 2, 2000; Ord. 710 § 35-6.5, 1996; 1991 code § 35-6.5)

#### 18.25.050 Container or storage unit.

The following supplemental regulations apply to containers and storage units in the NB, RB, PAO, C and LI districts:

- A. A container or storage unit is not allowed unless there is a grading or building permit for construction on the site and a zoning permit has been issued for the container or storage unit. The container or storage unit will be allowed only during the construction period.
- B. The container or storage unit:
  - 1. Shall be located at least five feet from the property line of any residential use;
  - 2. May not exceed 16 feet in height;
  - 3. Must not obstruct sight distance visibility of pedestrians or motorists, and must not impede emergency access.
  - 4. Shall not displace necessary parking spaces.
- C. Exception. A transport trailer located inside a loading dock is not subject to this section. (Ord. 757 §§ 2, 3, 2001; Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(a))

#### 18.25.060 Accessory structures and uses.

- A. Accessory structures shall comply with the development regulations in PHMC § 18.25.030.
- B. In the NB, RB, PAO, C, and LI districts, the following accessory uses are permitted on site; no accessory uses are permitted off site.
  - 1. Uses intended to serve only occupants of the building within which such uses are located. These uses may include, but are not limited to, restaurants, cafeterias, galleries, specialty or gift shops, employee fitness facilities, first aid stations, community facilities, and business services necessary for the functioning of office uses or other commercial uses, provided they are located on the ground level and the total combined square footage of the accessory use does not exceed 25% of the ground level square footage of two-level or greater buildings with at least two levels above grade.
  - 2. Parking facilities in conjunction with a principal use.



3. Uses noted in subsection B.1 of this section that primarily serve the general public and/or that exceed 25% of the ground level square footage may be allowed subject to approval of a conditional use permit from the planning commission and compliance with parking provisions contained in PHMC Chapter 18.55. (Ord. 890 § 19, 2015; Ord. 856 § 2 (Exh. A), 2011; Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(b))

### 18.25.070 Eating and drinking establishments with take-out service or with outdoor seating.

The following supplemental development regulations shall apply to eating and drinking establishments with (i) take-out service, other than limited take-out service, as defined in PHMC § 18.15.040 or (ii) outdoor seating:

A. Take-out service litter control. The area within at least a 300-foot radius shall be maintained free of debris originating from the establishment. If a use permit is required, the use permit may contain a condition requiring the operator to retain a contract litter cleanup service or use identifiable containers and napkins for all carry-out food if the zoning administrator determines that a litter problem exists.

B. Outdoor seating. Up to 12 outdoor seats are allowed if: (1) no required parking spaces are eliminated or restricted in order to provide the outdoor seating; (2) all legal requirements for alcoholic beverage sales or services are being met; and (3) the use does not violate state, federal or local laws for handicapped accessibility. (Ord. 856 § 2 (Exh. A), 2011; Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(c))

#### 18.25.080 Hazardous materials storage.

The following supplemental regulations are intended to ensure that the use, handling, storage and transport of hazardous substances comply with all applicable requirements of the California Health and Safety Code and that the city is notified of emergency response plans, unauthorized releases of hazardous substances, and any substantial changes in facilities or operations that could affect the public health, safety or welfare. It is not the intent of these regulations to impose additional restrictions on the management of hazardous wastes.

- A. Permit required. A use permit is required for any new commercial, industrial, or institutional use or accessory use, or major addition or alteration to an existing use that involves the manufacture, storage, handling, or processing of hazardous substances in sufficient quantities to require a permit for hazardous chemicals under the Uniform Fire Code. Consumer propane tank collection facilities are allowed subject to review and approval of a zoning permit by the zoning administrator.
- B. Hazardous materials release response plans. Each business located in the city and required by California Health and Safety Code to prepare a hazardous materials release response plan shall submit copies of all such approved plans, including any corrected plans or revised plans, to the zoning administrator once reviewed and approved by the public agency administering these provisions of the California Health and Safety Code. These submittal requirements shall be a condition of approval of a zoning permit for (1) new development where space may be occupied by such a business, and (2) any alteration or addition to an existing building or structure occupied by a business subject to these provisions of the California Health and Safety Code.
  - 1. Notify the fire district of any unauthorized release of hazardous substances within 24 hours after the release has been detected and the steps taken to control the release; and
  - 2. Notify the fire district and the director of public works and community development of any proposed abandoning, closing or ceasing operation of an underground storage tank and the actions to be taken to dispose of any hazardous substances. (Ord. 890 § 20, 2015; Ord. 856 § 2 (Exh. A), 2011; Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(d))

#### 18.25.090 Live entertainment.

The following regulations apply to any use offering scheduled live entertainment:

- A. Exits, not limited to emergency use only, shall generally be directed away from a residential district adjoining the site;
- B. The live entertainment use shall be conducted in a manner that does not result in significant negative effects related to litter, noise, loitering, parking, or traffic circulation;

- C. Approval of a live entertainment use applies only to the type of entertainment, and a different type of entertainment requires a separate approval from the city;
- D. Type A live entertainment requires review and approval of a zoning permit; Type B and C live entertainment requires review and approval of a use permit; permanent outdoor live entertainment of any type requires review and approval of a use permit; and temporary live entertainment events require review and approval of a temporary use permit;
- E. For Type B and C live entertainment uses, the applicant, including employees, partners, directors, officers or managers, may not have been convicted of any of the following offenses within the prior five years. The police department shall conduct a background investigation, which may be waived at the discretion of the department.
  - 1. A crime requiring registration under Penal Code section 290;



- 2. A violation of Penal Code sections 311.2 and 311.4 through 311.7;
- 3. Violation of Penal Code sections 313.1 through 313.5;
- 4. Violation of Penal Code section <u>647</u>, paragraph a, b, or d;
- 5. Violation of Penal Code section 315, 316, or 318;
- 6. A crime involving the use of force or violence on another; or
- 7. The maintenance of a nuisance in connection with the same or similar business operation.
- F. Any live adult entertainment must comply with PHMC Chapter 18.70.
- G. The zoning administrator, at his/her discretion, may review and modify the permit for live entertainment if more than three separate and verified complaints are received during any 30-day period, or refer the matter to the planning commission. (Ord. 865 § 5, 2012; Ord. 856 § 2 (Exh. A), 2011; Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(e))

#### 18.25.100 Outdoor sales facilities.

The following supplemental regulations apply to outdoor sales facilities in the NB, RB, PAO, C and LI districts.

A. Where permitted. A minor use permit is required for outdoor display of sales of merchandise, materials, or equipment in an RB, C or LI district, including display of merchandise, materials, and

equipment for customer pick-up. A sidewalk cafe and outdoor food service accessory to an eating and drinking establishment are permitted in the NB, RB, and PAO districts, subject to limitations imposed in PHMC § 18.25.020, provided no outdoor preparation of food or beverages is allowed.

- B. Permit conditions Grounds for denial. A minor use permit for outdoor sales, display, or food service may include a condition to require yards, screening, or planting areas necessary to prevent adverse impacts on surrounding properties and the visual character of scenic areas as identified in the general plan. If such impacts cannot be prevented, the zoning administrator shall deny the use permit application.
- C. Screening. Screening shall be provided as prescribed by the minor use permit. Each vending machine located in an R district or within 300 feet of an R district, except for a machine located on the site of a service station, shall be buffered from view from the public right-of-way. (Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(f))

#### 18.25.105 Outdoor donation collection facilities.

The following supplemental regulations apply to outdoor donation collection facilities in the NB, RB, PAO, C and LI districts:

- A. Where permitted. A minor use permit is required for outdoor donation collection of clothes, books, equipment, merchandise, etc.
- B. Permit conditions Grounds for denial. A minor use permit for outdoor donation collection facilities may include a condition to require yards, screening, or planting areas necessary to prevent adverse impacts on surrounding properties and the visual character of scenic areas as identified in the general plan. If such impacts cannot be prevented, the zoning administrator shall deny the use permit application.
- C. Screening. Screening shall be provided as prescribed by the minor use permit. Any outdoor donation collection facility located within 300 feet of an R district shall be buffered from view from the public right-of-way. (Ord. 890 § 21, 2015)

#### 18.25.110 Recycling facilities.

The following supplemental regulations govern recycling facilities including collection and processing facilities.

A. Permits required. No person shall permit the placement, construction, or operation of any recycling facility without first obtaining a minor use permit and, if required, architectural review commission (ARC) approval as follows:

Type of Facility	Districts Permitted	Permit Required
Single-Feed Reverse Vending Machine(s)	RB, NB, C and LI	None
Bulk Reverse Vending Machine and Small Collection Facilities (500 sq. ft. or less)	RB, NB and LI	Use Permit, ARC Approval
Large Collection Facility (Over 500 sq. ft.)	RB, NB, and LI	Use Permit, ARC Approval
Light Processing Facility (Less than 45,000 sq. ft.)	C and LI	Use Permit, ARC Approval
Heavy Processing Facility (Over 45,000 sq. ft.)	Ц	Use Permit, ARC Approval

- B. Permits for multiple sites. The zoning administrator may grant a minor use permit to allow more than one reverse vending machine or small collection facility located on different sites, provided the operator of each of the proposed facilities is the same and the proposed facilities are determined by the zoning administrator to be similar in nature, size and intensity of activity.
- C. Design criteria and standards.
  - 1. A collection facility shall be set back at least 20 feet from a street property line and 10 feet from an interior property line. In addition, a collection facility with more than 500 square feet of floor area shall be located at least 150 feet from an R district.
  - 2. Each machine in a collection facility shall be clearly marked with a sign that identifies the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative.
  - 3. A reverse vending machine installation shall use exterior materials and colors that are compatible with adjacent residential uses and other businesses on the site.
  - 4. A container for the 24-hour donation of materials shall be at least five feet from the boundary of an R district.
  - 5. No collection facility shall be used at any time for collection of refuse or hazardous waste, except used motor oil accepted for recycling in accord with California Health and Safety Code section <u>25250.11</u>.
  - 6. In a processing facility, mechanical operations such as flattening, sorting, compacting, bailing, shredding and grinding shall take place within a fully enclosed building or within an area

enclosed by a solid wood or masonry fence at least eight feet in height and at least 150 feet from an R district.

- 7. A processing facility shall be buffered by a landscape strip at least 10 feet wide along each property line.
- 8. No processing facility shall operate between 8:00 p.m. and 8:00 a.m. if the facility is located within 500 feet of an R district.
- D. Site clean-up required. The operator and host business of any recycling, collection or processing facility shall, on a daily basis, remove any and all recyclable materials or refuse which has accumulated or is deposited outside the containers, bins or enclosures intended as receptacles for such materials. Failure to remove such materials or refuse after notice by the city shall constitute grounds for permit revocation, in accord with PHMC § 18.135.040. (Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(g))

#### 18.25.120 Service stations and automobile washing.

The following supplemental development regulations shall apply to the service stations and automobile washing use classifications.

- A. Planting areas. Perimeter planting areas are the same as those required for parking lots by PHMC § 18.55.140, except where a building adjoins an interior property line. Required interior planting areas may adjoin perimeter planting areas. A minimum of 15% of the site area shall be landscaped.
- B. Storage of materials and equipment. A display rack for automobile products no more than four feet wide may be maintained at each pump island of a service station. If a display rack is not located on a pump island, it shall be placed within three feet of the principal building, and there may be no more than one per street frontage.
- C. Storage of vehicle parts and dismantled vehicles. All discarded parts, dismantled vehicles, wrecked vehicles or vehicles under repair shall be stored or located in an enclosed storage area. (Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(h))

#### 18.25.130 Hours of operation.

A use in the PAO, C, or LI district having open parking or wall openings within 100 feet of an R district shall not operate between 10:00 p.m. and 7:00 a.m. without a use permit. (Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(i))

#### 18.25.140 Fences and walls.

R

The maximum height of a fence or wall (including a retaining wall) is six feet, except three feet within required front and corner side yards, unless otherwise specified. A required yard abutting a residential zoning district must be enclosed by a solid wood, concrete or masonry wall at least six feet in height, but not more than eight feet in height. (See also PHMC §§ 18.25.040.A.4 and 18.55.140.A.)

- A. Rear property line exceptions. On a lot with a rear lot line abutting a public trail, canal, East Bay Municipal Utility District right-of-way or public street, the maximum rear yard fence height is eight feet.
- B. Fences with retaining walls. When a fence is placed on top of a retaining wall, the height is the combined height of the retaining wall, fence, wall or screen (not to exceed a maximum height of six feet measured from the higher side of the adjacent grade). A retaining wall is not included in the measurement if it is located so that its horizontal distance from the fence is equal to or greater than the height of the retaining wall.
- C. Sight distance. All fences are subject to the visibility requirements of PHMC § 18.50.100.



D. Prohibited fences. High voltage electrical fences, razor wire, barbed wire, and other materials which pose a safety hazard are strictly prohibited. (Ord. 949 § 10, 2021; Ord. 856 § 2 (Exh. A), 2011; Ord. 745 § 3, 2000; Ord. 710 § 35-6.6, 1996; 1991 code § 35-6.6(j))

#### 18.25.150 Vehicle storage facilities.

The following regulations apply to any areas designated for vehicle storage use:

- A. The vehicle storage lot area shall be entirely screened with an eight-foot-tall, solid, aesthetically pleasing barrier.
- B. The storage facilities shall incorporate sound attenuation solutions to comply with PHMC § 18.50.060.
- C. When within 100 feet of a residential district, the use shall not operate between the hours of 10:00 p.m. and 7:00 a.m. without a use permit.
- D. The use shall comply with the city's national pollutant discharge elimination system (NPDES) regulations. (See PHMC Chapter <u>15.05</u>.) (Ord. 856 § 2 (Exh. A), 2011)

#### 18.25.160 Firearm sales uses.

The following regulations apply to firearm sales businesses. The findings set forth in PHMC § 9.35.010. A are hereby incorporated by reference. The purpose of this section is to advance the public health, safety, and welfare by imposing reasonable locational restrictions on any entity that

establishes a firearm sales business in the city. For purposes of this section, "firearm sales" shall have the same meaning as set forth in PHMC § 18.15.040.

#### A. Locational restrictions.

- 1. Subject to the other limitations of this chapter and the Pleasant Hill Municipal Code, firearm sales may be located in any general commercial district, retail business district, professional and administrative office district, light industrial district, and planned unit district.
- 2. In those districts where a business engaged in firearm sales may otherwise be located, it shall be unlawful to establish any such firearm sales business unless the applicant provides proof that the property where the proposed firearm sales will be conducted is not:
  - a. Within 150 feet from any residence, when measured from the property line of any residence to the door of the firearm sales business that is nearest to that same property | | | | | of the residence:



- b. Within 1,000 feet of the exterior limits of any building premises occupied by a day care that is designated as a large family day care, PHMC § 18.15.020, or general day care, PHMC § 18.15.030, when measured from the closest points on the exterior property lines or area boundaries of the parcels or properties involved, except that when an applicant occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied;
- c. Within 1,000 feet of the property line of any elementary school, junior high school, high school, college or university, whether public or private, when measured from the closest points on the exterior property lines or area boundaries of the parcels or properties involved, except that when an applicant occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied;
- d. Within 500 feet of the property line of a public park, when measured from the closest points on the exterior property lines or area boundaries of the parcels or properties involved, except that when an applicant occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit so occupied.
- 3. Notwithstanding any other provision of this section, a firearm sales business may be located on any part of a parcel in a general commercial district, retail business district or planned unit district if an applicant provides proof that any portion of said parcel is not within the locational restrictions in subsections A.2.a through d of this section.

- 4. Consistent with the use regulations in this chapter for any retail sales in a professional and administrative office district (L-2 in PHMC § 18.25.020), a firearm sales business may only be located in a professional and administrative office district as an accessory use if limited to the ground floor, as specified in PHMC § 18.25.060.
- 5. Consistent with the use regulations in this chapter for any retail sales in a light industrial district (L-4 in PHMC § 18.25.020), a firearm sales business may only be located in a light industrial district as accessory to the primary use, occupying no more than 25% of the floor area of the primary use. Retail sales by separate tenants are not allowed.

#### B. Timing and nonconforming use.

- 1. The locational restrictions in subsections A.2.a through d of this section shall apply as of the date the applicant submits an application for a zoning permit under PHMC Chapter 18.85 to establish a firearm sales business.
- 2. Subject to subsection C of this section, the establishment of any firearm sales business shall include the opening of such a business as a new business, the relocation of the business, the conversion of an existing business to any firearm sales use, or the transfer or sale of a firearm sales business to a new owner. Expansion or relocation of a firearm sales business at an existing location, including within the same shopping center or site, is not deemed a change in business location or relocation of such a business.
- 3. Any firearm sales business operating as a conforming use under this chapter with all applicable licenses and permits, including the businesses that are grandfathered in pursuant to subsection C.1 of this section, shall not be rendered a legal nonconforming use as specified in PHMC § 18.65.020 by the location of a residence, day care, school, or public park.

#### C. Grandfathering for existing firearm sales businesses.

1. The locational restrictions in subsections A.2.a through d of this section shall be inapplicable to any entity engaged in the business of firearm sales in the city and who or which has all valid permits and licenses required by the city, and by state and federal law as of the effective date of the ordinance codified in this section. Any such entity may continue firearm sales at its existing location pursuant to any valid permits and licenses so long as the operator remains fully licensed by all agencies (including, without limitation, obtaining and maintaining the permit required by PHMC Chapter 9.35), and has not sold, transferred or assigned operation of the business after the effective date of this chapter to any other entity. If any such licenses or permits are revoked,

the provisions of this subsection C are inapplicable and the locational restrictions in subsections A.2.a through d of this section shall apply.

- 2. The locational restrictions in subsections A.2.a through d of this section shall be inapplicable to the sale or transfer to a new owner of any existing firearm sales business that meets the requirements of subsection C.1 of this section if the operation of the firearm sales business by the new owner is at the same location or within the same shopping center or site as the prior owner's permitted business.
- D. Zoning permit required. No firearm sales business may be established in the city by right. All persons wishing to establish a firearm sales business within the city must apply for and receive a zoning permit under PHMC Chapter 18.85. It is the burden of the applicant to supply evidence to justify the grant of a zoning permit.
- E. Applicability of other regulations. The provisions in this chapter are not intended to provide exclusive regulation of firearm sales businesses. Any entity engaged in the business of firearms sales must comply with any and all applicable regulations imposed in other parts of the zoning ordinance, other city ordinances (including, without limitation, PHMC Chapter 9.35), and state and federal law. (Ord. 895 § 4, 2016)

#### 18.25.170 Cannabis retailers.

A. Medical cannabis retailers.

- 1. Medical cannabis retailers may be located in any light industrial (LI), general commercial (C), or professional and administrative office (PAO) zoning district, subject to the granting of a use permit pursuant to PHMC Chapter 18.95, the other limitations of this chapter, and the following restrictions:
  - a. A medical cannabis retailer's premises shall be closed to the public (i.e., no public storefront). The medical cannabis retailer shall conduct sales exclusively by delivery.
  - b. Medical cannabis retailers are prohibited from establishing or locating within 600 feet of a public or private school providing instruction in kindergarten or any grades one through 12, day care center, or youth center, as defined by state law. For the purposes of this section, all distances shall be measured from the outer extents of the cannabis retailer's business premises (whether leased or owned) excluding parking facilities and common areas to the nearest property lines of each affected parcel.

- c. The city shall issue no more than two conditional use permits for medical cannabis retailers.
- d. A medical cannabis retailer's business premises (excluding parking facilities and common areas) shall not exceed a gross floor area of 10,000 square feet.
- e. Medical cannabis retailers shall obtain and maintain a state license for retail medicinal cannabis sales in accordance with the Medicinal and Adult-Use Cannabis Regulation and Safety Act, California Business and Professions Code, Division 10, section <u>26000</u> et seq.
- f. Medical cannabis retailers shall not create a public nuisance through offensive odors.
- g. On-site consumption of medicinal cannabis or medicinal cannabis products is prohibited.
- h. Medical cannabis retail use shall be conducted indoors only, with no outdoor use/activi related to the cannabis retailer use.



- i. Renderings of the business facade shall be provided and reviewed as part of the conditional use permit. Building facade plans shall include renderings of the exterior building elevations and any proposed signage for all sides of the building. All building facades and signage shall be in keeping with the high architectural quality and design standards of the city of Pleasant Hill. The business facade and building signs shall be compatible with and complementary to surrounding businesses and shall add visual quality to the area.
- B. Adult-use cannabis retailers. Without limiting the generality of the prohibition on commercial cannabis uses in PHMC § 18.50.140.B, adult-use cannabis retailers are prohibited in all base zoning districts and overlay districts in the city.
- C. Applicability of other regulations. The provisions in this chapter are not intended to provide exclusive regulation of cannabis retailers. Any entity or individual engaged in the business of cannabis retail sales must comply with any and all applicable regulations imposed in other parts of the zoning ordinance, other city ordinances (including, without limitation, PHMC Titles 5 and 6), and state law.
- D. It is anticipated that the number of applications could exceed the number of allowable permits for cannabis retailers. The city shall not accept applications until the city council has adopted a resolution setting forth the application period, application procedures and guidelines to evaluate applications for cannabis retailer permits. The city council expects, but is not required, to adopt application guidelines on or before January 1, 2020. (Ord. 931 § 4, 2019)

1Code reviser's note: Ord. 895 amended this section without taking into account the amendments of Ord. 890.

Those amendments have been retained per the intent of the city.

The Pleasant Hill Municipal Code is current through Ordinance 974, passed April 21, 2025.

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

City Website: <a href="https://www.pleasanthillca.org/">https://www.pleasanthillca.org/</a>

City Telephone: (925) 671-5221

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