

FIGURE 5-4:
LAND USE PLAN AREA: DOWNTOWN NEIGHBORHOOD..NORTH SIDE

Livermore Downtown Specific Plan

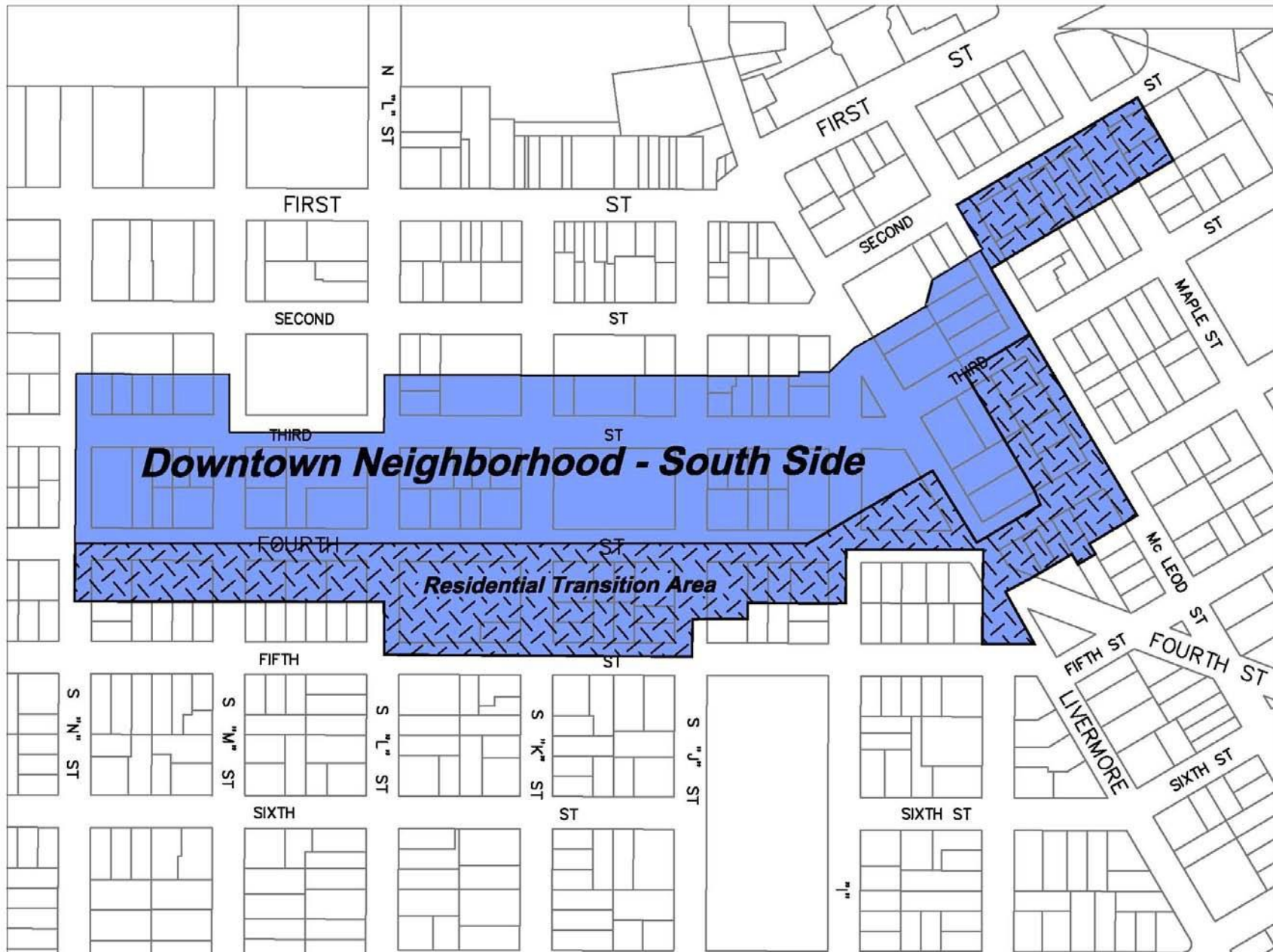


FIGURE 5-5:
 LAND USE PLAN AREA: DOWNTOWN NEIGHBORHOOD-SOUTH SIDE



Livermore Downtown Specific Plan

Development Standards: Downtown Neighborhood North Side and Downtown Neighborhood South Side

1. Purpose

The purpose of the Downtown Neighborhood Plan Areas is to restore a strong residential character to the neighborhoods surrounding the Core. The primary intent of these Plan Areas is to regulate new uses in unstable areas in order to promote a consistent neighborhood environment, and strengthen the established single-family neighborhoods to the north and south of the Downtown Core. Development is limited to residential and other uses supportive of a neighborhood environment. Standards for these areas, located to the north of Railroad Avenue and to the south of Second Street, will direct development in these areas towards residential housing that is compatible with the existing single family fabric, as well as allow compatibly designed office, personal service and lodging uses.

2. Uses

All uses permitted in the Downtown Neighborhood Plan Areas shall be supportive of the existing residential neighborhoods and compatible with the historic character of these areas. All new buildings shall maintain compatibility with the historic character of the neighborhoods existing, historic residential buildings.

All uses permitted in the Downtown Neighborhood Plan Areas shall be required to comply with the City's Right to Downtown Operations Ordinance (Chapter 10- Implementation and Livermore Municipal Code Chapter 8.19). In addition, all noise generating uses shall be required to comply with the noise level standards, and all new residential uses shall be required to utilize construction methods necessary to comply with the interior noise thresholds, established for the Downtown in Section 7 of this Chapter.

2.1 North Side Neighborhood - Permitted Uses

Residential uses are required for all new structures unless otherwise permitted in this Section, or by Conditional Use Permit as provided in Section 2.2 below:

- A. Multi-Family.
- B. Attached Single Family Residential.
- C. Detached Single Family Residential.
- D. In the "Residential Transition Area", development is limited to residential.

- E. Lodging or other establishments engaged in the provision of temporary accommodation on a less than monthly basis, including hotels, motels, rooming and boarding houses, bed and breakfasts, and temporary housing facilities .
- F. Special Condition: In the area bounded by Railroad Avenue (south), L Street (west) , Railroad Right-of Way (north) and South Livermore Avenue (east):
 - 1. Live-work (residential primary) or work-live (work primary) when related to arts, crafts and artisan type uses, including walk-in trade ;
 - 2. Arts, crafts and artisan type use with walk-in trade, assembly or fabrication of goods, candle making , jewelry making, stained glass, painting, small scale metal sculpture and woodwork, fabrication of cloth goods, and other similar activities are permitted. These uses may also include assembly or fabrication that requires welding, woodwork or other heavy activities, provided these uses do not constitute a physical hazard to adjacent uses or activities and are conducted within a building. Heavy uses require a Conditional Use Permit (see Section 2.2.F below) ;
 - 3. There shall be no exterior storage in conjunction with the above arts, crafts and artisan type uses;
 - 4. The use of hazardous materials in this location requires a Conditional Use Permit (see Conditional Uses Section 2.2.G below).
- G. Additional Uses Permitted: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

2.2 North Side Neighborhood -Conditionally Permitted Uses

Findings for Conditional Uses must document that proposed development fits within the character of a residentially-oriented neighborhood . Conditional Uses must also be appropriate to the area and compatible with nearby uses. The following uses are permitted upon granting of a Conditional Use Permit:

- A. Public and Quasi-Public Uses related to the plan area, including nursery school or day care facilities , health facilities, and residential care homes, including senior citizen housing.
- B. Public Halls, Clubs, Lodges and Community Recreational Centers.
- C. Health and Exercise Clubs.
- D. Neighborhood Serving Uses limited to small grocery stores , specialty markets, and market halls (up to 3,600 sq. ft. per use); and full service deli, dry cleaners, laundromats, tailoring , shoe repair, watch repair and postal annex shops (up to 1,800 square feet per use). Any combination of neighborhood serving uses shall not exceed 3,600

sq. ft. per development. Liquor and Cigarette Stores are prohibited. Neighborhood Serving Uses are limited to the ground-floor only.

- E. State licensed Banks and Financial Institutions.
- F. In the area bounded by Railroad Avenue/south , L Street/west, Railroad ROW/north and S. Livermore Avenue/east: Heavy art, craft and artisan uses such as large metal sculpture or woodwork , group pottery studios , glass blowing/sculpture , and similar uses require a Conditional Use Permit (subject to the same requirements as stated in Section 2.1.F above).
- G. The use of hazardous materials is subject to the regulations and guidelines governing hazardous materials as outlined in Livermore Development Code Chapter 6, Section 6.02.040.
- H. Live-Work- Residential living spaces may include an integrated work space principally used by one or more of the residents. Residential use must be the predominant use of the unit, and commercial activity should be secondary. Work activity is limited to business (primarily office), the making of arts and crafts, and other activities compatible with residential use. This use type is open to client visitation only by appointment; walk-in trade may be conditionally permitted by the City. The maximum number of employees discounting the owner/occupant is limited to two. Permitted work activities shall be classified as a business and shall be subject to all applicable City, County, and State Regulations. Once established a Live-Work residential living space may not be converted to a solely commercial or business use.
- I. Additional Uses Permitted With A Conditional Use Permit: Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.

2.3 South Side Neighborhood - Permitted Uses

- A. Multi-Family Residential.
- B. Attached Single Family Residential.
- C. Detached Single Family Residential.
- D. In the "Transition Areas", development is limited to residential; except west of Livermore Avenue as permitted under 2.3.F and 2.3.G below.
- E. Lodging or other establishments engaged in the provision of temporary accommodation on a less than monthly basis, including hotels, motels, rooming and boarding houses, bed and breakfasts, and temporary housing facilities.
- F. West of Livermore Avenue: Business, Professional, Government, Medical and Dental Offices, Hair Salons and related personal services (excluding Tattoo, Piercing, Psychic, Tarot Card and Palm Reading, and massage

parlors which are prohibited) are permitted within structures existing as of the adoption date of this Specific Plan. Additions to such structures of up to 20 percent of the floor area existing as of the adoption date of this Specific Plan, or 400 square feet, whichever is less, are also permitted. Larger additions require a Conditional Use Permit (see Section 2.4.1 below). These uses are also permitted within new structures upon the granting of a Conditional Use Permit (see Section 2.4.G below).

- G. West of Livermore Avenue : Live-Work in structures existing as of the adoption date of this Specific Plan: Residential living spaces may include an integrated work space principally used by one or more of the residents. Residential use must be the predominant use of the unit, and business activity shall be secondary. Work activity is limited to business (primarily office), the making of arts and crafts, and other activities compatible with residential use. The maximum number of employees discounting the owner/occupant is limited to two. Permitted work activities shall be classified as a business and shall be subject to all applicable City, County, and State Regulations.
- H. East of Livermore Avenue and North of Third Street (except in the Transition Zone): Business, Professional, Government, Medical and Dental Offices.
- I. Additional Uses Permitted: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

2.4 South Side Neighborhood -Conditionally Permitted Uses

Findings for Conditional Uses must document that proposed development fits within the character of a residentially-oriented neighborhood. Conditional Uses must also be appropriate to the area and compatible with nearby uses.

The following uses are permitted upon granting of a Conditional Use Permit:

- A. The use of hazardous materials is subject to the regulations and guidelines governing hazardous materials as outlined in Livermore Development Code Chapter 6, Section 6.02.040.
- B. Public and Quasi-Public Uses related to the plan area, including nursery school or day care facilities, health facilities, and residential care homes, including senior citizen housing.
- C. Public Halls, Clubs, Lodges and Community Recreational Centers.
- D. Health and Exercise Clubs.
- E. Neighborhood Serving Uses limited to small grocery stores, specialty markets, and market halls (up to 3,600 sq. ft. per use); and full service deli, dry cleaners, laundromats, tailoring, shoe repair, watch repair and postal annex shops (up to 1,800 square feet per use). Any combination of neighborhood serving uses shall not exceed 3,600

sq. ft. per development. Liquor and Cigarette Stores are prohibited. Neighborhood Serving Uses are limited to the ground-floor only.

- F. State licensed Banks and Financial Institutions.
- G. West of Livermore Avenue, excluding properties in the Transition Area that do not front Fourth Street: Business, Professional, Government, Medical and Dental Offices, Hair Salons and related personal services (excluding Tattoo, Piercing, Psychic, Tarot Card and Palm Reading, and massage parlors which are prohibited) are permitted within new structures upon the granting of a Conditional Use Permit.
- H. West of Livermore Avenue: Live-work in new structures subject to the same requirements as stated in Section 2.3.G above. Once established a Live-Work space in a new structure may be converted to a solely residential space, but may not be converted to a solely commercial or business use.
- I. West of Livermore Avenue: Additions of more than 400 square feet may be permitted to structures that were existing as of the adoption date of this Specific Plan that are occupied by uses permitted under Section 2.3.F and 2.3.G above, subject to a Conditional Use Permit.
- J. East of Livermore Avenue: Live-Work: Residential living spaces in new or existing structures subject to the same requirements as stated in Section 2.3.G above. Once established a Live-Work space in a new structure may be converted to a solely residential space, but may not be converted to a solely commercial or business use.
- K. Additional Uses Permitted With A Conditional Use Permit: Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.

3. Development Intensity

Infill development within the Downtown Neighborhoods will be limited to densities that are compatible with existing scale and intensity of the neighborhood. Where new development does not impact existing neighborhoods, development may be allowed at higher densities.

3.1 Residential Density / Lot Size.

- A. The maximum lot size for detached single-family development shall be 10,000 square feet, and the minimum shall be 5,000 square feet.
- B. No minimum density for single family detached development; minimum density for attached single-family and multifamily development is 15 dwelling units per acre.
- C. Where unique site constraints prevent this density, and in locations where the Planning Commission finds that providing residential uses at a higher density would be incompatible with the scale and character of existing

historic buildings or residential uses, residential development may occur at a minimum density of 10 dwelling units per acre, subject to the granting of a Conditional Use Permit.

D. Maximum density of 24 units per acre except as follows:

1. With a Conditional Use Permit, residential development fronting Railroad Avenue may occur up to a maximum density of 50 dwelling units per acre.
2. A minimum density of 30 dwelling units per acre is required for residential development fronting along the north side of Railroad Avenue/Stanley Boulevard between P Street and Murrieta Boulevard to a maximum of 36 dwelling units per acre.

4. Height

Building heights shall be appropriate to their context within residential neighborhoods, and limited to two stories in Transition and Residential Transition Areas.

4.1 Height Measured

Height as measured from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip, or gambrel roofs.

- A. Buildings may not exceed a maximum height of three (3) floors and forty-five (45) feet.
 1. Special Condition: Transition and Residential Transition Areas - In areas deemed "Transition Areas" and "Residential Transition Areas", buildings may not exceed a maximum height of two (2) floors and twenty-four (24) feet. Partially submerged parking levels projecting not more than four (4) feet above average finished grade do not count as a floor and may increase the maximum building height to twenty-eight (28) feet.
- B. Accessory buildings, including non-dwelling units such as freestanding garages for residential units, service structures and tool sheds, may not exceed a maximum of fifteen (15) feet.
- C. Exceptions:
 1. Special Architectural Features, such as uninhabited towers (clock, bell, observation) or entry volumes, may exceed the maximum height by no more than ten (10) feet, where proportionate and consistent with building design, if approved by the City. Towers or other volumes should not extend for more than twenty (20) feet in any horizontal direction.
 2. Rooftop Structures, such as elevator and mechanical equipment enclosures or roof deck trellises and gazebos, may exceed the height limit by ten (10) feet, provided they are set back a minimum of ten (10) feet from building walls and are screened on all sides by a parapet or sloping roof that is architecturally integrated within the building design.

3. Podium or partially submerged parking levels may project beyond the sidewalk or average finished grade for an average of four (4) feet. On lots that slope, the tallest part of the podium level may not exceed five (5) feet. Podium or partially submerged parking levels shall not count as a floor.
4. The following projects/sites may exceed the maximum height established in 4.1.A above up to the maximum heights indicated:
 - a) ValleyCare Senior Housing Development, Phase II proposed for the northeast corner of Stanley and Murrieta Boulevards- may have a maximum height up to four (4) floors/fifty-five (55) feet.
5. Projects proposing height exceptions taller than three (3) floors/forty-five (45) feet are subject to Planning Commission and City Council review in addition to the normally required review process as established in Chapter 10 "Implementation" under Design and Site Plan Review.

5. Setbacks

Setbacks for new development are required to be consistent with the existing fabric of the Downtown Neighborhoods.

5.1 Street Frontage Setbacks (excluding alleys)

- A. For Neighborhood Serving Retail located in the North Side Neighborhood, there is no minimum setback (i.e. retail uses may be built to the property line); the maximum setback is twenty (20) feet.
- B. At corner parcels, setback/build-to requirements apply to both street frontages.
- C. For all other uses, including Neighborhood Serving Retail located in the South Side Neighborhood, the minimum setback is fifteen (15) feet.
- D. Front entrances, entrance porticos, porches, stairs, canopies and special architectural features may extend a maximum of six (6) feet into the setback area. The total linear building frontage encroaching into the setback area may not exceed one-half (1/2) of the total length of the building mass.

5.2 Side Setbacks

- A. For detached single-family residential uses, minimum side setback is five (5) feet
- B. For all other uses, minimum setback at the project boundary is five (5) feet
- C. For all uses, the minimum side yard setback shall be increased five (5) feet for every story above the first. Buildings may be built in a stair-step pattern to meet this requirement.

5.3 Rear setback

- A For all uses, minimum rear setback is fifteen (15) feet.
 - 1. Special Condition: Public Alley Condition- Except for detached Single- Family, where a public alley separates properties, no rear setback is required.
 - 2. Where any use is located adjacent to detached single-family residential uses, the minimum rear yard setback shall be increased five (5) feet for every story above the first. Buildings may be built in a stair-step pattern to meet this requirement.

5.4 Setbacks for parking lots and structures

- A At grade parking lots must be set back a minimum of five (5) feet from all property lines, and landscaped as described in Landscaping & Screening , below.
- B. Freestanding parking structures must be set back a minimum of ten (10) feet from all property lines, and landscaped as described in Landscaping & Screening, below.

5.5 Setbacks from Railroad Tracks

- A For habitable buildings located within 100-feet from the centerline of railroad tracks, developments shall provide a study demonstrating that groundbourne vibration issues associated with rail operations have been adequately addressed (i.e. by building siting or by construction technique) , and that an interior noise level of up to 45 dBA, with windows closed, is not exceeded.

6. Site Development

All new development must relate to the existing City structure of streets and blocks. New streets shall conform to the direction and orientation of existing City streets.

6.1 Block Pattern

- A New streets shall conform to a pattern of generally rectilinear blocks, with new streets and access drives linking orthogonally to surrounding City streets whenever possible.
- B. For sites having more than 200 feet of street frontage, all new development shall match the typical block increment of three hundred (300) feet in length by two hundred (200) feet in depth, and shall not exceed a maximum block size of four hundred (400) feet in length by three hundred (300) feet in depth. Where

achievement of this block size is not feasible, blocks should be subdivided by separating continuous buildings with alley streets or pedestrian spaces.

6.2 Driveway Access

- A. Alley access, leading to residential garages located to the rear of buildings, is required at residential buildings where possible.
- B. The maximum number of curb cuts associated with a single building must be one (1) two-way curb cut or two (2) one-way curb cuts. Otherwise, the maximum number of curb cuts must be one (1) two-way curb cut or two (2) one-way curb cuts per one hundred fifty (150) feet of street frontage.
- C. The minimum width of driveways/ curb cuts is ten (10) feet; the maximum width of driveways/curb cuts must be twelve (12) feet for a one-way driveway and twenty-four (24) feet for a two-way driveway.
- D. Driveway setbacks must be a minimum of five (5) feet from adjoining properties, and a minimum of three (3) feet from adjacent buildings.
- E. Service access must be from alleys and rear parking areas wherever possible. Where only curbside service is possible, such service must be located along streets other than First Street.
- F. Plan for adequate access for garbage, recycling, food waste collection vehicles, and emergency vehicles.

6.3 Open Space

Residential uses are required to provide publicly accessible common outdoor space for multifamily developments, as well as private open space (e.g. balconies or patios accessible only to the dwelling served) for all residential units. Office developments are required to provide usable open space in the form of parks, greens, squares, plazas or widened sidewalks for public use.

- A. Attached Single-Family and Multi-Family Residential and Mixed Use Developments: Outdoor space shall be provided at a minimum of two-hundred (200) square feet of publicly accessible open space and one-hundred (100) square feet of private open space per unit. Private open space shall be provided on-site. Publicly accessible open space shall be provided as described below:
 - 1. Project Sites 1 Acre or Less: Shall provide required open space on-site, off-site, through the payment of an in-lieu fee, or any combination of the above.
 - 2. Project Sites Greater Than 1 Acre: Shall provide 10 percent of required public open space on-site for every 4,500 square feet (or portion thereof) over 1 acre. Remaining required public open space shall be provided on-site, off-site, through the payment of an in-lieu fee, or any combination of the above.

3. Projects with an approved Conditional Use Permit to develop more than 24 units per acre shall provide a minimum of one hundred fifty (150) square feet of usable publicly accessible open space and one hundred (100) square feet of private open space per unit, and may construct required publicly accessible open space in-lieu, or off-site if located within 500 feet of the project site.
- B. For Mixed-Use Developments, commercial/office and residential open space requirements shall be calculated separately (based on the requirements of sections 6.3A and 6.3.B above) and then added together to reach the total square footage of public open space required.
- C. Office Development: Developments of greater than 20,000 square feet shall provide a minimum of one hundred (100) square feet of publicly accessible open space for every 1000 square feet of office space constructed. Open space may be constructed on-site, or off site if located within 500 feet of the project.
- D. Commercial Development: There are no open space requirements for Commercial Development in the Neighborhood Plan Areas.
- E. Detached Single-Family Residential: A minimum of three-hundred (300) square feet of private, usable outdoor space shall be provided on-site for all detached single-family residential units.
- F. Iron Horse Trail: All new developments located on parcels backing onto the Southern Union Pacific right-of-way from Murrieta Blvd east to North Livermore Avenue, shall be required to provide a 20-foot dedication south of the existing right-of-way, to be reserved for the Iron Horse Multi-Use Trail. Developments shall be required to provide improvements to the trail. This dedication may count as park dedication credits (if approved by LARPD), or towards the provision of public open space, but not both.
- G. For all open spaces, usable open space is defined as an area that is not encumbered with any substantial structure, and is not devoted to use as a street, parking area, sidewalk or waste disposal field. Open space provision shall not include required setback areas (Please refer to the Design Standards and Guidelines for Site Improvements, Furnishings, Landscape and Lighting for design of open space).
 1. Minimum dimension for usable publicly accessible open space in any single direction is twelve (12) feet.
 2. For private open space within multi-family structures, open space may be provided through porches, balconies, decks, yard, terraces, and patios. Minimum dimension for private open space in any single direction is six (6) feet if provided as part of a porch or balcony; and eight (8) feet if provided as a deck, yard, terrace or patio.
 3. Unless otherwise noted, any open space provided off-site shall be located within the same plan area as the project site (Downtown Core, Downtown Boulevard Gateway, etc.) or within 500 feet of the project site.
 4. Any open space provided off-site must be a minimum of 1,000 square feet in size.

5. For projects opting to pay an in-lieu fee to meet all or a portion of their open space requirements , the fees shall be subject to the provisions of the Downtown Specific Plan Open Space Program.
- H. All public open spaces provided as part of the minimum requirement shall be publicly accessible during daylight hours, and shall be designed to connect with public rights-of-way and adjacent public open spaces in the vicinity.
- I. For any public open space provided on or off-site: The project shall provide paths, landscaping, and other amenities (i.e. benches, tables, fountains, shade structures, etc.) for the recreation and enjoyment of on-site users and the public.
- J. For all developments, the developer must prepare and record binding agreements ("CC&R's") addressing issues of common interest in terms of maintenance of public accessibility to open space, tree planter areas, planting strips and walks.

6.4 Landscaping & Screening.

- A. At Service and Parking Areas , where commercial development is sited adjacent to residential buildings, attractive screen fencing or walls must be provided along the property line(s), A five (5) foot wide planting area must be established adjacent to the screening fence or wall with trees at a maximum spacing of twenty (20) feet on center.
- B. Utility, Trash, Recycling, Food Waste, and Service Equipment, including satellite receiving dishes, must be located away from streets and enclosed or screened by landscaping, fencing or other architectural means. Rooftop equipment must be screened on all sides and must be integrated architecturally in the building design . Trash facilities and recycling containers must always be within structural enclosures .

6.5 Utility Easements.

- A. All public utility easements must be provided under or immediately adjacent to new public rights-of-way or within other public easements areas acceptable to the City Engineer.

7. Noise

7.1 Exterior Noise Levels

- A. For those permitted land uses in the Downtown generating noise, Exterior Noise Levels may not exceed a maximum exterior decibel rating of 65 dBA from 7:00a.m. to 12:00a.m.
- B. For those permitted land uses in the Downtown generating noise, Exterior Noise Levels may not exceed a maximum exterior decibel rating of 60 dBA from 12:00a.m. to 7:00a.m.

7.2 Interior Noise Levels

- A. All Residential -All residential building spaces must be improved or constructed in such a manner that noise levels do not exceed a maximum decibel rating of 45 dBA with windows closed, assuming 85 dBA on the first floor and an exterior noise level of 65 dBA. If noise analysis assumes windows closed 100% of the time, a fresh air ventilation system must be utilized.

8. Historic Structures

8.1 Conversions of Existing Structures

- A. To allow use conversions of existing historic structures that will promote rehabilitation (including relocation) and redevelopment, certain development standards (as described in chapter 5) may be modified for projects involving National Historic Resources (rated 1-3) or Historic Resources (rated 4). Any modification to the development standards to allow or encourage such conversion is subject to a Conditional Use Permit and must demonstrate to the Historic Preservation Commission and the final reviewing body that the proposed modification to Standard(s):
 1. Is consistent with the 2003 General Plan and Downtown Specific Plan goals, policies and objectives;
 2. Will advance the City's historic preservation objectives; and
 3. Will not detrimentally affect the historic character and integrity of the structure.