
Chapter 18.42

STANDARDS FOR SPECIAL USES

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18.42.010 Purposes

This chapter provides site planning and development standards for special uses in multiple zoning districts (e.g., in residential, commercial and/or industrial districts).

(Ord. 4934 § 4 (part), 2007)

18.42.020 Application

The regulations set forth in this chapter shall apply to the special uses set forth below, in addition to other applicable provisions of this chapter including the standards of the zone district where the use is located.

(Ord. 4934 § 4 (part), 2007)

18.42.030 Accessory Uses and Facilities**(a) Examples of Accessory Uses and Facilities**

Accessory uses and facilities include, but are not limited to, the following list of examples; provided that each accessory use or facility shall comply with all provisions of this title:

- (1) Residential garages, carports, and parking facilities, together with access and circulation elements necessary thereto;
- (2) Customer, visitor, and employee parking facilities, and off-street loading facilities, together with access and circulation elements necessary thereto;
- (3) Facilities for storage incidental to a principal use;
- (4) Recreational uses and facilities for the use and convenience of occupants or employees, or guests thereof, of a principal use or facility;

- (5) Newsstands, gift shops, drugstores, and eating and drinking facilities, or similar services intended solely for the convenience of occupants or employees, or guests thereof, of a principal use, when conducted entirely within a principal facility;
- (6) Building management offices when located within the principal facility and limited to the management thereof;
- (7) Refreshment and service facilities in parks, in playgrounds, and in permitted public or private recreation facilities or schools;
- (8) The operation of service facilities and equipment in connection with schools, hospitals, and similar institutions or uses, when located on the site of the principal use.

(b) If Associated with a Permitted Use or Facility

Accessory uses and facilities shall be permitted in any district when incidental to and associated with a permitted use or facility, or when incidental to and associated with an allowable and authorized conditional use therein, subject to the provisions of this section.

(c) Accessory Uses and Facilities are Conditional on Principal Use Facility Permit

No use or facility permitted as an accessory use or facility pursuant to this section shall be construed to be permitted as a principal use or facility unless specifically authorized as a permitted or conditional use in the district in which it shall be located. Operation, occupancy, and continuance of allowable accessory uses and facilities shall be conditioned upon the continued occupancy or use of the principal use or facility being served.

(d) Relation to Principal Structures and Location

- (1) Accessory uses and facilities shall be subordinate to the primary activity of the principal use or the principal facility, respectively.
- (2) Accessory uses and facilities shall contribute to the comfort, convenience, efficiency, or necessity of the occupants or the activities of a principal use, or the function of a principal structure.
- (3) Accessory uses and facilities shall be located on the same site as the principal use or structure served, except as otherwise authorized by this title.
- (4) Accessory buildings located within a required interior yard, as permitted by this section, shall not individually or cumulatively occupy an area exceeding fifty percent of the required rear yard.

(Ord. 4934 § 4 (part), 2007)

18.42.040 (Reserved)

18.42.050 Temporary Uses

The director of planning and community environment (“director”) may grant a temporary use permit authorizing the use of a site in any district for a temporary use, subject to the following provisions:

- (a) Application shall be made to the director and shall be subject to the fee prescribed by the municipal fee schedule.
- (b) The permit may be granted by the director without a requirement for public hearing and notice.
- (c) The permit may include authorization to vary from specific requirements of this title as may be solely related to the requested temporary use.
- (d) A temporary use permit, if granted by the director, shall be valid for a specifically stated time period not to exceed forty-five days. The director may impose such reasonable conditions or restrictions as he or she deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with existing and potential uses on adjoining properties and in the general vicinity.
- (e) A temporary use permit may be granted by the director if, from the application or the facts presented to him, he finds:
 - (1) The granting of the application will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience.
 - (2) The proposed use will be located and conducted in a manner in accord with the Palo Alto Comprehensive Plan and the purposes of this title.
- (f) Any person who obtains a temporary use permit as provided by this section and fails to abide by its conditions is guilty of a misdemeanor.
- (g) Any person who uses a site for a temporary use in violation of Title 18 and fails to obtain a temporary use permit as required by this section is guilty of a misdemeanor.

(Ord. 4934 § 4 (part), 2007)

18.42.060 Home Occupations

Where permitted, a home occupation shall be subject to the following limitations:

- (a) The home occupation shall be conducted in a manner that is compatible with residential uses permitted in the same district, and in a manner which does not change the character and appearance of the dwelling unit in which it is conducted.
- (b) No person shall be employed on the site in connection with the home occupation except lawful occupants of the dwelling unit within which the home occupation is conducted.
- (c) No advertising shall be permitted on the site.
- (d) Not more than twenty-five percent of the gross floor area of the dwelling unit, or five hundred square feet of gross floor area on the site including accessory buildings, whichever is less, shall be devoted to the home occupation.
- (e) The home occupation shall not be conducted in a manner which generates traffic or parking demand or vehicular deliveries substantially greater than customarily associated with residential occupancy of the dwelling unit.

- (f) No mechanical, electrical, or other equipment shall be used, nor shall a home occupation be conducted in any manner which is a nuisance or is noxious, offensive, or hazardous by reason of vehicular traffic, noise, electrical or magnetic interference, vibration, particulate matter, odor, heat, humidity, glare, refuse, radiation, or other objectionable emissions or effects.
- (g) No outdoor storage of any material, equipment or goods shall be permissible in connection with any home occupation.

(Ord. 4934 § 4 (part), 2007)

18.42.070 Vehicle Equipment Repair and Storage

(a) Allowable hours and location for vehicle repair

No person shall service, repair, assemble, disassemble, wreck, modify, restore, or otherwise work on any vehicle, motor vehicle, camper, camp trailer, trailer, trailer coach, motorcycle, motor-driven cycle, house car, boat, or similar conveyance except when conducted within a garage or accessory building, or during the hours of 8:00 a.m. and 9:00 p.m. when conducted in an area screened from view from the street and adjoining lots by a legally located fence, wall, or equivalent screening. Notwithstanding the foregoing, this section shall not be construed to prohibit occasional minor maintenance such as changing spark plugs, oil, belts and hoses.

(b) Vehicle storage

No person shall store, place or park any of the conveyances designated in subsection (a), or any part thereof, which is disabled, unlicensed, unregistered, inoperative, or from which an essential or legally required operating part is removed, including an unmounted camper, camp trailer, trailer, trailer coach and similar nonmotorized conveyance, or any other structure or device exceeding sixteen cubic feet in volume to be carried upon or in any such conveyance, or any equipment, machinery, or similar material unless conducted within a garage or accessory building, or in an area screened from view from the street and adjoining lots by a legally located fence, wall, or equivalent screening.

(c) Maximum Continuous Hours of Vehicle Repair

No person shall service, repair, assemble, disassemble, wreck, modify, restore, or otherwise work on, or store, place, and park any of the conveyances designated in this section (excluding [1] passenger vehicles other than house cars, and [2] “pickup” motor trucks on which no equipment other than a camper is mounted), whether disabled or fully operative, for an aggregate period of over seventy-two hours during any continuous period of ninety-six hours in any open areas on a lot only in locations where an accessory building or principal building of equivalent height or bulk would be permitted by the provisions of this title.

(d) Refer to California Vehicle Code for Conveyance Definitions

For the purpose of this section, references to types of conveyances shall have the same meanings as defined in the Vehicle Code of the State of California, where such definitions are available.

(e) **Chapter 18.70 shall not be Applicable to this Section.**

(f) **Limitations for Sleeping in Recreation Vehicles**

Subject to securing a permit therefore from the building official and otherwise complying with applicable law, the use of a recreational vehicle, as defined in this title, may be permitted for sleeping purposes only for a period not to exceed thirty consecutive days in any calendar year for not more than two nonpaying guests of the occupant of a single-family dwelling in accord with all applicable regulations governing parking and storage of vehicles.

(g) **Vehicle Visibility from Public Streets**

Except in the OS (open space) and AC (agricultural conservation) districts, no person shall store, place, or park any of the conveyances designated in this section, whether disabled or fully operative, in any areas visible from a public street unless it is parked or stored upon either permeable or impermeable paving surface.

(h) **Parked Vehicles shall not Obstruct Traffic Views at Intersections**

No person shall store, place, or park any of the conveyances designated in this section within the thirty-five foot triangle of property at the intersection of streets improved for vehicular traffic.

(i) **Parked Vehicles Maximum Coverage of Front Yard**

No person shall store, place, or park any of the conveyances designated in this section in a manner that they cover more than 40 percent of any required front yard.

(j) **Each Day of Violation a Separate Offense**

Violation of this section is a misdemeanor, punishable as provided in this code. Each day of violation constitutes a separate offense and may be separately punished.

(Ord. 4934 § 4 (part), 2007)

18.42.080 Reverse Vending Machines

Reverse vending machines may be established only in conjunction with an otherwise allowed commercial or industrial use and may not exceed a maximum of three machines per site or one hundred fifty cubic feet in volume per site. Sites containing reverse vending machine(s) shall include a refuse container adjacent to the machine(s) and shall be maintained in a litter free condition. In addition, a reverse vending machine shall:

- (1) Not exceed eight feet in height;
- (2) Be located on the site in a manner which will assure compatibility with surrounding uses;
- (3) Be subject to the noise restrictions contained in Chapter 9.10 of this code.

(Ord. 4934 § 4 (part), 2007)

18.42.090 Alcoholic Beverages**(a) Conditional Use Permit Required in Tandem with On-Sale License**

In any district where otherwise permitted by this title, any eating and drinking establishment or other use having any part of its operation subject to an on-sale license required by the State of California shall be subject to securing a conditional use permit.

(b) Conditional Use Permit Required with New On-Sale License

A conditional use permit shall be obtained in the case of premises for which no conditional use permit is in force, whenever a new on-sale license is required by the State of California.

(c) Amendment to Conditional Use Permit Required with Expansion

In the case of premises for which a conditional use permit is in force, which permits the sale of alcohol, an amendment to such permit shall be required whenever such use is intensified or is expanded in square footage.

(d) Amendment to Conditional Use Permit Required with New On-Sale License

In the case of premises for which a conditional use permit is in force, but such use permit does not permit sales of alcohol, an amendment to such permit shall be required whenever a new on-sale license is required by the State of California.

(Ord. 4934 § 4 (part), 2007)

18.40.100 Mobile Homes (Manufactured Housing)

In order to be located in any residential district or on any site in any other district used for residential occupancy, a mobile home (manufactured housing) must:

(a) National Mobile Home Construction and Safety Standards

Be certified under the provisions of the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, *et seq.*) or any successor legislation.

(b) Permanent Foundation System

Be located on a permanent foundation system approved by the building official pursuant to all applicable laws, including, but not limited to, California Health and Safety Code Section 18551 or successor legislation.

(c) Site Regulations

Must meet all of the application site regulations of the district in which it is located.

(d) Not Allowed in Historical District of the City

Notwithstanding any other provisions of this title, mobile homes (manufactured housing) on permanent foundations shall not be allowed in any historic district of the city as designated in Chapter 16.49.

(Ord. 4934 § 4 (part), 2007)

18.42.110 Wireless Communication Facilities**(a) Purpose**

The purpose of this section is to accommodate continued improvements to wireless communications while minimizing visual impacts of such development. Wireless communication facilities (WCF) are permitted subject to architectural review and/or a conditional use permit for placement and design of the antennas and related equipment to provide for facilities that blend with the existing surroundings. Building mounted WCF and co-location facilities are preferred and encouraged, subject to all other provisions of this section.

(b) Review Procedure

For projects proposed on a historic structure/site, as designated by Chapter 16.49, historic review is required in addition to the architectural review and/or conditional use permit.

A conditional use permit and architectural review are required for:

- (1) Projects that are located on a residentially zoned parcel;
- (2) Projects that are located on a parcel with residential use;
- (3) Projects that are a stand alone wireless communication facility;
- (4) Building-mounted projects that exceed the existing height of the building/roof-top screening; or
- (5) An existing wireless communication facility that is modified from the original CUP approval (e.g. size, location, capacity, landscaping, etc.).

Architectural review, but no conditional use permit, is required for:

- (1) Building-mounted projects that do not exceed the existing building/roof-top screening height;
- (2) Building-mounted projects on a planned community (PC) zoned site that do not exceed the existing building/roof-top screening height; all other project types require a PC amendment; or
- (3) Co-location facilities.

(c) Development Standards and Exceptions

Each proposed project shall meet the standard zoning requirements for the zone district in which it is located. The following development exceptions may be considered and approved in conjunction with the required review process:

- (1) Building-mounted WCF may extend 15 feet beyond the permitted building height in the zone.
- (2) Stand alone WCF shall be no taller than 65 feet.
- (3) Stand alone WCF may encroach into the interior/street side and rear setback.

(d) Equipment Cabinets and Enclosures

- (1) Shall utilize the smallest footprint possible;
- (2) Shall be designed to minimize overall height, mass, and size;
- (3) Shall be screened from public view;
- (4) Shall be architecturally compatible with the existing site; and
- (5) Shall not be placed in a location that removes required landscaping or reduces landscaping to a level of noncompliance.

(e) Antenna Design

- (1) Antennas shall be designed to minimize visibility offsite and shall be of a “stealth” design; and
- (2) Building-mounted antennas shall be architecturally compatible with the existing building.

(f) Removal of Abandoned Equipment

Wireless communication facilities, or any components of a facility, that are no longer in use shall be removed by the applicant, service provider, or property owner within three months of the termination of use. No new permit shall be issued to a carrier if that carrier has not removed abandoned equipment.

(Ord. 4934 § 4 (part), 2007)

18.42.120 Resource Conservation Energy Facilities

Resource conservation energy facilities may be exempted from floor area ratio and lot coverage requirements in commercial, industrial and public facilities zoning districts, subject to the following regulations:

- (a) Architectural review is required pursuant to the provisions of Section 18.76.020;
- (b) All facilities shall comply with the performance criteria outlined in Chapter 18.23;
- (c) Floor area ratio (FAR) exemptions shall not exceed 3,000 square feet or 2% (.02 FAR) of the site, whichever is less;
- (d) Lot coverage exemptions shall not exceed 6,000 square feet or 5% of the site; and
- (e) All facilities shall meet the City of Palo Alto’s technical eligibility criteria as follows:
 - (1) Eligible technologies include cogeneration, fuel cells, waste heat recovery, or renewable energy conversion;
 - (2) Eligible fuels include natural gas or renewable fuels;
 - (3) Cogeneration facilities must meet and maintain FERC and state efficiency and thermal energy utilization criteria;
 - (4) All technologies must meet ultra-clean distributed generation efficiency and emissions requirements;

- (5) Single system maximum size is 10 megawatts (mW), and no larger than the greater of on-site peak electric load or on-site peak thermal load; and
- (6) Incremental water consumption shall be from reclaimed or decontaminated groundwater.

(Ord. 4964 § 17, 2007)

