

A. ALL CENTRAL BUSINESS DISTRICTS LAND USES

All new construction shall require approval of a Design Permit, regardless of type of use.

1. Prohibited Uses

The uses described in subsection (a) below, are deemed inconsistent with the goals, policies and objectives of the Downtown Plan and are, therefore, prohibited within the Downtown Plan (Plan) portion of the Central Business District as either a stand-alone use or an accessory or temporary use. Such uses that lawfully existed within the Plan area prior to the adoption of this provision are deemed non-conforming and may continue only at the same location at the same intensity or less for a period of no more than 20 years from the effective date of the Zoning Ordinance amendment (October 10, 2000), after which time the use shall be completely removed or converted to a conforming use. The uses described in subsection (b) below shall be deemed a public nuisance and shall be immediately abated according to the provisions of the Zoning Ordinance or other applicable City Codes or Ordinances.

Uses that are prohibited within any of the Downtown Plan subdistricts.

- a. Uses not permitted include, but are not limited to, the following: medical and recreational cannabis provider dispensaries; rent, sales or service of automobiles, trucks, recreational vehicles, motorcycles or trailers; sale of firearms; general advertising signs; sale of alcoholic beverages for off-site consumption requiring ABC liquor license Numbers 20 or 21 (liquor stores), with the exception of the sale of alcohol for off-site consumption that is clearly incidental to other principally permitted uses, that represents less than fifteen percent of the total shelf space in the business, and that complies with the operational criteria specified in Table 4-1 of Chapter 4, herein, inclusive of the additional regulations referenced in said table; drive-up facility; or drive-through facility.
- b. Nuisance Activities. No use, even though listed as a permitted use or otherwise allowed, shall be permitted which, by reason of its nature or manner of operation, is deemed by the Zoning Administrator to be creating a condition that is hazardous, noxious, or offensive through the emission of odor, fumes, smoke, cinder, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise. Such use shall be subject to violation abatement procedures, which may result in revocation of the use permit.

2. Accessory Uses

Accessory uses, as defined in Section 24.22.013 of the Zoning Ordinance, shall be limited to the use of no more than one quarter (¼) of the total floor area occupied by the permitted use.

3. Temporary Uses

Temporary uses, as defined in Section 24.22.879 of the Zoning Ordinance, shall be limited to the following activities and standards:

- a. The following activities if they are sponsored by a government entity or an organized group of businesses, property owners or residents of the CBD:
 - i. Neighborhood, District or Citywide-oriented carnival, circus, street fair, exhibition, celebration or festival;
 - ii. Booth for educational, charitable, patriotic or welfare purposes;
 - iii. Open air sale of agricultural products, including seasonal decorations.
 - iv. Open air sporting event;
 - v. Arts or crafts sale or artistic performance event; or
 - vi. Surface parking open to the public.
- b. The following activities if they secure the proper permits, if applicable, from City agencies: Parades, civic events, and advertised citizen gatherings.

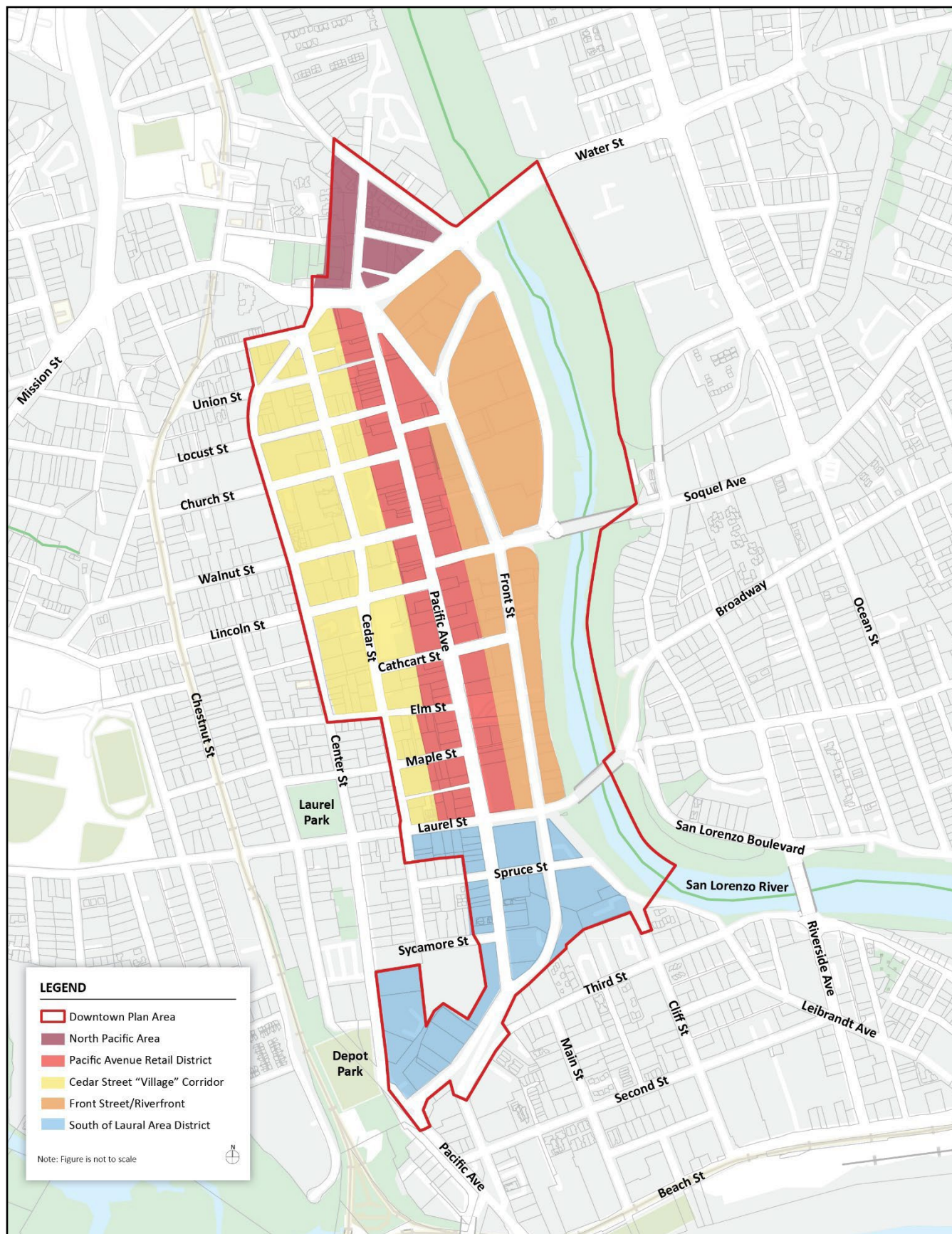


Figure A-1: Complete Downtown Plan Boundary and Subareas

TABLE 4-1: Central Business Districts Use Allowances — Ground Floor (Street Level)						
P = Principally Permitted A = Administrative Use Permit S = Special Use Permit “—” = Not Permitted						
<i>Use Categories</i>	<i>Pacific Avenue Retail</i>	<i>Front Street Riverfront</i>	<i>Cedar Street Village</i>	<i>North Pacific</i>	<i>South of Laurel</i>	<i>Additional Regulations</i>
<i>Residential</i>						
Community Care Residential Facility	P	P	P	P	P	(1)
Dwellings, Multiple and Townhouse, lobbies, leasing offices, and associated uses	A	A	A	A	A	(2)
Dwellings, One-Family & Two-Family	—	—	P	—	—	(2)
Dwellings, Flexible Density Unit Housing	A	A	A	A	A	(2)
Dwellings, SRO Single Room Occupancy Housing	A	A	A	A	A	(2)
Family Day Care Homes, Small or Large, in existing residential units	P	P	P	P	P	(1)
Supportive and Transitional Housing	A	A	A	A	A	(2)
Supportive and Transitional Housing, in existing residential units	P	P	P	P	P	(1), (2)
<i>Commercial</i>						(3)
Banks and Financial Institutions	A	P	A	P	A	(4)
Business Support Services	A	P	P	P	A	
Eating and Drinking Establishments						
- Bar, Tavern	A	A	S	A	A	(5)
- Brewpubs	A	A	A	A	A	(5)
- Bona Fide Restaurant	P	P	P	P	P	(5)
- Tasting Rooms	A	A	A	A	A	

TABLE 4-1: Central Business Districts Use Allowances — Ground Floor (Street Level)

P = Principally Permitted

A = Administrative Use Permit S = Special Use Permit

“—” = Not Permitted

<i>Use Categories</i>	<i>Pacific Avenue Retail</i>	<i>Front Street Riverfront</i>	<i>Cedar Street Village</i>	<i>North Pacific</i>	<i>South of Laurel</i>	<i>Additional Regulations</i>
- Breweries, Distilleries and Wineries	A	A	A	A	A	(6)
General Market	P/A	P/A	P/A	P/A	P/A	(7)
Hotels / Motels	A	P	A	P	A	(8)
Instructional Services - Schools, Business and Technical	A	A	A	A	P	(9)
Live/Work Quarters	A	A	A	A	A	(10)
Nightclubs and Live Entertainment	S	S	S	S	S	(11)
Offices, Professional	A	A	A	P	A	(12)
Parking Facilities, Surface and Structured	A	A	A	A	A	(13)
Personal Services						
- General Personal Services	A	A	A	P	A	(14)
- Health/Fitness Studio	A	P	P	P	A	(15)
Retail Sales	P/A	P/A	P/A	P/A	P/A	(7), (16), (19)
Sports/Multipurpose Arena	-	-	-	-	S	(20)
Theaters Recreational, Experiential, or Commercial Interactive Venues and other Indoor Recreation Uses	P	P	A	P	P	(19)
Thrift Stores/Pawn Shops	P/A	P/A	P/A	P/A		(7), (16), (17), (19)
Institutional and Community Facilities (3)						
Community/Religious Assembly	A	A	A	A	A	

TABLE 4-1: Central Business Districts Use Allowances — Ground Floor (Street Level)						
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<i>Use Categories</i>	<i>Pacific Avenue Retail</i>	<i>Front Street Riverfront</i>	<i>Cedar Street Village</i>	<i>North Pacific</i>	<i>South of Laurel</i>	<i>Additional Regulations</i>
Day Care Centers	A	A	A	A	A	
Government Buildings	P	P	P	P	P	
Medical Centers and Clinics	A	A	A	A	A	(12)
Museums/Galleries/Cultural Institutions	A	A	A	A	A	(18)
Social Service Centers	A	A	A	A	A	
Industrial and Other						
Artist Studio	A	A	A	A	P	
Bakery, microbrewery, handicrafts or similar light manufacturing and assembly use associated with retail sales/services	P	P	P	P	P	
Other Similar Uses as Determined by the Zoning Administrator to be consistent with the purpose of the subdistrict	P/A/S	P/A/S	P/A/S	P/A/S	P/A/S	

Additional Regulations – Ground Floor Uses.

- (1) Community Care Residential Facilities. Facilities with fewer than 7 persons are principally permitted uses in the Cedar Street Village District. Facilities with 7 or more persons require approval of an Administrative Use Permit (AUP). Supportive and Transitional Housing facilities are allowed with only those restrictions that apply to similar residential uses.
- (2) Multi-Family Housing. (Including Single-Room Occupancy, Supportive and Transitional Housing, and Flexible Density Unit Housing projects subject to standards set forth in SCMC 24.12.) In all districts where multi-family housing requires an AUP, common residential lobbies for upper-level residences are allowed at ground level with active ground level common spaces publicly visible. In the Pacific Avenue Retail District and along Pacific Ave

and Spruce St in the South of Laurel Area, residential lobbies and leasing offices shall cumulatively be a maximum of 30 feet in width across the building frontage or a maximum of 15 percent of the building frontage, whichever is less, for a depth of 75 feet from Pacific Avenue or Spruce Street/Spruce Street Plaza. Amenity spaces are prohibited in these areas on the ground floor. In the South of Laurel Area, the Pacific Avenue Retail District, and the Front Street Corridor, ground floor area shall not be used for private building amenities including gyms, mailrooms, meeting space, or other areas reserved exclusively for building residents and their guests within 20 feet of any street frontage. No first story or ground-level residential units are allowed along a public right-of-way in the Downtown Plan area, unless otherwise specified below. Within the Cedar Street Village, ground-level residential uses are permitted on the side streets west of Cedar Street and also along Center Street. Direct access between individual townhouse units and the street are strongly encouraged through the use of porches and front "stoops". In the Front Street/Riverfront Corridor and North Pacific Area, first floor units are permitted when elevated above the sidewalk level 5 feet. For Front Street/Riverfront Corridor, allow for ground level residential uses provided that such uses are internal to a block and do not face Front Street, Laurel Street, Cathcart Street, Soquel Avenue, River Street, North Pacific, or any public pedestrian paseo or lane. Individual housing unit entrances with direct access to Front Street are prohibited within 60 feet of Front Street from Soquel Avenue to the intersection with Pacific Avenue and along the frontages of all public passageways between Front Street and the Riverwalk including the Spruce Street Plaza.

(3) Commercial and Non-Residential Uses. These uses adjacent to public passageways in the Front Street/Riverfront Corridor shall be accessible from Front Street and the Riverwalk.

Large Non-Residential Ground-Level Uses. These uses exceeding sixteen thousand (16,000) gross square feet per single-tenant/establishment require approval of an Administrative Use Permit (AUP) by the City Zoning Administrator. This section shall not apply to the Arena facility in the South of Laurel Area District. In addition to the findings for AUP issuance required under Section 24.08.050, an AUP required by this subsection shall not be issued unless the following additional criteria, findings and conditions related to the public benefits provided by the proposed project are made by the hearing body.

1. The use adds a desired, "targeted" business to the Downtown, which would serve to diversify the Downtown Plan area ground-level business base;
2. The use provides a public benefit and contributes to an appropriate balance of local or non-local businesses. For the purposes of this finding, it shall be presumed that local businesses serve to sustain the authenticity and unique retail character of the downtown business mix. However, non-local businesses may add to retail draw and contribute to overall downtown vitality in certain circumstances;
3. The use contributes to an appropriate balance of small, medium and large-sized businesses in the downtown area to diversify the ground-level business mix; to insure the maintenance of the "Santa Cruz" identity, unique character and authenticity; to seek to reduce economic "leakage" of sales out of the City and County; and to induce local investment and employment to the downtown area;
4. The design of the façade of the proposed use meets the design standards and guidelines of the Downtown Plan and is not restricted by corporate standardized or trademarked exterior design, signage, materials, color or other visual treatments;

5. The proposed use would be a good neighbor and contribute to the community life of the downtown by participating in such community activities as: (1) Membership in downtown merchant, resident, neighborhood improvement organizations and/or assessment districts; (2) to the greatest extent feasible, hiring local residents; and (3) hosting or participating in downtown festivals, fairs, benefit events and similar neighborhood activities; and
6. If applicable, all food and/or beverage service activities shall be conducted in accordance with the following “good neighbor operating procedures” for such uses.
 - i. Sufficient trash and recycling receptacles shall be provided and shall be regularly maintained;
 - ii. All debris boxes shall be screened and kept on the premises in a designated or approved location;
 - iii. The operator shall be responsible for cleaning the sidewalk within fifty (50) feet horizontal distance from the premises during the hours of operation to maintain the sidewalk free of paper, spillage or other litter; and
 - iv. Noise, glare and odors shall be contained within the premises so as not to be a nuisance to neighbors. Under no circumstance shall the ventilation outlets or motors cause emission of objectionable odors or noise directed toward neighbors.

(4) Banks and Financial Institutions. These uses may be allowed when there is no other bank within the contiguous block.

(5) Eating and Drinking Establishments. All uses within this category shall be subject to City and State alcohol regulations. When applicable, all fast food and/or beverage establishments (defined in the Zoning Ordinance) shall be conducted in accordance with the “good neighbor” operating procedures listed in Section 3.f.

(6) Breweries, Distilleries and Wineries. These manufacturing uses are allowed in these districts only when they contain at least 25% of floor area devoted to retail and/or tasting of the product manufactured on the premises. Street-oriented active store frontage is required.

(7) Sale of Alcohol for Offsite Consumption. Retail establishments with the Department of Alcoholic Beverage Control license numbers 20 and 21 including general markets may sell alcohol for offsite consumption with approval of an administrative use permit if the sale of alcohol is clearly incidental to other principally permitted uses and represents less than fifteen percent of the total shelf space in the business; the business conforms with Section 24.12.1106(10) of the Santa Cruz Municipal Code; the hours of alcohol sales are limited to 7:00 a.m. to 12:00 a.m.; security mitigations approved by the Police Department to help prevent theft and sale of alcohol to minors, including but not limited to the potential for requiring alcohol to be located where it can be monitored by store personnel or security cameras, are provided; and single-serving alcohol containers other than beer are not provided for sale. This exception to the prohibition on single-serving alcohol containers does not include malt liquor, which remains prohibited.

Existing businesses that were approved to sell alcohol for offsite consumption prior to the enactment of the operational criteria are not required to obtain new administrative use permits but are required to comply with the operational criteria by October 10, 2020.

If the sale of alcohol for offsite consumption use is determined by the Planning or Police Departments to be a nuisance or to otherwise frustrate the intent of the Downtown Plan, the

City may initiate proceedings to revoke to the right to sell alcohol per Section 24.12.1112 and Title 4 of the Santa Cruz Municipal Code.

(8) Hotels/Motels. These uses are allowed as principally permitted uses along the east side of Front Street. No hotel rooms are allowed the ground level frontages or along the Riverwalk level frontage.

(9) Instructional Services - Schools, Business and Technical. Schools and studios for arts and crafts, photography, music and dance provided that such establishments are not located along Pacific Avenue frontage or east-west street frontage north of Laurel Street. A Special Use Permit is required (1) when located along Pacific Avenue frontage or (2) if located along east-west street frontage, provided the following conditions are met:

7. Any such establishment will not occupy more than 50 linear feet of frontage space;
8. Such establishment is compatible with nearby residential uses;
9. Such space is in compliance with the storefront and façade design and development standards; and
10. Such space is capable of being converted into retail use in the future.

These uses are permitted in the South of Laurel Area District subject to all other relevant storefront and building design standards.

(10) Live/Work Quarters. This use is not permitted within 50 feet of Pacific Avenue north of Sycamore. The residential component of a Live/Work space shall not be located on the ground level, unless the residence is located in the interior of the lot; i.e., the non-residential component of the space must have frontage on the public right-of-way or publicly accessible passageway. The non-residential component of the space must have a minimum frontage depth of 20 feet. These uses shall also comply with the Building Façade and Storefront Standards and Guidelines for each district.

(11) Nightclubs, Establishments Providing Live Entertainment. These uses with stage/performance areas greater than 80 square feet or permitting dancing, and establishments serving alcoholic beverages not ancillary to food service will be considered for the ground level, subject to the following operating conditions:

- a. Acoustical studies indicating that such uses can achieve the City's existing noise abatement standards;
- b. The provisions of Part 12 of the Zoning Ordinance (for High Risk or Low Risk Alcohol Outlets) are met;
- c. The establishments shall conduct business in accordance with the following “good neighbor operating procedures” as described in Section 3.f above.
- d. The storefront adjacent to the street is designed in compliance with the storefront and building façade standards and guidelines and includes active people-oriented activities of visual interest to the pedestrian (e.g., food service/restaurant seating, retail frontage, queuing areas or artwork) and in no case shall the storefront occupy more than 50 linear feet of street frontage;
- e. Such establishments are compatible with adjacent residential uses; and
- f. Such space is capable of being transformed into retail use in the future.

(12) Medical Centers/Clinics and Professional Offices. Professional, editorial, real estate, insurance and other general business offices including space for non-profit organizations; medical and

dental offices; and medical, optical and dental clinics will be considered for the ground level subject to the following criteria. These uses:

- a. Are prohibited along Pacific Avenue frontage (75 feet perpendicular to Pacific frontage property line and within 40 feet perpendicular to the east-west street property line), except when limited to interior ground floor space not fronting the street.
- b. Must be compatible with existing and planned ground-level and upper-level permitted uses; and
- c. Must be in compliance with the storefront and building façade guidelines and standards, and capable of being transformed into retail use in the future.

(13) Parking, Surface or Structured. Allow for the use of parking lifts within the required envelope of any parking garage. See subdistrict development standards for other specific parking criteria.

(14) Personal Services. Uses such as barber shops, laundry and clothes cleaning establishments; administrative, executive and financial services; and technology-related services are allowed with an AUP for the ground level in the Pacific Avenue Retail district and by right in the other subdistricts if it can be demonstrated that:

- a. Such establishments are not located along Pacific Avenue frontage or along east-west street frontage (75 feet perpendicular to Pacific frontage property line and within 20 feet perpendicular to the east-west street property line) from Water Street to Laurel Street and are, therefore, limited to the interior ground floor space. This requirement may be met within the business establishment by providing a retail use in the front 20 feet of the space, with the personal service use provided in the area beyond that 20 feet of retail space. Businesses that can provide a retail use in the front but cannot meet the 20-foot requirement may apply for an administrative use permit for alternate space design provided that: 1) the business can demonstrate that there is a physical difference in the space that dictates the need for the exception, or 2) the business would contribute to the overall character and mix of uses in the downtown and would be expected to create a significant local or regional draw to the downtown.
- b. Such establishments are compatible with existing and planned ground-level and upper-level permitted uses; and
- c. Such establishments are in compliance with the storefront and building façade guidelines and standards, and capable of being transformed into retail use in the future without extensive remodeling.

(15) Health and Fitness Studios. These uses will be considered for ground-level use, provided that:

- a. The storefront adjacent to the street is designed in compliance with the storefront and building façade standards and guidelines and active people-oriented uses are located adjacent to the street (e.g., retailing component); in no case shall the storefront occupy more than 50 linear feet of street frontage or, in the South of Laurel Area, frontage

adjacent to and oriented toward Santa Cruz Riverwalk;

- b. Such establishments are compatible with adjacent residential uses; and
- c. Such space is capable of being transformed into retail use in the future.

(16) Retail. The store space along the frontage of North Pacific Avenue, River Street and Water Street shall have the minimum perpendicular depth of forty (40) feet; however, such use may vary in depth along these streets provided that each street maintains an average retail depth of twenty five (25) feet.

(17) Thrift Stores or pawn shops with onsite donation operations. The sale of second-hand goods is a permitted retail use, and these establishments will be subject to the same standards that apply to other establishments selling new goods of a similar nature. Thrift stores and other stores that accept donations or purchase goods from consumers for sale must limit these activities to no more than 20% of the floor area of the establishment, and can only accept goods during business hours.

(18) Art Galleries and Museums. These uses shall be open to the public.

(19) Recreational, Experiential Commercial Uses. Recreational uses or other active ground floor uses shall be visible from the street frontage.

(20) Sports/Multiuse Arena. One multiuse sports arena is permitted in the Downtown Plan Area. Details on use and design requirements found in Subsection K and in Appendix 8, Section 8.4.2.

TABLE 4-2: Central Business Districts Use Allowances — Upper Floors (Includes Riverwalk Level)

P = Principally Permitted
A = Administrative Use Permit S = Special Use Permit
“—” = Not Permitted

<i>Use Categories</i>	<i>Pacific Avenue Retail</i>	<i>Front Street Riverfront</i>	<i>Cedar Street Village</i>	<i>North Pacific</i>	<i>South of Laurel</i>	<i>Additional Regulations</i>
<i>Residential</i>						
Community Care Residential Facility	P	P	P/A	P	P	(1)
Dwellings, Multiple and Townhouse	P	P	P	P	P	(2)
Dwellings, One-Family & Two-Family	—	—	P	—	—	(2)
Dwellings, Flexible Density Unit Housing	P	P	P	P	P	(2)
Dwellings, SRO Single Room Occupancy Housing	P	P	P	P	P	(2)
Family Day Care Homes, Small or Large	—	P	P	P	P	(1)
Supportive and Transitional Housing	P	P	P	P	P	(2)
<i>Commercial</i>						
Banks and Financial Institutions	A	P	A	P	P	
Business Support Services	A	P	P	P	P	
Eating and Drinking Establishments						
- Bar, Tavern	A	A	S	A	A	(3)
- Brewpubs	A	A	A	A	A	(3)
- Bona Fide Restaurant	P	P	P	P	P	(3)
- Tasting Rooms	A	A	A	A	A	(3)
- Breweries, Distilleries and Wineries	A	A	A	A	A	(6)
General Market	P	P	P	P	P	
Hotels/Motels	A	P	A	P	P	(4)

TABLE 4-2: Central Business Districts Use Allowances — Upper Floors (Includes Riverwalk Level)

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Instructional Services - Schools, Business and Technical	A	A	A	A	A	(5)
Live/Work Quarters	A	A	A	A	A	
Nightclubs and Live Entertainment	S	S	S	S	S	(7)
Offices, Professional	P	P	P	P	P	(8)
Parking Facilities, Surface and Structured	A	A	A	A	A	(9)
Personal Services						
- General Personal Services	P	P	P	P	P	
- Health/Fitness Studio	A	A	A	A	A	(10)
Retail Sales including Thrift Stores/Pawn Shops	P	P	P	P	P	(11)
Theaters and Recreational, Experiential, or Commercial Interactive Venues and other Indoor Recreation Uses	P	P	S	P	P	
Institutional and Community Facilities						(3)
Community/Religious Assembly	A	A	A	A	A	
Day Care Centers	A	A	A	A	A	
Government Buildings	P	P	P	P	P	
Medical Centers and Clinics	A	A	A	A	A	(8)

TABLE 4-2: Central Business Districts Use Allowances — Upper Floors (Includes Riverwalk Level)						
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<i>Use Categories</i>	<i>Pacific Avenue Retail</i>	<i>Front Street Riverfront</i>	<i>Cedar Street Village</i>	<i>North Pacific</i>	<i>South of Laurel</i>	<i>Additional Regulations</i>
Museums/Galleries/Cultural Institutions	A	A	A	A	P	(12)
Communication Facilities	P	P	P	P	P	(13)
Industrial and Other						
Artist Studio	A	A	A	A	P	
Bakery, microbrewery, handicrafts or similar light manufacturing and assembly use associated with retail sales/services	P	P	P	P	P	
Other Similar Uses as Determined by the Zoning Administrator to be consistent with the purpose of the subdistrict	P/A/S	P/A/S	P/A/S	P/A/S	P/A/S	

Additional Regulations – Upper Floor Uses.

- (1) Community Care Residential Facilities. Facilities with fewer than 7 persons are principally permitted uses in the Cedar Street Village District. Community Care Residential Facilities with 7 or more persons require approval of an AUP. Supportive and Transitional Housing facilities are allowed with only those restrictions that apply to similar residential uses.
- (2) Multi-family Housing. Residential uses shall incorporate sound attenuation space planning designs and construction materials and methods in accordance with General Plan requirements such that noise from nearby commercial activities do not unduly disturb occupants of new dwelling units. For properties east of Front Street between Soquel Avenue and Laurel Street, housing shall be at least 60% of the total floor area of any mixed-use housing project. This requirement does not apply to projects within 75 feet of Laurel Street or Soquel Avenue or projects where the primary use is visitor-serving.
- (3) Eating and Drinking Establishments. All uses within this category shall be subject to City and State alcohol regulations. When applicable, all fast food and/or beverage establishments (defined in the Zoning Ordinance) shall be conducted in accordance with the previously described “good neighbor operating procedures” previously described in section

3.f. of the Ground Floor Uses. Eating and drinking establishments are encouraged on the Riverwalk level to publicly activate the Riverwalk and connections to the Riverwalk and east/west publicly accessible spaces in the Pacific Avenue Retail District and South of Laurel Area. Outdoor rooftop dining is allowed when associated with an upper-level restaurant/eating and drinking establishment.

- (4) Hotels/Motels. These uses are allowed as principally permitted uses along the east side of Front Street and do not require the incorporation of upper-level housing. No hotel rooms are allowed along the ground floor frontages or along the Riverwalk level frontage.
- (5) Instructional Services - Schools, Business and Technical. Schools and studios for arts and crafts, photography, music and dance provided that such establishments are compatible with nearby residential uses.
- (6) Breweries, Distilleries and Wineries. These manufacturing uses are allowed in these districts only when they contain at least 25% of floor area devoted to retail and/or tasting of the product manufactured on the premises.
- (7) Nightclubs, Establishments Providing Live Entertainment. These uses with stage/performance areas greater than 80 square feet or permitting dancing, and establishments serving alcoholic beverages not ancillary to food service, are subject to the following operating conditions:
 - a. Acoustical studies indicating that such uses can achieve the City's existing noise abatement standards;
 - b. The provisions Part 12 of the Zoning Ordinance (for High Risk or Low Risk Alcohol Outlets) are met;
 - c. All such establishments are conducted in accordance with the previously described "good neighbor operating procedures"; and
 - d. Such establishments are compatible with nearby residential uses.
- (8) Medical Centers/Clinics and Professional Offices. Professional, editorial, real estate, insurance and other general business offices including space for non-profit organizations; medical and dental offices; and medical, optical and dental clinics will be considered for upper levels subject to the following criteria. These uses must be compatible with existing and planned ground-level and upper-level permitted uses.
- (9) Parking, Surface or Structured. Allow for the use of parking lifts within the required envelope of any parking garage. See subdistrict development standards for other specific parking criteria.

- (10) Health and Fitness Studios. These uses will be considered for upper level use, provided that such establishments are compatible with adjacent residential uses.
- (11) Retail Sales. In the Pacific Avenue Retail District, second level retail sales are allowed subject to the approval an Administrative Use Permit when the second level is connected to the same business on the ground floor, subject to being compatible with and minimizing impacts to nearby residents. Riverwalk retail is allowed subject to the approval of an Administrative Use Permit to publicly activate the Riverwalk. Retail space should be evaluated in the context of adjacent projects to ensure uses are compatible, active and enhance the Riverwalk.
- (12) Art Galleries and Museums. These uses shall be open to the public.
- (13) Communication Facilities. Uses are subject to the regulations in Part 15 of Chapter 24.12.

B. PACIFIC AVENUE RETAIL DISTRICT DEVELOPMENT STANDARDS

1. Building Height

The intent of the development standards in the Downtown Plan is to create an urban core with efficient, intensified land uses. The following height standards shall apply to all development within the Pacific Avenue Retail District, including frontage along Pacific Avenue and the east-west streets within the subarea. All buildings must conform to the Base Height requirements, except for provisions for additional height within the “Additional Height Zone A”, or by compliance with any density bonus program or provisions available in state or local law.

- a. Floors. No new building shall be less than two stories in height. The second story shall be at least 50 percent of the ground floor area and shall be located toward the street frontage. An exception may be made for building recessed breaks as described for the Additional Height Zones.
- b. Floor-to-Floor Height. The ground floor uses must have a minimum floor-to-floor height of 18 feet for properties north of Cathcart Street and 15 feet minimum between Cathcart Street and Laurel Street. Any mezzanine shall be setback at least 20 feet from the building line on the street and shall occupy no more than one half of the area of the first floor.
- c. Base Height and Floors. No new development shall exceed a Base Height of 55 feet (measured to the top of parapet or eaves), except as provided for in the “Additional Height Zone A”. Within this Base Height, no more than 3 floors of upper-level uses above the ground-level retail use will be permitted within the maximum 55 feet Base Height. (See Figure B-4.)

2. Floor Area Ratio

The Downtown Plan Area includes two standards for Floor Area Ratio (FAR) which represent the maximum building volume that may be developed on any property within the Downtown Plan Area, except by compliance with any density bonus program or provisions available in state or local law. See Figure B-5. North of Laurel Street, sites may develop up to 5.0 FAR of building area; South of Laurel Street, sites may develop up to 3.5 FAR of building area. FAR is calculated for a site prior to subtracting any required public dedications. FAR will be calculated consistent with the standard definitions and requirements of the zoning ordinance, except that required ground floor commercial space is counted once regardless of interior height.

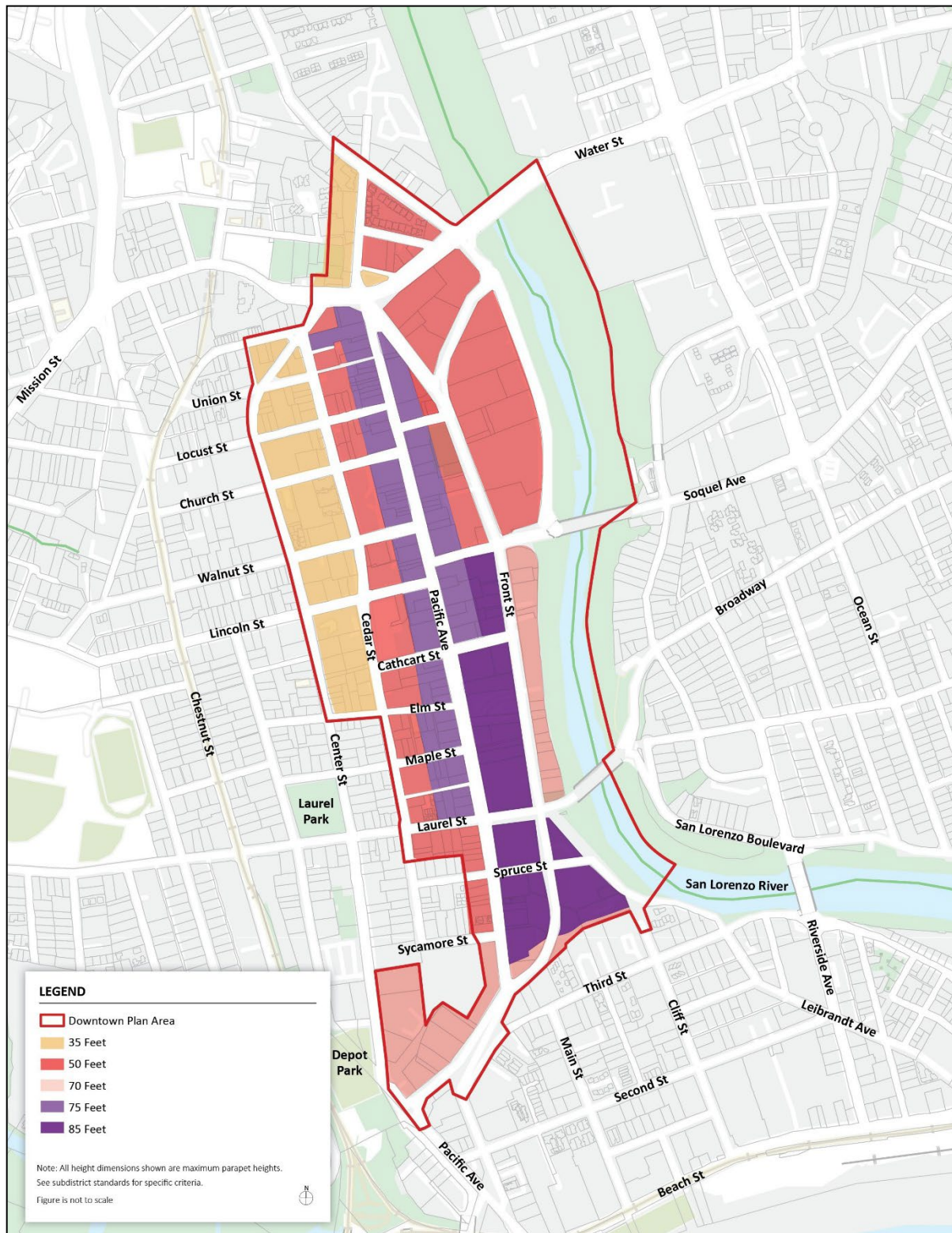


Figure B-1: Downtown Plan Area Maximum Building Heights

* See following figures for further detail on building heights.

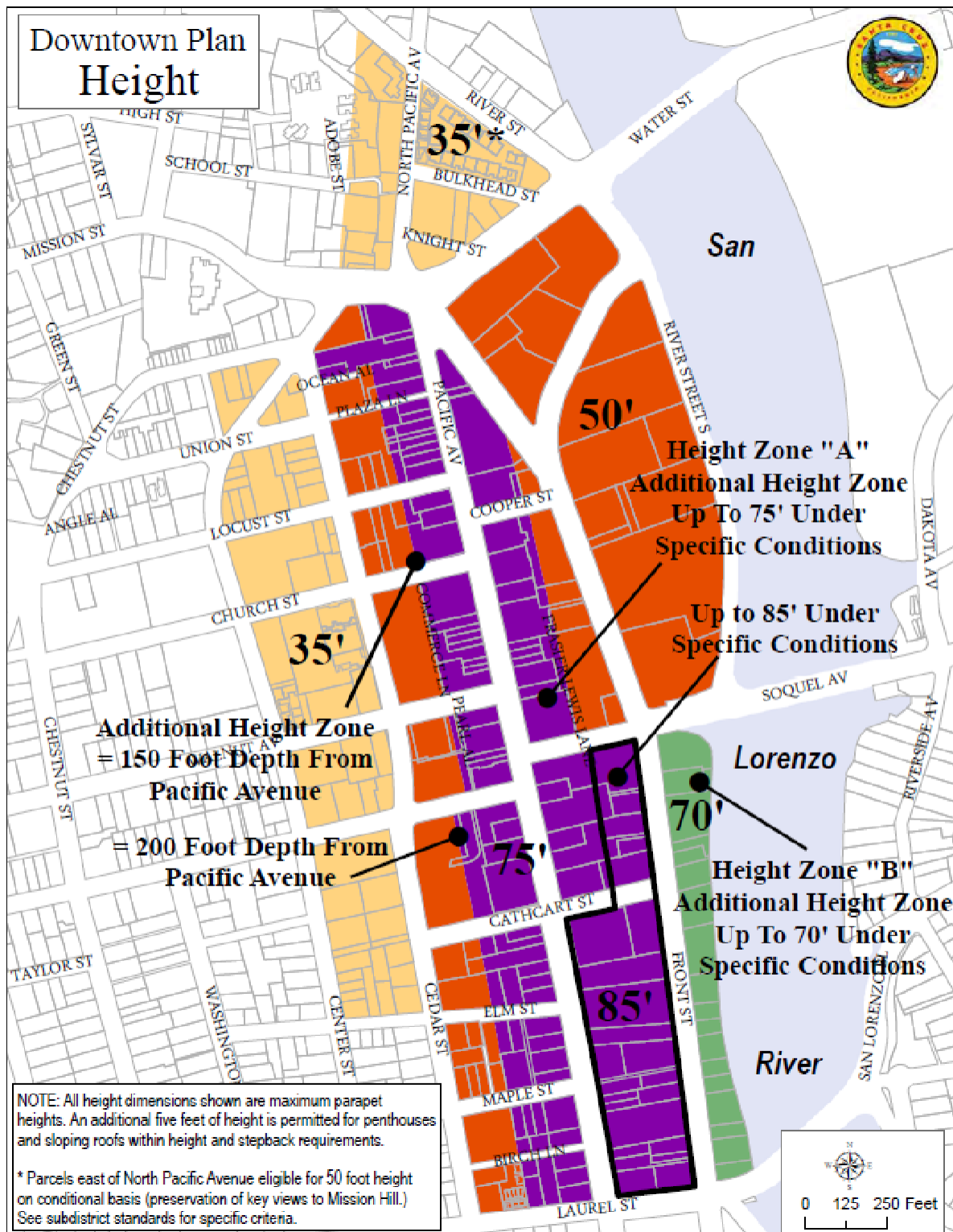


Figure B-2: Downtown Plan Height, North of Laurel Street

*An additional 15-feet of height above the height limit indicated is allowed for activated roof top amenity structures pursuant to the standards listed in Section J.16 (ALL CENTRAL BUSINESS DISTRICTS OTHER DEVELOPMENT STANDARDS AND DESIGN GUIDELINES).

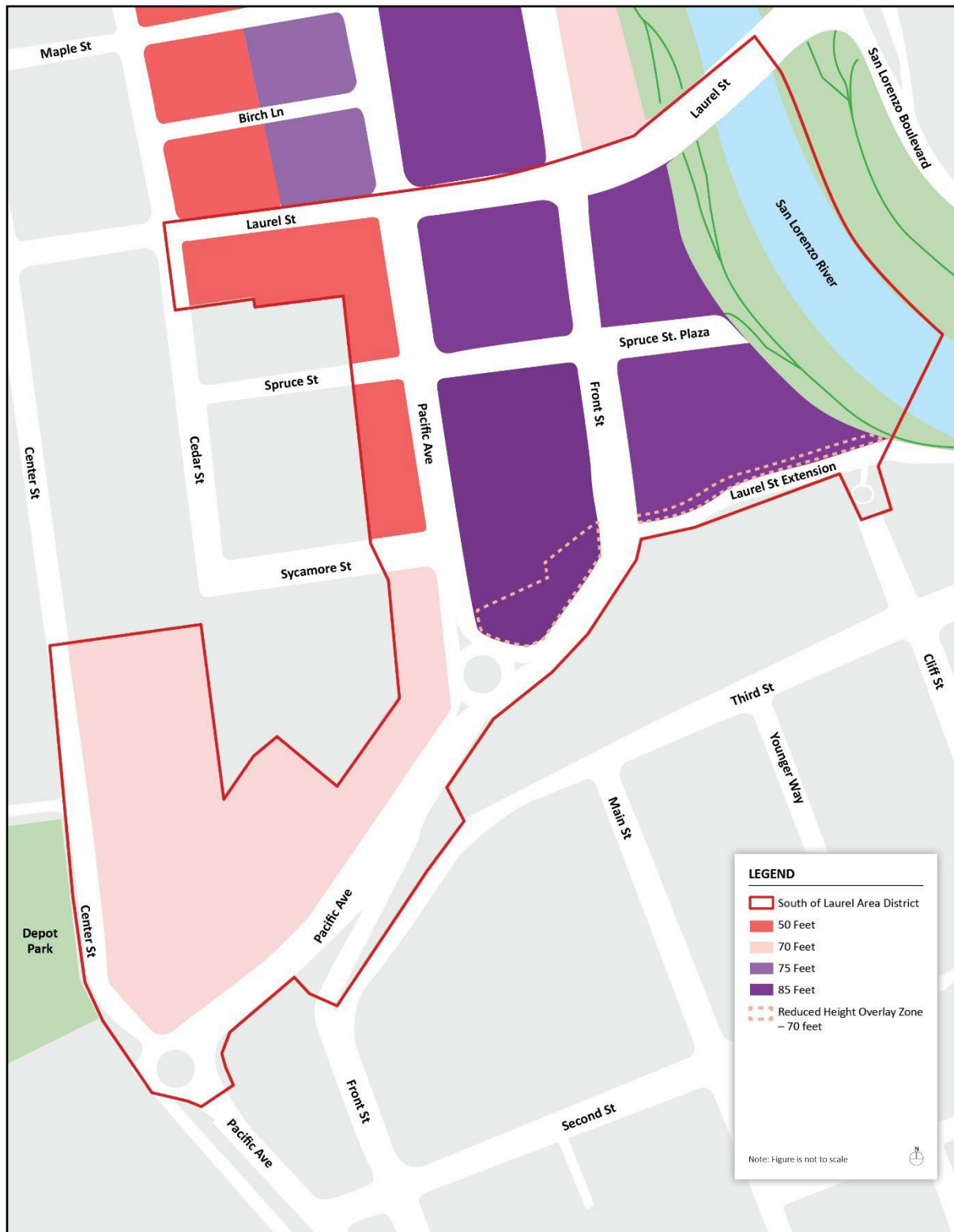
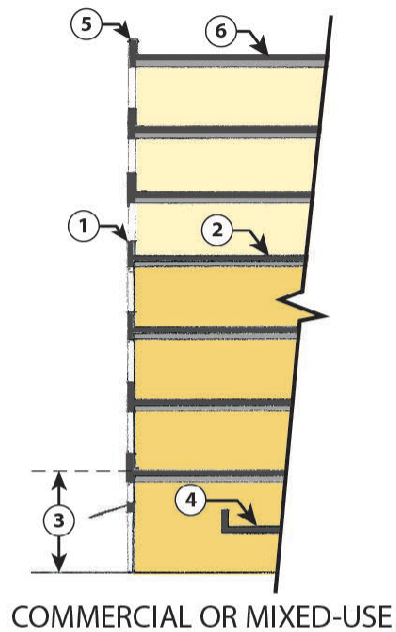


Figure B-3: Downtown Plan Height, South of Laurel Street

*An additional 15-feet of height above the height limit indicated is allowed for activated roof top amenity structures pursuant to the standards listed in Section J.16 (ALL CENTRAL BUSINESS DISTRICTS OTHER DEVELOPMENT STANDARDS AND DESIGN GUIDELINES).



BASE HEIGHT

- ① Maximum 55' to top of parapet
- ② Maximum 3 floors of commercial or residential above 1 level of commercial
- ③ Minimum 15' ground level floor-to-floor dimension (South of Cathcart)
Minimum 18' ground level floor-to-floor dimension (North of Cathcart)
- ④ Maximum mezzanine area = 33% of ground level floor area

ADDITIONAL HEIGHT ZONE A

- ⑤ Maximum 75' to top of parapet for 60% of site area on sites 15,000 to 50,000 sf;
Maximum 85' to top of parapet for 20% of site area for sites >50,000 sf
- ⑥ Maximum 6 floors of commercial or residential above 1 level of commercial *

*Within the massing and stepback requirements for additional height.

Figure B-4: Maximum Building Heights and Floors, north of Laurel Street.

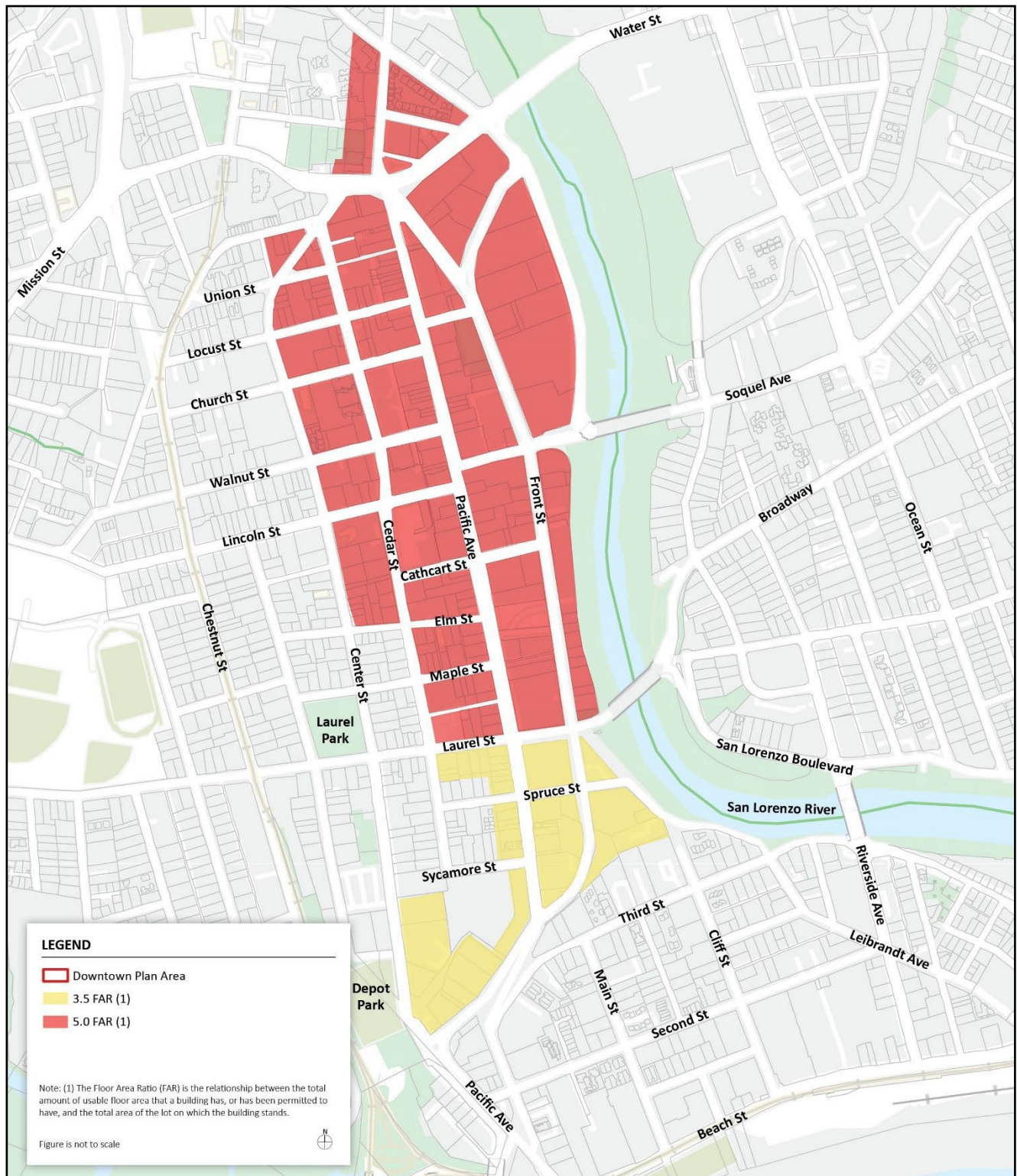


Figure B-5: Downtown Plan Floor Area Ratio Limits

*Floor Area Ratio is a relationship between allowable interior, above-ground building square footage, and size of the developable area of the parcel. This map shows the maximum allowed FAR absent any incentives or state density bonus.

- a. Mechanical Penthouses. Uninhabitable mechanical penthouses will be permitted above the Base Height by a maximum of 20 feet, provided that such penthouses are set back a minimum of 15 feet from any exposed face of the buildings, unless such penthouses are architecturally integrated into the building façade design.
- b. Sloping Roofs. (45 degrees/1:1 pitch or flatter) shall be permitted up to a maximum height of 60 feet, measured to the top of the sloping roof. For projects not eligible for the Additional Height, street wall heights shall not exceed the base height limit of 55 feet.
- c. Visual Impact Study. Any site that is located where the east-west street does not cross Pacific Avenue (sites with frontage on Locust, Church, Walnut, Lincoln, Soquel, Elm, Maple and Sycamore Streets) must prepare a visual impact study to determine how the proposed building would be viewed from the east-west street from a pedestrian eye-level.

2. Build-to Lines and Setbacks

To ensure that Pacific Avenue and the east-west streets are spatially well defined, all development shall be built to the property line of the street. The following exceptions to this condition are noted:

- a. Active Outdoor Uses. Setbacks of up to 12 feet in depth are permitted along the northern property line of Cathcart Street, if such setbacks are intended to provide active outdoor uses (e.g., outdoor dining or public seating) oriented to the street.
- b. Laurel Street Sidewalk. Require any development along either the north or south side of Laurel Street between Pacific Avenue and Front Street to dedicate sufficient property to result in a sidewalk depth of at least 12 feet. The precise dedication shall be consistent with the final Laurel Street design and shall be established with a build-to line.
- c. Front Street Sidewalk. Require any development along the west side of Front Street between Cathcart Street and Pacific Avenue to dedicate sufficient property to result in a sidewalk depth of at least 12 feet.
- d. Recessed Storefronts. Ground-level storefront setbacks are permitted and encouraged within the provisions of the storefront and building façade standards and guidelines. Recessed storefronts may occur where a designated outdoor use, such as an outdoor café, is an integral part of the retail business.

3. Public and Private Parking Facilities

The Pacific Avenue Retail District is within the Downtown Parking District #1 and, as such, shall comply with all parking requirements set forth within that district. On-site parking will not be permitted unless it meets one or more of the following conditions:

- a. Below Grade Parking. Parking is provided completely below grade, and access driveways to the parking facility do not conflict with the movement of pedestrians or vehicles within the area.
- b. Visual Screening. Surface or above-grade structured parking can be provided if the parking is visually screened and separated from Pacific Avenue and east-west streets by retail development and if such parking can be accessed from an east-west street or rear service lane.
- c. West Side Front Street. Allow parking facilities along the west side of Front Street south of Soquel Avenue where only one driveway curb cut shall be permitted per facility per street frontage; the parking facility shall not extend to street corners; and the parking facility shall be architecturally integrated within the overall building composition.

4. Driveways and Curb Cuts

No driveways shall be permitted along Pacific Avenue or Spruce Street. Limit on-site driveways along Front Street and the southern portion of Pacific Avenue after the intersection of Pacific Avenue and Front Street to a maximum of one driveway per property or at a spacing of at least 200 feet; driveways should be no more than 24 feet in width and to the extent practicable should be spaced from an adjacent driveway by at least 200 feet. Wider driveways may be considered based on a demonstrated need to accommodate specific vehicle operations of a proposed development.

5. Special Conditions for Maple Street Fronting Parcels 005-152-08, 005-152-17, 005-152-18, and 005-152-22.

Buildings fronting the 10-foot Maple Street alley between Pacific Avenue and Front Street shall be set back 20 feet to provide for a 50-foot wide public paseo, lane or street. If the above aggregated parcels are redeveloped together, the aggregated parcel size prior to the dedication exceeds the 15,000 square feet threshold to qualify for heights above the 55 foot base height, and shall be developed in conformance with the Additional Height Zone A performance standards. As a result of the required dedication, development on these aggregated parcels shall not be required to provide on-site parking. Developers of the aggregated parcels may pay parking fees to the Downtown Parking District in lieu of meeting the on-site parking requirements. A parking credit shall be applied to the project based on the amount of land dedicated to the City to expand the alley.

6. Special Conditions for Elm Street Pedestrian Connection (Parcel 005-152-31, 005-152-30, 005-152-05, 005-152-32, and 005-152-33).

Development of the above parcels shall include a 30-foot wide publicly accessible pedestrian connection between Pacific Avenue and Front Street. The public passageway shall be located in the vicinity of Elm Street (within approximately 50 feet of Elm Street extension). The passageway shall be integrated into the design of the development.

C. PACIFIC AVENUE RETAIL DISTRICT

BUILDING FAÇADE STANDARDS AND GUIDELINES

The intent of the urban design standards and guidelines for the Pacific Avenue Retail District is to reinforce the unique townscape qualities of the downtown, to introduce diversity and variety that will enhance the visual interest and comfort of the pedestrian, and to extend the landscape qualities of the streetscape into the private realm. The building facades of the downtown have a significant effect on the public identity and character of the downtown and, as such, need to be carefully considered.

1. Building Facades.

Building facades should respond to the character and composition of existing commercial buildings along Pacific Avenue. More specifically, facades shall be composed with 3 clearly distinct zones: the storefront, up to the required minimum heights based on location; the upper stories of the facade to the established Base Height (e.g., 50/55/70/85 feet); and the roof and cornice treatment, which includes the visible portions of any additional height permitted above the established base height, based on location. This compositional approach is consistent with the existing building facades along Pacific Avenue, as well as the desire to reinforce the pedestrian realm and avoid the creation of monolithic vertical walls along the street edge. A separation of treatment shall be clearly established between the ground-level storefront and the upper building levels, utilizing a strong belt course or architectural line, and through the specific storefront treatment described below. Similarly, a strong cornice line or roof treatment is encouraged to promote variety and a distinctive silhouette along the street.

2. Adjacent Buildings.

The composition of building facades should also be considered in relation to adjacent buildings of historic or architectural value. While it is not the intent to maintain a consistent treatment along the street edge, the composition of new development shall seek to be harmonious and compatible with elements of adjacent structures, such as window proportions, the design of horizontal belt courses and cornice treatments, building materials and architectural elements.

3. Upper-Level Facades. (i.e., the levels of building wall above the ground floor)

Upper-level facades should provide a counterpoint to the storefronts below and provide a visually interesting and varied edge to the public space of the street. In general, the upper-level façade—should consist of carefully composed “punctured openings” within a richly detailed wall. A variety of treatments shall be introduced to create richness in both the horizontal and vertical planes, including:

- balconies
- bay windows
- flower boxes
- awnings
- cornice and belt courses
- building modulation as described in SCMC 24.12.185.

4. Streetwall.

To create a visually interesting “streetwall” with a rhythm and cadence that is reflective of the pattern of development along Pacific Avenue, building facades shall introduce variation at general intervals of 25 to 50 feet horizontal distance with the use of:

- fenestration,
- architectural elements,
- building materials, and/or
- building planes.

Large, uninterrupted expanses of horizontal or vertical wall surface shall be avoided. Regardless of property lines, the appearance shall be of a street with varying architectural treatments at intervals of no more than 50 to 75 feet. The multiple rhythms shall be created through the careful design of building elements and three-dimensional articulation of building elements sufficient to mitigate the presence of long, blank walls along Pacific Avenue, Front Street, Cedar Street, the Spruce Street Plaza, the east-west streets, and the alleys. Elements that make up the rhythmic variation may include, but are not limited to:

- recessed windows as described in SCMC 24.12.185;
- projecting windows;
- bay windows;
- structural elements;
- surface textures, patterns and colors;
- trim elements;
- balconies;
- belt-cornices;
- cornices;
- building modulations as described in SCMC 24.12.185;
- awnings and shutters; and
- landscape elements including living walls or vines.

5. Cornices and Belt Courses.

Overhead horizontal projections (providing at least 8 feet of clearance above grade) of a purely architectural or decorative character such as cornices, eaves, sills and belt courses shall define the building elements (base, middle and top) and create three-dimensional interest in the façade, provided that they do not project more than:

- a. At roof level, 3 feet into the public right-of-way or a designated setback area.
- b. At every other level, 1 foot into the public right-of-way or designated setback area.

6. Windows.

Building walls shall be punctured by well-proportioned openings that provide three dimensional relief, detail, interest and rhythmic variation on the facade. Variation in rhythm shall be provided both horizontally and vertically. Large expanses of glass on the upper levels shall be considered only where activities of interest to the pedestrian can be highlighted, and in such cases, the design of these openings shall be carefully integrated within the overall facade composition. Windows shall be recessed a minimum of six inches from the face of the wall to emphasize the thickness of the wall consistent with the historical, traditional and newer

buildings on Pacific Avenue; or windows other than bay windows may project from the wall six inches maximum into the public right-of-way. Windows shall be of high quality and shall be operable at the upper level and composed of elements that emulate the size and detail of the windows on Pacific Avenue. Window moldings and/or shutters with projections up to six inches are encouraged to provide detail, shade and articulation to building facades.

7. Upper Level Bay Windows and Balconies.

Bay or projecting windows and balconies are encouraged and may be permitted on upper levels of buildings, provided that a minimum of 10 feet of clearance is provided to grade and that the following provisions are met:

- a. The projection into the public right-of-way or designated setback area is no more than 3 feet; where sidewalks are less than 10 feet in depth, this projection shall be limited to 2 feet; along alleys, no projection shall be closer than 8 feet to the centerline of any alley.
- b. The glass area of the bay window, and the open portions of each balcony, shall not be less than 50 percent of the total area of the vertical surfaces of the projection.
- c. Bay windows and balconies shall "punctuate" rather than dominate the facade; to this end, the maximum length of bay windows shall be 15 feet at the property line or setback line; this width shall be reduced to a maximum width of 9 feet at the full projection of 3 feet, by means of 45 degree angles at the sides of all projecting bay windows. Perpendicular bay windows and balconies (or projections at a different angle) may be permitted, provided that they remain within the outside dimensions described above. Unless balconies are used as a means of distinguishing the storefront area from the upper-level facades, they shall be generally 15 feet in width or less.
- d. The minimum horizontal separation between bay windows, between balconies, and between bay windows and balconies shall be three feet as measured from the face of the building wall along the property line or setback line. A bay window or balcony shall not occur within two feet of the building edge. The intent of this guideline is to ensure that bay windows and balconies do not visually dominate the building wall.

8. Skyline Architectural Variations.

Special attention shall be paid to the articulation of the top portion of buildings such as variation in height, massing, materials, horizontal bands, cornices and parapets. Rooflines shall be broken at intervals no greater than 50 to 60 feet by roof elements or step backs to reinforce the predominant building increment along Pacific Avenue. Interesting and varied roof forms are encouraged. Rooftop equipment shall be completely concealed from view and integrated within the architectural vocabulary of the building. The use of landscaped roof terraces and gardens is also recommended. Refer to Section H. *Additional Height Zones* for further regulations and guidelines related to tops of buildings in those mapped areas.

9. Building Materials.

To extend the character of the existing downtown, building materials shall evoke honesty, durability and solidity. Stone, brick, triple-layer stucco and other marine-grade materials, richly detailed to provide visual interest and variation, are encouraged as the predominant building materials. While wood and metal are desirable materials for window casings and trim, large expanses of wood or metal siding are discouraged as the predominant building materials. Such materials are considered appropriate for ornamental elements on the facade. Applied brick tiles that attempt to give the appearance of genuine masonry are also discouraged as the predominant building material. Decorative ceramic tiles are encouraged, however, as accent features. Reflective glass is prohibited. Living walls, as defined and regulated in SCMC Section 24.12.185 shall also be permitted as either a predominant or accent material.

10. Colors.

Materials shall be relatively light in color. To create a lively visual environment, earth tones, terra-cotta, pastels or whites, accented with dark or bright colors, are recommended. Roofing materials and accenting features such as canopies, cornices, tile accents, etc. shall also offer color variation. The color scheme for the building shall be compatible in color and value with the adjacent structures and shall be compatible with and sympathetic to the overall color palette of the buildings in the block and the downtown.

11. Landscape Provisions.

To promote a unique image and identity of downtown in its coastal setting, buildings shall incorporate provisions for planting, including flower boxes, topiary planting, and climbing vines. Plant materials within the planters, planting beds, flower boxes and flower pots shall provide color and variety throughout the year. The use of artificial plants shall not be permitted.

At least two of the following landscape concepts shall be incorporated into each Pacific Avenue or East-West Streets, including the Spruce Street Plaza, façade design (or 30 feet of retail frontage). In general, the landscape shall aggregately cover a minimum of 25 percent of the length of the storefront:

- a. Landscape setbacks up to 18 inches in depth.
- b. Landscape planters recessed into Pacific Avenue sidewalk, up to 18 inches into the public right-of-way.
- c. Planter boxes no more than 24 inches in height may be permitted to project into the public right-of-way up to 18 inches. Window boxes also may be permitted to project from bay windows and balconies by 18 inches. Planter and window boxes shall provide internal and concealed drains connected to roof drains to avoid overflow to the street; they shall also be designed with high quality durable materials that are compatible and integral with the building façade.
- d. Hanging flower pots may project into the public right-of-way up to 18 inches and shall have a minimum 8-foot clearance within the public right-of-way unless hanging directly above planter boxes.

- e. Trellis structures supporting climbing vines that may project up to six inches into the public right-of-way or, where more than eight feet above the sidewalk, may project up to 18 inches into the public right-of-way.
- f. Living Walls, a minimum of 4 feet wide and 8 feet in height, as defined in SCMC Section 24.12.185.

12. Rear Service Alleys.

Upper-level facade treatments adjacent to the rear service lanes shall be consistent in quality and design with treatments adjacent to public streets and rights- of-way. The use of planting (e.g., planter and window boxes, trellises, topiary) on building facades adjacent to the service lanes is particularly encouraged to enhance the visual and pedestrian character of the alley.

13. Exterior Lighting.

Buildings shall provide warm (color temperature equal to incandescent), low-level lighting from sundown to 10:00 PM nightly as an integral part of the façade design to add to the nighttime ambient light level in the downtown and to add nighttime visual interest to the buildings. Accent lighting using warm, low-level energy efficient light sources is encouraged as an integral part of the facade design.

14. Property Line Walls.

Where a building shares a property line with an adjacent property or building, mitigate the potential for large blank walls as follows:

- a. Where the adjacent building is lower than the proposed building, the property line wall shall be set back from the property line sufficient to allow windows in the new wall; or
- b. The applicant shall seek an easement from the adjacent property owner to allow windows (subject to the future redevelopment of the adjacent property). Mitigation measures shall be incorporated to allow windows under the Building Code.
- c. This provision may be modified by the Planning Director, subject to the preparation of a visual computer simulation of the building in context of the building viewed from key points at pedestrian eye level down Pacific Avenue and key intersecting streets. The applicant may pursue the option of adding murals or other artistic decoration in collaboration with the City's Arts Commission when authorized by the Planning Director.

D. PACIFIC AVENUE RETAIL DISTRICT STOREFRONT STANDARDS AND DESIGN GUIDELINES

All storefront improvements with an improvement cost of more than \$10,000 require a Design Permit. All storefronts in a new building or re-developed building shall conform to the following storefront design standards:

1. Primary Entrance. All buildings with frontage along Pacific Avenue shall have a primary entrance on Pacific Avenue.
2. Blank Walls. All buildings with frontage on Pacific Avenue or the East-West streets shall not have blank walls exceeding ten (10) feet in length. Blank walls shall be mitigated with trellises and/or climbing plants or other architectural, artistic, or landscape elements.
3. Door Entry Frequency. Establishments with frontage along Pacific Avenue shall provide door entries no further distant than 50 feet along the Pacific Avenue or east-west street frontage.
4. Open Entries to Street. Street front entries shall remain unlocked and unblocked and shall remain in use during store hours.
5. Unique Entrances. The ground floor frontage along Pacific Avenue shall be modulated, articulated, textured, colored and given such other architectural treatment to provide a visually differentiated store "front" every 25 to 50 feet.
6. Entrance Design. Storefronts shall incorporate at least two of the following design concepts into the storefront designs.
 - a. Bay Windows. Provide bay windows up to 12 feet in length that may project up to 12 inches into the public ROW - where the bay window has glazing on all projecting faces.
 - b. Porticos. Provide porticos around the entry door that may project up to 12 inches into the public ROW.
 - c. Awnings. Provide awnings that may overhang the sidewalk a maximum of 6 feet with a vertical clearance above the sidewalk between 8 feet and 14 feet.
 - d. Marquees. Provide permanent marquee structures or canopies that project from the building at entries (minimum height 8 feet above the sidewalk and maximum projection of 6 feet into the ROW).
 - e. Signs. Provide decorative signs that project into the ROW per Central Business District sign ordinance.
 - f. Glazing. The use of reflective or tinted glass in ground level show windows is prohibited.
 - g. Store Displays. Store displays shall be configured in such a way as to allow pedestrians to

see into the store from the sidewalk. Goods, posters, photos or other visual images shall be placed a sufficient distance from the store windows to enable pedestrians to see clearly into the store.

E. FRONT STREET/RIVERFRONT CORRIDOR DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

1. Height and Stepback Requirements

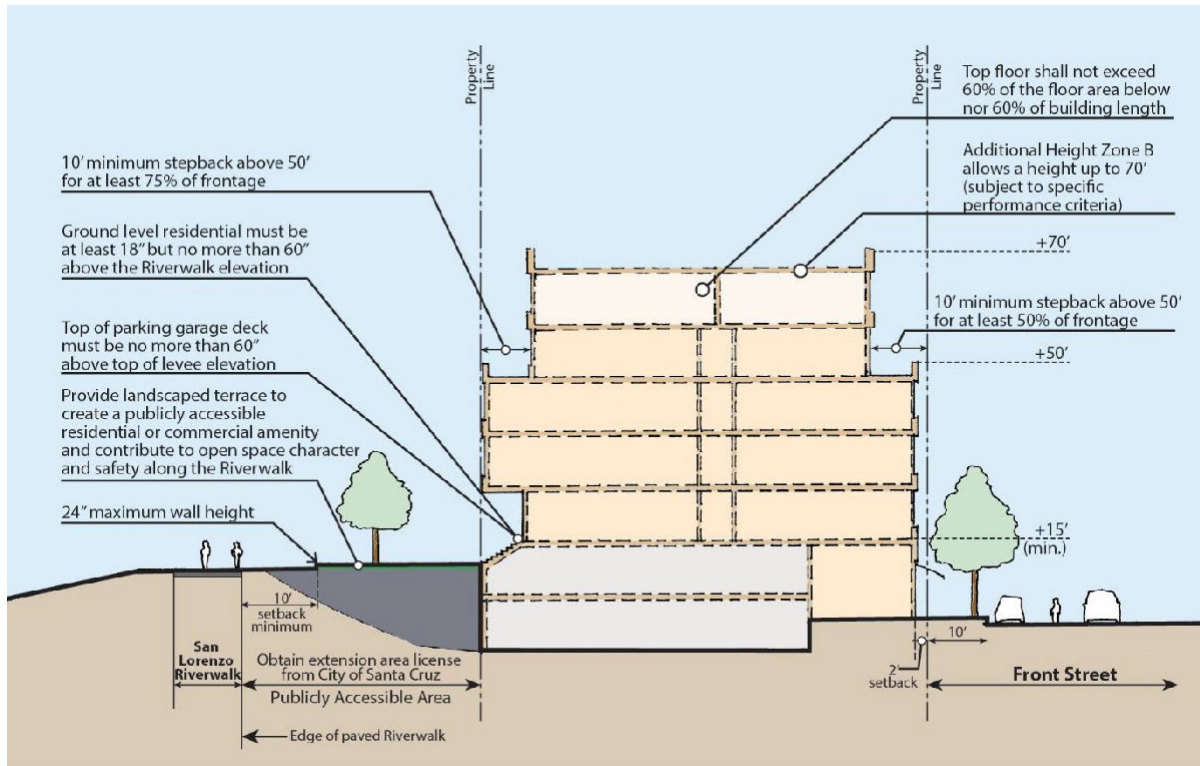


Figure E-1: Proposed base and additional height and stepback requirements along the Front Street/ Riverfront Corridor. Does not apply South of Laurel Street.

- a. Base Height and Floors. No new development shall exceed a base height of 50 feet (measured to the top of parapet or eaves on the highest floor), except by compliance with any density bonus program or provision of state or local law, or where Additional Height Zone B applies (See Section H: *Additional Height Zones*). Within this base height, no more than 3 floors with a mix of uses above the ground-level retail use will be permitted within the maximum base height of 50 feet.
- b. Mechanical Penthouses. Uninhabitable mechanical penthouses will be permitted above the base height by a maximum height of 20 feet, provided that such penthouses are set back from the face of buildings by a minimum of 15 feet and that sloping roofs meet the provisions of c. below, unless the penthouse is architecturally integrated into the building facade.

- c. Upper Level Stepbacks from Streets and Public Passageways. In order to promote a pedestrian scale, to increase light to the street, and to reduce overall building mass and scale, development above 50 feet in height shall be required to step back from the Front Street façade a minimum of 10 feet. At least 50% of building frontage along Front Street and Soquel Avenue shall step back 10 feet above the height of 50 feet. Buildings adjacent to River Street, east-west streets, and publicly accessible passageways shall step back at least 10 feet from the street for any height above 35 feet.
- d. Upper Level Stepback from River. Along the west side of the Riverwalk, development shall step back 10 feet from the exterior wall face above the 50 foot height level as measured from Front Street sidewalk elevation. Allow up to 25% of the length of the Riverwalk building frontage to encroach into or eliminate the required 10-foot stepback to provide for massing variation. (See Figure E-1).

2. Build-to Lines and Setbacks.

In order to promote well-defined streets, development shall generally be required to be built to the property line adjacent to public streets. The following exceptions to this condition are noted:

- a. Sidewalk Width. In locations where the sidewalk is less than 12 feet wide, development shall be set back from the property line to create a 12-foot sidewalk. Development along Laurel Street and Front Street shall dedicate sufficient property to result in a sidewalk depth of at least 12 feet. The precise dedication shall be consistent with the final Laurel Street design and shall be established with a build-to line.
- b. Gateway Landscaping. New development along Water Street (south side), Laurel Street (north side), and Soquel Avenue shall be set back from the sidewalk by 10 feet to allow for generous gateway landscaping treatment. Additional considerations for the South of Laurel Area District are in discussed in Appendix 8.
- c. Building Length. Between Soquel Avenue and Laurel Street, limit the length of individual buildings along Front Street to a maximum of 300 feet of lineal street frontage, subject to the performance criteria for improved public access to the Riverwalk from Front Street at the key connection points of Cathcart Street, near Elm Street and Maple Street. (See Figure E-2)
- d. Riverwalk Property Line. No setback from the Riverwalk property line is required.
- e. Encroachments. Development along the Riverwalk shall not encroach beyond the property line of the parcel, except in cases where levee-facing “people- oriented” commercial activities incorporate public access points to the Riverwalk. Top floor cantilevered portions of the building are allowed to encroach over the property line a maximum of 5 feet in order to provide architectural interest to the façade. Such cantilevered encroachment over the property line shall not exceed 25 percent of the total building frontage along the riverfront.

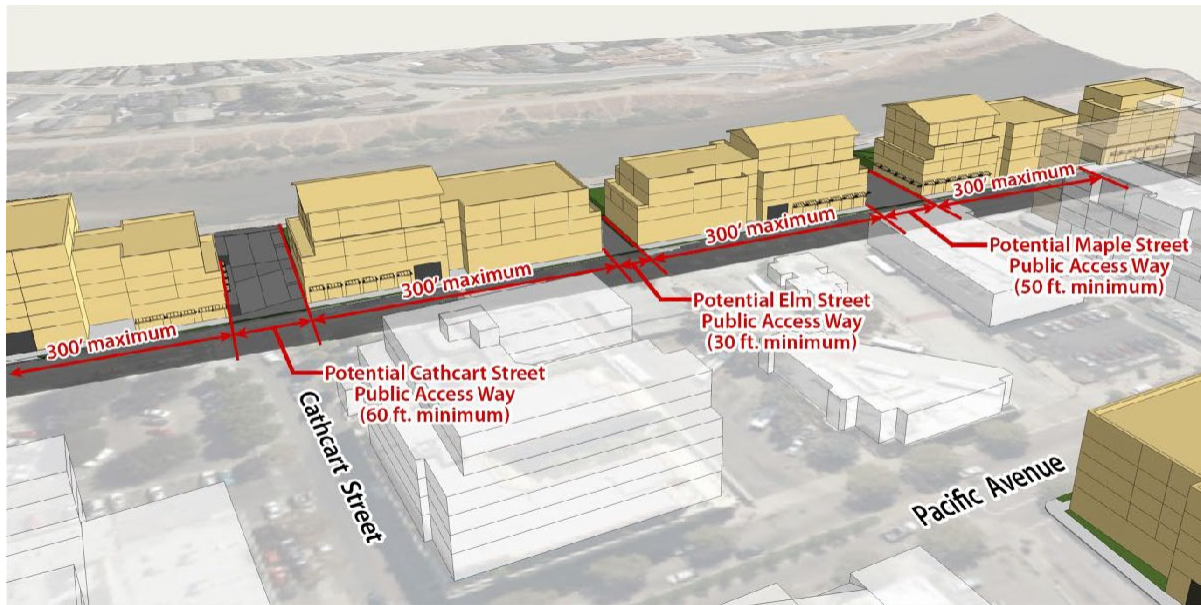


Figure E-2: Proposed building massing and public access requirements along Front Street and the riverfront.

3. Storefront Treatment.

While it is recognized that the Front Street/Riverfront Corridor is less pedestrian intensive than the Pacific Avenue District, the ground-level treatment of commercial buildings and parking structures within the area shall comply with the standards and guidelines established for the Pacific Avenue Retail District in Section D: Pacific Avenue Retail District Storefront Standards and Design Guidelines except as noted below. Special attention shall be given to the treatment of intersections, to reinforce their gateway role to Pacific Avenue and to create a high level of interest and activity along the street. The following features shall be regulated differently than prescribed in Section D: Pacific Avenue Retail District Storefront Standards and Design Guidelines for portions of buildings located adjacent to the Front Street/Riverfront Corridor:

- a. **Blank Walls:** Building walls within 25 feet of the Front Street right-of-way shall be broken by a massing break, entryway or fenestration (including bay windows) a minimum of every 25 feet. Blank walls shall be mitigated with trellises and/or climbing plants or other architectural, artistic, or landscape elements. Landscape elements such as Living Walls a minimum of 4 feet wide and 8 feet in height, as defined in SCMC Section 24.12.185, are particularly encouraged.
- b. **Door Entry Frequency:** Building facades along Front Street, shall incorporate door entries at least every 100 feet.

4. Riverwalk Promenade.

The Riverwalk Promenade is the paved bicycle and pedestrian path on top of the river levee. The interface between the public Riverwalk and the adjacent private development is a vitally important element of the Downtown Plan. As such, all development along the Riverwalk will involve some form of public/private partnership and cooperation. Key performance criteria include:

- a. Riverwalk Setback. Residential or outdoor commercial uses adjacent to the Riverwalk shall be no closer than 10 feet from the western edge of the physical walkway, except where “people-oriented” commercial uses incorporate public access points to the Riverwalk. South of Laurel Street ground floor uses shall incorporate “people-oriented” uses such as, but not limited to, dining establishments, entertainment uses, and drinking establishments.
- b. Levee Fill. All development shall fill the western slope of the levee (which may include both public and private property) as directed by the City of Santa Cruz and Army Corps of Engineers to create a level condition between the Riverwalk and the adjacent building. The filled area may terrace up from the maximum 24-inch wall to the finished floor of the development in a way that allows for the outdoor spaces to be publicly accessible. (See Figure E-1.)
- c. Retaining Wall at Property Line. Design the wall of the ground level of the building to structurally support fill material, and to provide appropriate under-drainage.
- d. Landscaping. Landscaping this private and public space shall incorporate trees and vegetation appropriate to the river environment. Walls along the Riverwalk shall not exceed 24 inches in height and shall be set back from the promenade by at least 10 feet. Other than trees, landscaping shall not exceed 42 inches in height above grade. Trees planted as part of the San Lorenzo Flood Control Improvement Project should be maintained and incorporated into new development where feasible and where not in conflict with the required fill or publicly accessible amenities.
- e. Extension Area License Agreement for Public Space. The City shall consider negotiated Extension Area license agreements on the publicly owned land on the west side of the Riverwalk for open space purposes that promote activity and overlook the Riverwalk and river. The publicly accessible open space area shall be visually open and accessible from the Riverwalk, but may be delineated with a low fence or hedge no more than 42 inches in height.
- f. Commercial Criteria. In the case of commercial development, the area subject to the license agreement may be terraced and shall be designed to accommodate outdoor eating or public seating, and shall be within 24 inches of the Riverwalk elevation.
- g. Public/Private Interface. In the case of residential development, the area subject to the license agreement and associated private yard shall be designed as a visually accessible garden space that provides a transition to the public Riverwalk. Residential entrances facing the river shall be elevated at least 18 inches, but no more than 5 feet above the Riverwalk to create privacy and differentiation of public and private spaces. Residential development is not permitted at the Riverwalk level south of Laurel Street.
- h. Entrances Along Riverfront. Entries, either to individual residential units or common entrances, or to commercial establishments, shall be provided along the riverfront promenade at intervals no greater than 75 feet. No individual residential units are allowed to connect directly with the riverfront south of Laurel Street. Common entrances for residential uses will be permitted.

- i. Fencing. Fencing shall be decorative, visually open rail material, creating a visual connection between the private and public spaces.
- j. Visually Open Development. Solid vegetation in the form of a visual screen or hedge is prohibited and views to the Riverwalk from private open spaces are required. Line of sight views between the development and the Riverwalk are intended to ensure a safe and interesting environment to joggers, walkers and cyclists.

5. Access to the Riverwalk.

Between Soquel Avenue and Laurel Streets along Front Street, new development shall provide east-west public access between the Riverwalk and the Front Street sidewalk at or near the extension of Cathcart Street, Elm Street and Maple Street. Developers of riverfront properties shall be required to physically and/or financially contribute their fair share through conditions of approval, an Improvement District, Development Agreement, or similar mechanisms to the improvement of these publicly accessible connections. South of Laurel Street, the development of the parcels adjacent to the Riverwalk and directly north and south of Spruce Street right-of-way shall be required to physically and/or financially contribute their fair share through conditions of approval, an Improvement District, Development Agreement, or similar mechanisms to the improvement of these publicly accessible connections. The development of the Spruce Street right-of-way shall be consistent with performance standards found in Appendix 8. Development of the passageways north of Laurel Street shall be consistent with the following performance standards:

- a. Publicly Open Passageways. Such access shall be open to the public during daylight hours.
- b. Pedestrian Focus. Such publicly accessible connections shall be predominantly pedestrian in nature and located within 50 feet of the Front Street intersections at the terminus of Cathcart Street and the extensions of Maple and Elm Streets. In addition to the pedestrian access, bicycle access shall be provided at the extension of Elm Street, which will serve as the primary bicycle access to the Riverwalk between Soquel Avenue and Laurel Street.
- c. Passageway Widths. The width of these publicly accessible pedestrian connections shall be no less than the following: 60 feet at or near the terminus of Cathcart Street; 50 feet at or near the terminus of Maple Street; and 30 feet at or near the extension of Elm Street.
- d. Vertically Open Passageways. These passageways shall be open to the sky, provide a high quality accessible path of travel between the Front Street sidewalk and the Riverwalk, and provide clear building breaks that avoid the walling off of the river from downtown.
- e. Pedestrian Oriented Uses. The pedestrian passageways shall be lined with active pedestrian-oriented uses that create a safe and interesting environment, including commercial uses, outdoor cafes, resident-serving amenities, building entries and/or lobbies. Such uses, particularly restaurants and outdoor cafes, are strongly encouraged to provide direct frontage and active outdoor areas along both the pedestrian passageway and the Riverwalk.

6. Upper-Level Facade Treatment.

The treatment of upper-level facades shall comply with the requirements found in Section C: *Pacific Avenue Retail District Building Façade Standards and Guidelines*.

7. Gateway Treatments.

New development that occurs at key gateway intersections to the downtown (e.g., River- Water; Pacific-Front at the north end of downtown; Cooper-Front; Soquel-Front; Cathcart- Front; Laurel-Front, Pacific-Spruce, Front-Spruce) shall be articulated to accentuate this condition. Treatments could include corner towers or turrets, setbacks, distinctive changes in fenestration and materials, chamfered building corners, etc.

8. Riverfront Residential.

Residential development occurring along the Front Street/Riverfront Corridor, or future residential development that may occur as part of a mixed-use development on the northeast corner of the Front/Soquel intersection, shall be highly articulated and expressive of the individual units within the complex. The use of sloping roofs, recessed loggias and balconies, bay windows, dormers and chimneys shall be carefully composed to create an intricate composition that expresses individual unit modules to the maximum extent practicable. A variety of building materials is encouraged, including the building materials recommended for the Pacific Avenue district above (e.g., stucco, brick, and stone). To avoid the creation of a "wall" of development along the riverfront between Soquel and Laurel Streets, development shall be highly articulated with variation in height. The required 10-foot sideyard setbacks shall also serve to break up the mass of development along this important edge.

9. Public and Private Parking Facilities.

The Front Street/Riverfront Corridor north of Laurel Street is within the Downtown Parking District #1 and development shall comply with all parking requirements set forth within that district.

- a. Surface Lot Landscaping. Existing and/or expanded surface parking lots within the Front Street/Riverfront Corridor shall be well landscaped. In addition to the landscaped area requirements for surface parking provided in the zoning ordinance, surface lots shall provide at least one tree for every four parking spaces, distributed throughout the lot. Surface lots shall be screened from the public sidewalk with low walls, planters, or hedges.
- b. West Side of Front Street. Allow parking facilities along the west side of Front Street south of Soquel Avenue, where only one driveway curb cut shall be permitted per parking facility per street frontage; the parking facility shall not extend to street corners; and the parking facility shall be architecturally integrated within the overall building composition.
- c. Structured Parking Design. Above-grade structured parking should be visually separated at the ground level from all public sidewalks and streets by means of active

storefront uses as described above. Such parking should be accessed, to the maximum extent possible, from east-west streets or rear service lanes.

- d. Structured Parking Facades. Parking structure facades shall be designed as compatible visual extensions of other multi-story buildings.
- e. Structured Parking Rear Façade. Special attention shall also be given to the design of parking structure facades adjacent to rear service lanes, to reinforce their attractiveness for pedestrian use. The use of integrated trellis structures and planters along the service lanes is recommended.
- f. Screens and Trellises. Decorative screen and trellis elements of durable, high-quality materials are also encouraged to provide variation and interest on the facade.
- g. Garage Ramp Visibility. Sloping floor elevations shall not occur within 10 feet of the adjacent public street.
- h. Wrap Garage with Commercial. Where parcel depth permits, the face of the parking structure shall be set back from ground floor commercial uses.
- i. Garage Openings. Openings shall be carefully composed within the building wall to appear as well-proportioned windows, rather than continuous strips; variation in the dimension and proportion of openings and in the horizontal and vertical planes of the facade shall be provided to create visual interest and to reduce the massiveness of the parking structure.
- j. Entrances and Stairways. Entryways and stairways shall be located along the street edge; they shall be well lit and visible from the street to promote security and a feeling of comfort.
- k. Top Deck Elevation. The top deck of all structured and encapsulated parking shall be constructed to an elevation no greater than 5 feet above that of the Riverwalk promenade and shall be screened from public view. Parking garages may exceed the maximum building length of 250 feet if they are lower than 5 feet above the adjacent levee elevation.

10. Driveways and Curb Cuts.

Limit on-site driveways along Front Street and the southern portion of Pacific Avenue after the intersection of Pacific Avenue and Front Street to a maximum of one driveway per property or at a spacing of at least 200 feet; driveways should be no more than 24 feet in width and to the extent practicable should be spaced from an adjacent driveway by at least

200 feet. Wider driveways may be considered based on a demonstrated need to accommodate specific vehicle operations of a proposed development.

11. Guidance for Bird Safe Structures Along the San Lorenzo River.

In addition to the standard requirements for Bird Safe Development found in SCMC Section 24.12.127, the following measures shall be incorporated into all development projects that are located between Front Street and the San Lorenzo River.

- Minimize the overall amount of glass on building exteriors facing the San Lorenzo River.
- Avoid mirrors and large areas of reflective glass.
- Avoid transparent glass skyways, walkways, or entryways, free-standing glass walls, and transparent building corners.
- Utilize glass/window treatments that create a visual signal or barrier to help alert birds to presence of glass. Avoid funneling open space to a building façade.
- Strategically place landscaping to reduce reflection and views of foliage inside or through glass.
- Avoid up-lighting and spotlights. Turn non-emergency lighting off (such as by automatic shutoff), or shield it, at night to minimize light from buildings that is visible to birds, especially during bird migration season (February-May and August-November).

F. CEDAR STREET VILLAGE CORRIDOR DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

1. Height and Stepback Requirements.

- a. Base Height and Floors. The maximum height of all development within the Cedar Street Village Corridor shall be 35 feet (3 floors maximum). East of Cedar Street, development may be allowed to exceed 35 feet on a discretionary basis to a maximum height of 50 feet (4 floors maximum). The granting of additional height above thirty-five (35) feet is discretionary and requires a Design Permit with the recommendation of the Planning Director to the City Council, which must approve the additional height, unless such height is the result of compliance with any density bonus program or provision of state or local law.

2. Storefront Treatment.

The ground-level treatment of buildings and parking structures within the Cedar Street subarea shall generally comply with guidelines for the Pacific Avenue retail subarea, in terms of storefront access, transparency and variation, and the use of landscaping, awnings and canopies. However, it is recognized that Cedar Street has a more informal character than Pacific Avenue and, as such, more variation of ground-level treatment is envisioned and encouraged. The use of porches and terraced gardens as an intermediate space between the ground floor use and the sidewalk is permitted, as long as the finished floor elevation of the ground floor use is no more than four feet above or below the sidewalk level, and accessibility requirements are met.

3. Upper-Level Facade Treatment.

The treatment of upper-level facades shall generally comply with the guidelines for the Pacific Avenue Retail District in terms of building rhythm, corner treatment, windows, roof treatment, building materials, colors and planting. In recognition, however, of the area's village character, several special conditions are noted:

- a. Architectural Elements. The use of architectural elements that promote the village character of the street is encouraged. Such elements could include sloping roofs, chimneys, bay windows, dormers, recessed loggias, balconies, and porches.
- b. Articulation. Facades shall be highly articulated and varied; the introduction of moldings and trims, and changes in horizontal and vertical planes are strongly encouraged to create visual interest and variation in light and shadow. Residential development shall be highly articulated and expressive of the individual units within the complex.
- c. Building Materials. Building materials can be more diverse and residential in character than those recommended for the Pacific Avenue Retail District. The use of wood as a siding material is encouraged.
- d. Flowers and Landscaping. The use of planters, trellises and topiary treatment of buildings is encouraged to further enliven the area and to promote its unique village qualities.

4. Public and Private Parking Facilities.

Parking structure facades shall be designed as compatible visual extensions of other multi-story buildings. Sloping floor elevations shall not occur adjacent to public streets. Where parcel depth permits, the face of the parking structure shall be set back from ground floor commercial uses. Openings shall be carefully composed within the building wall to appear as well-proportioned windows, rather than continuous strips; variation in the dimension and proportion of openings and in the horizontal and vertical planes of the facade shall be provided to create visual interest and to reduce the mass of the parking structure. Decorative screen and trellis elements of durable, high-quality materials are also encouraged to provide variation and interest on the facade. Special attention shall also be given to the design of parking structure facades adjacent to rear service lanes, to reinforce their attractiveness for pedestrian use. The use of integrated trellis structures and planters along the service lanes is recommended. Entries and stairwells within parking structures shall be located adjacent to public streets and designed to be visually open, to promote a feeling of security and comfort.

G. NORTH PACIFIC AREA DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

1. Height and Stepback Requirements

- a. Base Height and Floors. The maximum height of all development within the North Pacific subarea shall be 35 feet (3 floors maximum). However, within this 35 foot Base Height, east of North Pacific Avenue, development may be allowed on a discretionary basis to a maximum height of 50 feet (4 floors maximum). The granting of additional height above 35 feet is discretionary and requires a Design Permit with the recommendation of the Director of Planning to the City Council, which must approve the additional height, unless such height is the result of compliance with any density bonus program or provision of state or local law.
- b. Minimum Floor Height. The first floor uses must have a minimum floor-to-floor height of 14 feet.
- c. Visual Analysis and Criteria for Exceeding Base Height. Proposed development above 35 feet, up to 50 feet, must prepare a detailed visual analysis of the building to determine the visual impact. The visual impact analysis must consider the views from the mid-point of the Water Street Bridge looking toward the Mission Hill, from Mission Hill and other key locations within the City. The additional building height shall not obstruct views of the profile of the top of the grade of Mission Hill as viewed from the crest of the Water Street Bridge;
 - i. Additional height above 45 feet, up to a maximum of 50 feet, must demonstrate that the building creates a superior gateway entrance to Pacific Avenue and the Downtown; and
 - ii. The building height above 35 feet shall be stepped back a minimum of ten (10) feet from the 35 foot Base Height. The additional height shall be highly articulated and the upper level shall gently transition to surrounding development.
 - iii. Uninhabitable mechanical penthouses will be permitted above the Base Height by a maximum height of 20 feet above the permitted building height, provided that such penthouses are set back a minimum of 15 feet from any exposed face of the buildings and are out of the pedestrian's view, unless such penthouses are architecturally integrated into the building façade design.

2. Build-to Lines and Setbacks.

To promote well-defined streets, development shall generally be required to be built to the property line adjacent to public streets. The following exceptions to this condition are noted:

- a. Sidewalk Width. In locations where the sidewalk is less than 12 feet, development shall be set back from the property line to create a 12-foot sidewalk.
- b. Gateway Landscaping. Within this subarea, new development along Water Street (north side) and River Street (west side) shall be set back from the property line by 10 feet to allow for generous gateway landscaping treatment. Buildings along River

Street may project into this setback with approval of a landscape plan provided that the average setback along that street remains 10 feet.

- c. Non-Residential Elevation. Along Pacific Avenue and Water Street, ground level uses shall not be located more than one foot above the elevation of the adjacent curb.
- d. Residential Elevation. Along River Street, the first occupied residential floor level shall not be higher than five feet above the adjacent curb. For each one foot above the adjacent curb, an additional one foot of landscape setback shall be required.

3. Gateway Intersections.

The intersections of Water and River Streets, and River Street and North Pacific Avenue, are important gateways to the downtown. New development that occurs at these key gateway intersections shall be designed to accentuate this condition. Treatments shall include corner towers or turrets, setbacks, distinctive changes in fenestration and materials. The design of the ground level of the buildings at these intersections shall be articulated to reinforce the gateway significance utilizing corner setbacks, small plazas, large display windows, distinctive entrance features and canopies.

4. Building Facades.

The treatment of upper-level facades shall generally comply with the guidelines and standards for the Pacific Avenue Retail District in terms of building rhythm, articulation, corner treatment, windows, roof treatment, building materials, colors and planting.

5. Ground-Level Storefronts.

The design of the ground-level of buildings facing North Pacific Avenue, River Street and Water Street shall generally follow the guidelines and standards described for the Pacific Avenue Retail District to the south (e.g., access and transparency, storefront variation and treatment, awnings, canopies).

6. River Street.

The setback area described above for River Street shall include a well-designed landscape concept to enhance the gateway role and appearance of River Street and to create a transition between private development and the street. This landscaped area shall be broken at intervals to provide entrances to adjacent ground-level uses.

7. River Street Residential.

If residential development occurs along the River Street Corridor, it shall be highly articulated and expressive of the individual units within the complex. The use of sloping roofs, recessed loggias and balconies, bay windows, dormers, and chimneys shall be carefully composed to create an intricate and pleasing composition. Clapboard wood siding is encouraged, in addition to the building materials recommended for the Pacific Avenue Retail District above (e.g., stucco, brick, and stone).

8. Town Clock Park/Scope Park.

New development occurring adjacent to Town Clock Park (Knight Street right-of-way) or Scope Park shall have a strong ground-level orientation to these public open spaces. Buildings along Knight Street shall be built to the property line to maintain the spatial quality of Town Clock Park and to reinforce the civic importance of the Water-Pacific-Front intersection. Ground-level uses shall be pedestrian-oriented, and the treatment of storefront facades shall correspond with the guidelines described for the Pacific Avenue Retail District.

9. Public and Private Parking Facilities.

For properties in the North Pacific subarea which are not within the downtown Parking District #1, new development must comply with the City's general standards related to parking.

- a. Surface Parking Lots. Existing and/or expanded surface parking lots within the North Pacific area shall be well landscaped, with at least one tree for every four parking spaces, and screened from the public sidewalk with low walls, planters or hedges.
- b. Structured Parking. Parking structures in the North Pacific Area shall be an integral part of the development that it serves, either in below-grade structures or above-grade structures that are sensitively encapsulated within the overall building form.
- c. Location of Structured Parking. Exposed parking structures shall be limited to the interior of the block or to Bulkhead Street.
- d. Parking Structure Façade. Where parking is exposed as a façade, such façades shall be designed as an integral extension of the overall building façade.
- e. Garage Ramps. Sloping floor elevations shall not occur within 10 feet of the adjacent public street.
- f. Garage Openings. Openings shall be carefully composed within the building wall to appear as well-proportioned windows, rather than continuous strips; variation in the dimension and proportion of openings and in the horizontal and vertical planes of the façade shall be provided to create visual interest and to reduce the mass of the parking structure.
- g. Screens and Trellises. Decorative screen and trellis elements of durable, high-quality materials are also encouraged to provide variation and interest on the façade.
- h. Wrap Garage with Commercial. Above-grade structured parking facing River Street, Water Street or North Pacific Avenue shall be visually separated from all public sidewalks at the ground level by means of active ground-level uses as described above. Such parking shall be accessed, to the maximum extent possible, from east-west streets (e.g., Bulkhead Street). New access driveways along North Pacific Avenue, River and Water Streets shall be avoided.

H. ADDITIONAL HEIGHT ZONES

In 1991 when the original Downtown Recovery Plan was being developed, the community was concerned about the impact of four and five-story buildings on the predominantly one and two-story downtown. Since 1991, there has been significant infill development that has diversified the mix and intensity of downtown uses, with upper level office and residential uses. No longer is Downtown Santa Cruz and Pacific Avenue a one- and two-story downtown; it has evolved into a vibrant three to seven story district.

As such, the Additional Height Zone A is extended to eligible sites between Cathcart Street and Laurel Street along the west side of Front Street; Additional Height Zone B is established along the Front Street/Riverfront Corridor south of Soquel Avenue to Laurel Street. (See Downtown Plan Height Figures) The City also wishes to promote uses that foster activity and a sense of stewardship, allowing the area to evolve from a service district to an integral part of the overall downtown. In order to achieve this goal, residential uses are generally considered highly desirable upper-level uses, with active commercial and people-oriented uses at street level, in addition to visitor-serving uses along Front Street between Soquel and Laurel. It is recognized that smaller parcels may need to be assembled and consolidated to create viable areas for redevelopment, but development of assembled properties shall be done in a way that maintains the town scale and character of the downtown, with its diverse mix of small- and medium-sized buildings, its pedestrian orientation and, its block pattern that provides multiple street and walkway connections.

The scale of blocks and parcels is a critical component, contributing to the town scale and pedestrian orientation of downtown Santa Cruz. In the areas south of Cathcart Street and Soquel Avenue, the larger block sizes make it particularly important to create additional pedestrian connections between Pacific Avenue and Front Street, and between Front Street and the Riverwalk. This has been a community vision, dating back to the original Downtown Recovery Plan and reinforced with the 2010 River/Front and Lower Pacific Design Guidelines and Development Standards. However, regulations alone cannot be expected to accomplish such transformational change, which will involve public improvements and strong public/private partnerships. Financing tools for the implementation of enhanced pedestrian linkages to the river, and for improved bicycle and pedestrian amenities along Front Street, shall be considered to leverage increased land values in the area and to provide for equitable contributions from the private sector.

In establishing the development standards for the Additional Height Zones, it is important to make sure that the standards reflect the unique conditions and opportunities of the area. It is necessary to avoid the creation of large, monolithic buildings that are out of scale with the finer-grained development pattern of the downtown.

Buildings of additional height above the Downtown's dominant three to four-stories may depart from the tri-partite facades of the historic downtown, but shall be designed in a manner that creates a positive relationship and an appropriate scale transition to the existing fabric. In addition to the volumetric standards set forth as a basis for additional height in Additional Height Zone A, building stepbacks, belt courses, material, plane and/or fenestration changes are design strategies that should be employed to create compatible architectural and scale relationships with adjacent buildings of lower height. A strong and well detailed storefront and building base is critical to the continuity of the retail and pedestrian environment of the Downtown; intermediate floors should be composed with window openings, balconies or projections that provide visual interest and a

scale relationship with adjacent buildings; and the top most floor(s) should contribute to the overall silhouette and spatial form of the street with reduced floor plates, cornices, projecting canopies or other special architectural elements.

Rather than relying on building setbacks and terracing to achieve an appropriate scale transition to smaller buildings, the standards call for horizontal and vertical variation to create the appearance of multiple buildings that are more in keeping with the surrounding area. Additional height – even up to 85 feet in the Additional Height Zone A – can be absorbed appropriately if it is confined to a portion of a property, rather than as a massive block, terraced back from the street.

1. Additional Height Zone A.

Properties on Pacific Avenue and within 150 feet of Pacific Avenue between Water and Lincoln Streets, and within 200 feet of Pacific Avenue between Lincoln and Laurel Streets (as measured perpendicular from the property line along Pacific Avenue), certain properties located on the east side of Cedar Street between Mission Street and Ocean Alley, and the west side of Front Street between Cathcart and Laurel Streets shall be considered within the “Additional Height Zone A”, within which additional height above the 55 foot Base Height limit may be requested for buildings meeting certain criteria (See Figure A-1: Downtown Plan Heights). The intent of the Additional Height Zone A is to preserve the overall character of the existing development pattern, while allowing a discretionary intensification of use and increased height to maintain a compact urban core. For eligible development projects that overlap the Base Height and Additional Height Zone boundary, all portions of the project exceeding the 55 foot base height shall be located within to the Additional Height Zone as shown in Figure A-1.

- a. Eligible Development Projects. The granting of building height above the 55 foot Base Height limit is discretionary and requires a Design Permit with the recommendation of the Planning Commission to the City Council, which must approve the additional height. To achieve approval, the applicant must demonstrate that the proposed project meets the criteria described below. Applicants for development within the Additional Height Zone A may request additional height as indicated below, if one of the following conditions is met:
 - i. The aggregate parcel size is greater than 15,000 square feet, which may include land not located within the Additional Height Zone;
 - ii. The frontage along Pacific Avenue is greater than 150 feet, or at least 100 feet with 150 feet of frontage along an east-west street;
 - iii. The parcel is located between adjacent structures of four or more floors in height; or
- b. Additional Height Criteria for Project Approval. The development project shall be found consistent with the following overarching City objectives:
 - i. The additional height will help to achieve the First Principles of the Downtown Plan (e.g. form, housing, accessibility and open space).
 - ii. The additional height will contribute to an improved social and economic environment.
 - iii. The form of the development promotes the appearance of a grouping of buildings rather than large, monolithic building masses.
 - iv. The development receiving additional height will physically and/or financially

- contribute its fair share (through an Improvement District, Development Agreement or similar mechanisms) to the implementation of internal pedestrian connections between Pacific Avenue and Front Street.
- v. The additional height will help to meaningfully achieve one or more of the following key community objectives, including but not limited to: Economic Development Contributions to the Downtown, Affordable Housing, Day Care Center, exceed Green Building minimums, Incubator Space for Small Business, Public Access Easements, Public Right-of-way Improvements, Publicly Accessible Open Space, Structured or Shared Parking, and Transportation Demand Management concepts.
 - vi. Affordable Housing Public Benefit Fee For Non-Residential Projects. An application for additional height is voluntary. Because an applicant requesting additional height is receiving a benefit in the form of increased height and intensity, and to ensure that non-residential projects which are granted additional height reasonably contribute to the City's need for affordable housing, non-residential projects that are granted additional height shall be required to pay an in-lieu public benefit fee in the amount of \$5.00 per square foot of gross floor area occurring above the 55-foot Base Height limit (i.e., the additional gross floor area occurring within the project on levels that exceed the 55-foot Base Height limit). The fee shall be paid prior to occupancy of the project. All fees provided collected under this section shall be deposited the City of Santa Cruz's affordable housing trust fund.
- c. Zone A Maximum Height and Floors. The buildings shall conform to the adopted building codes in effect at the time of building permit application to achieve the following height limits.
- i. For development projects on aggregated parcels between 15,000 square feet and 50,000 square feet, the maximum height shall be 75 feet and the maximum number of floors shall be 5 floors above the required ground floor commercial use.
 - ii. For development projects on aggregated parcels larger than 50,000 square feet, the maximum height shall be 85 feet and the maximum number of floors shall be 6 floors above the required ground floor commercial use.
 - iii. Uninhabitable mechanical penthouses will be permitted to project 20 feet above the approved additional height of building, provided that such penthouses are set back a minimum of 15 feet from any exposed face of the building, unless architecturally integrated into the building façade design.
 - iv. Architectural features at prominent gateway corners may exceed the maximum heights above when required findings are made.
- d. Performance Criteria. The following criteria are intended to promote the appearance of multiple buildings of varying heights, and to avoid the development of monolithic buildings:
- i. Maximum Height and Footprints. For sites which are eligible for additional height, the footprint of portions of the building at or below 55 feet shall be at least 40% of the total site area; portions of the building footprint above 55 feet to a height of 75 feet may comprise up to 60% of the site area. For assembled sites greater than 50,000 square feet in area, buildings may achieve an 85-foot height for up to 20% of the total site area. (See Figure H-1)

- ii. Architectural Features. Taller building masses shall be located on portions of the site that are adjacent to street corners or in areas that will result in minimal shading of adjacent streets and sidewalks.
- iii. Pacific Avenue Building Length. Along Pacific Avenue, portions of buildings that exceed the maximum base height of 55 feet may occupy up to 55% of the length of the property line along the street or 200 feet, whichever is less. Any additional height above the base height must be set back from the building wall by at least 15 feet. (See Figures H-2 and H-4)
- iv. Front Street Building Length. Along Front Street, portions of buildings that exceed the maximum base height of 55 feet may occupy up to 60% of the length of the property line along the street or 180 feet, whichever is less. Any additional height above the base height must be set back from the building wall by at least 15 feet. (See Figure H-3)

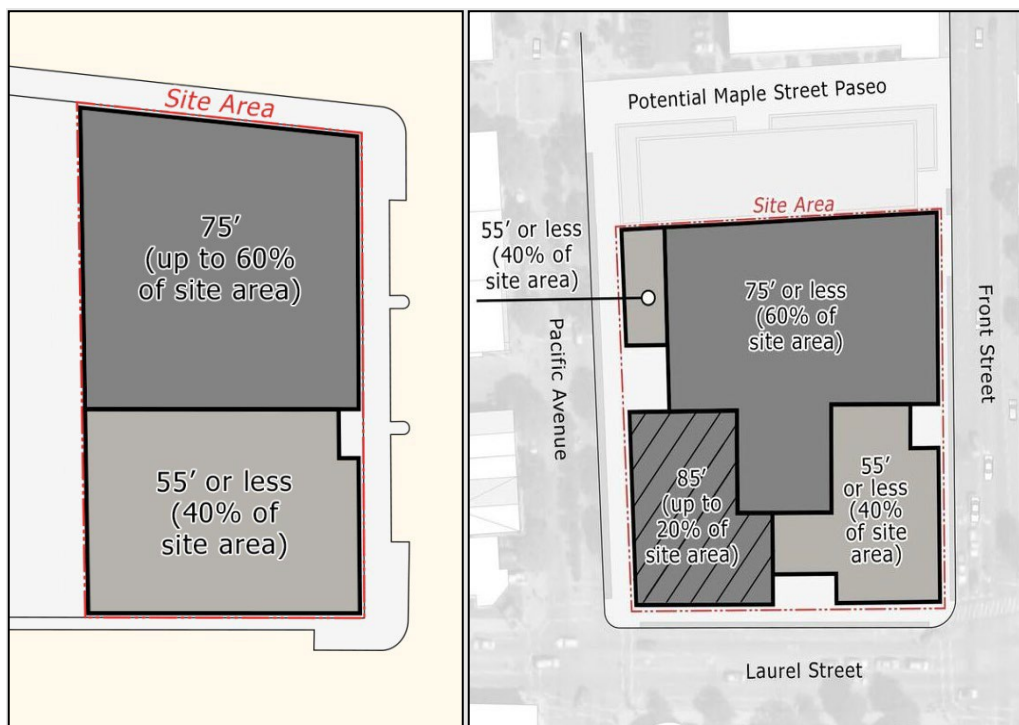


Figure H-1: Distribution percentage of additional height for sites 15,000–50,000 sq. ft. *Distribution percentage of additional height for sites larger than 50,000 sq. ft.*

- v. Laurel, Cathcart and Soquel Building Lengths. Along Laurel Street, Cathcart Street and Soquel Avenue, portions of buildings that exceed the maximum base height of 55 feet may occupy up to 60% of the length of the property line or 150 feet, whichever is less. Any additional height above the base height must be set back from the building wall by at least 15 feet. (See Figure H-2)
- vi. Maple Street Stepbacks. Along the Maple Street extension, the building frontage shall step back by 10 feet above a height of 50 feet; In addition to the 'build to' line The Maple Street building face shall incorporate at least one recessed break,

open to the sky, no less than 25 feet wide and no less than 10 feet in depth from Maple Street . (See Figure H-3)

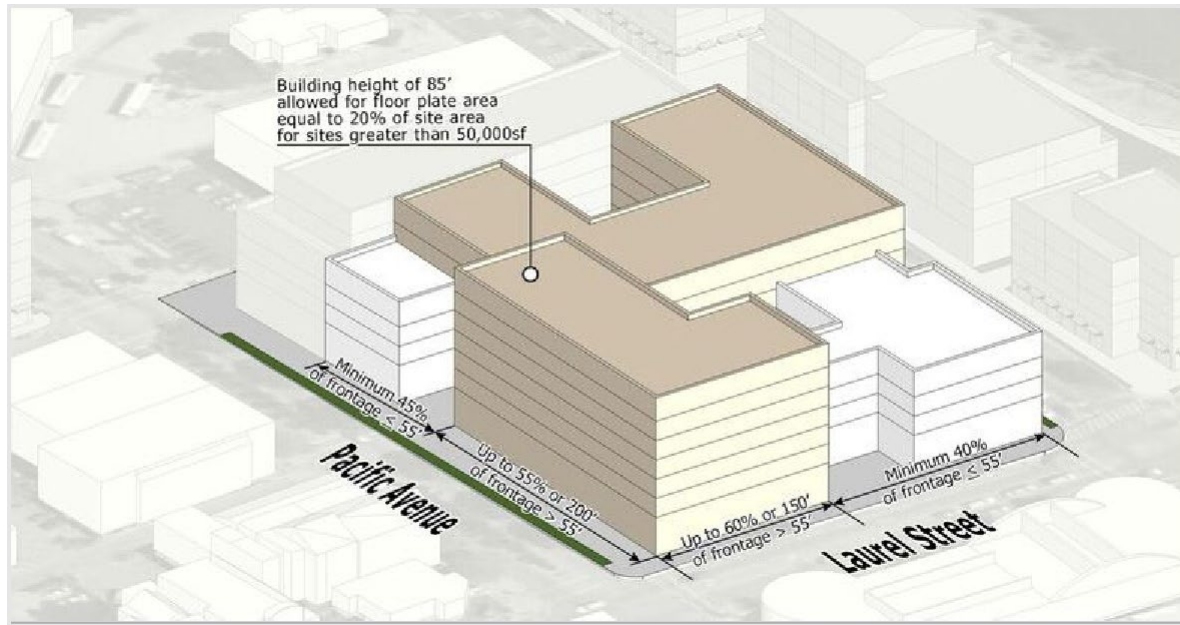


Figure H-2: Example of possible distribution of frontage heights along Pacific Avenue and Laurel Street.

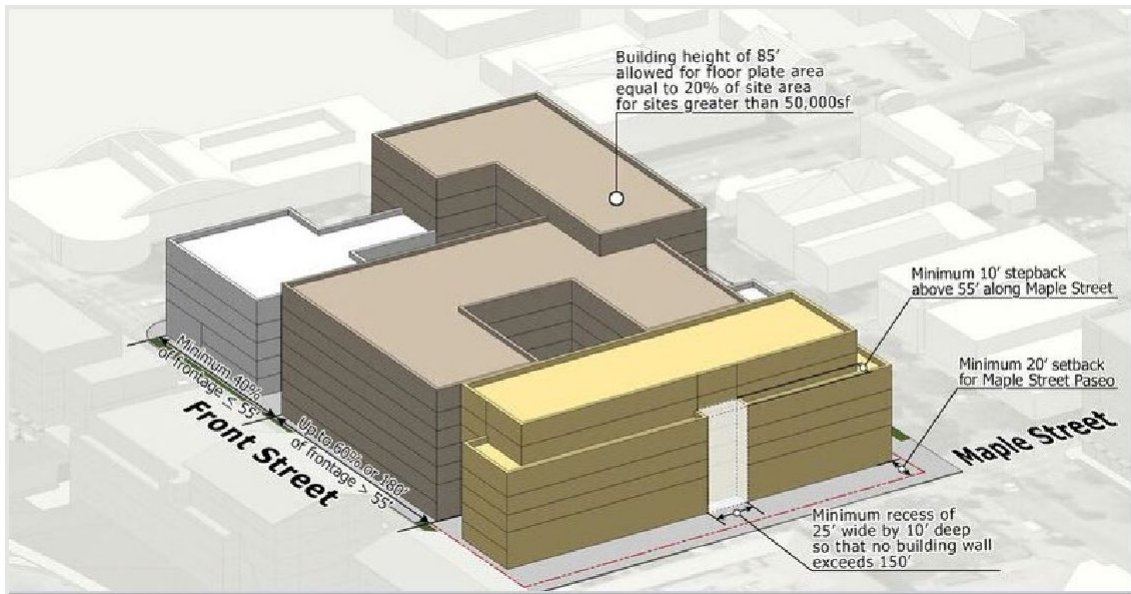


Figure H-3: Example of possible distribution of frontage heights along Front Street and the Maple Street Paseo.

- vii. Building Recessed Breaks. Any building mass that exceeds the maximum base height of 55 feet must establish a separation or break that is open to the sky, measuring at least 25 feet along the streetfront property line, with a depth no less than 15 feet as measured perpendicular from the streetfront property line. For buildings along Maple Street, the recessed break shall be a minimum of 10 feet in depth. (See Figures H-3 and H-4)
- (1) The recessed breaks must provide a clear visual break between building volumes, but at the same time contribute to a positive streetscape environment.
 - (2) The recessed spaces shall be open to the sky above the ground level. A lightweight sheltering structure, distinct from the architecture of the principal building (e.g., steel and glass trellis, awning, canopy, or single-level storefront) may be incorporated within the recessed space to provide activity along the street and protection to the ground level activity. This structure may encroach into the public right-of-way by at least 1 foot and no more than 2 feet and shall extend horizontally on either side of the recessed space by two feet to interlock with the principal building. The structure may include sliding doors or gates that can be secured at night, provided that they are accessible and visible during daytime business hours. (See Figure H-5)
 - (3) These recessed spaces along the streetfront shall be considered as an opportunity for creative solutions that enhance the streetscape environment. They must be designed and programmed to be purposeful and meaningful places that support positive activity and preclude anti-social behavior. They could include building entries, cafes or retail extension areas. Courtyards and paseos are particularly encouraged as a way of separating building volumes and in creating unique public spaces that connect to Pacific Avenue. The recessed spaces may be gated. (See Figure H-5)

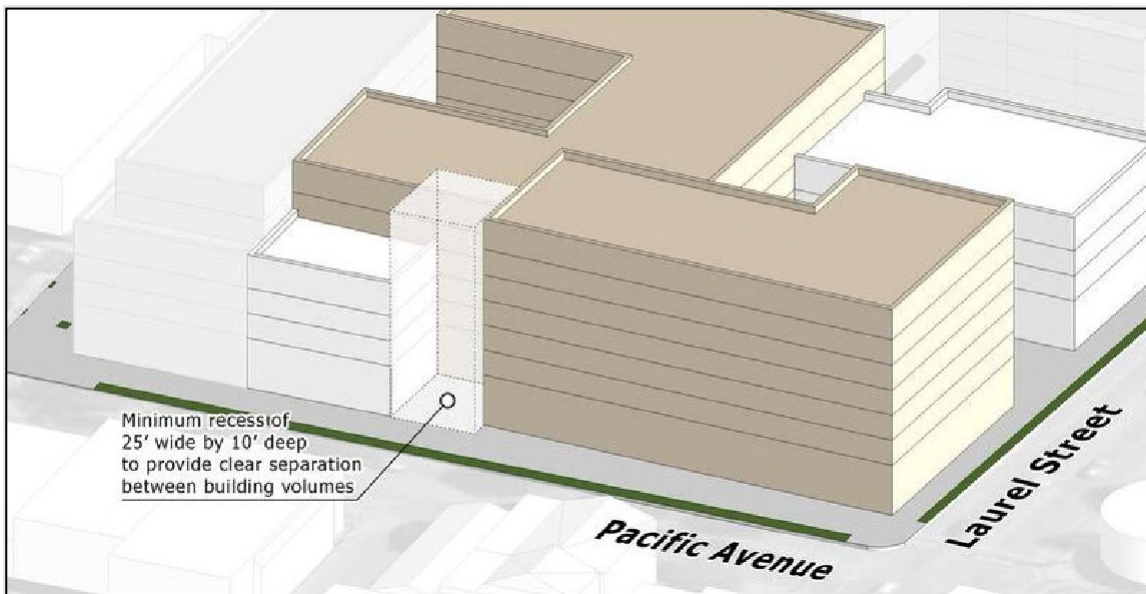


Figure H-4: Example of horizontal massing variation and recessed break in building.

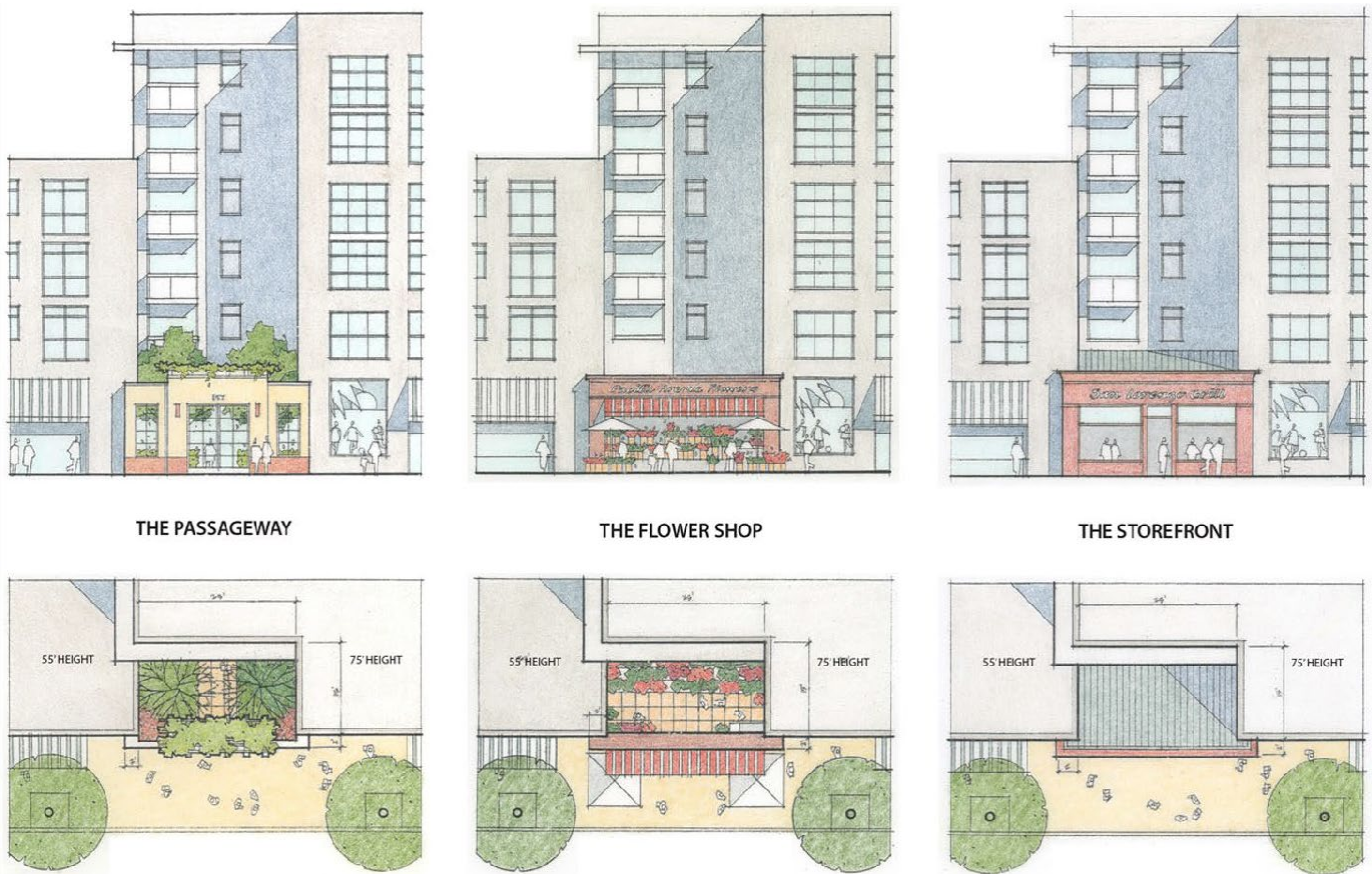


Figure H-5: Recessed spaces along the streetfront must provide a clear visual break between building volumes, while creating a positive streetscape environment. Three examples of potential treatments.

- ix. Two-Story Variation. To establish the appearance of a distinct grouping of buildings, a minimum two-story variation shall be provided between building masses along each of the street fronts. (See Figure H-6)

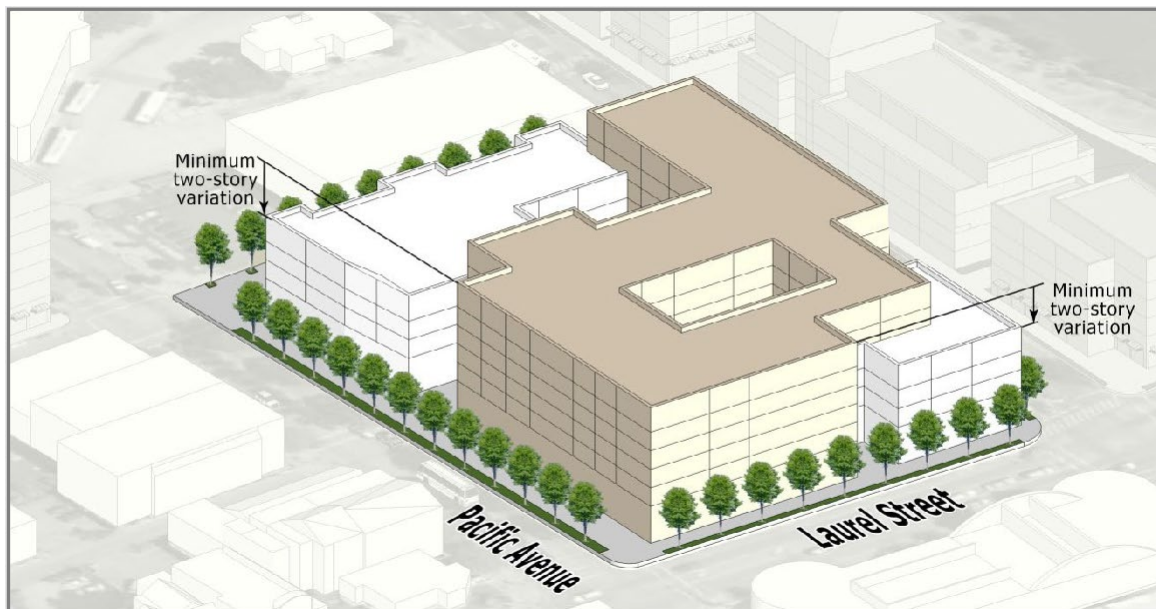


Figure H-6: Example of vertical massing variation.

- e. Application Requirements. The following materials shall be submitted with all applications for proposed buildings taller than 55 feet.
 - i. Visual Analysis. A detailed visual analysis of the proposed buildings to determine the visual impact of the development shall be submitted. The visual impact analysis must consider the views from key locations within the City and the views from Pacific Avenue and from the east-west streets.
 - ii. Program Statement. A Program Statement shall be submitted indicating details of public amenities to be included in the project. The Program Statement shall specify the participation either through funding and/or land contribution, construction, and/or maintenance of the Maple Street paseo or lane. The Program Statement shall include the private funding mechanism for on-going management and maintenance of the exterior common areas, including public and private spaces along the Maple Street paseo or lane between Pacific Avenue and Front Street. The Program Statement shall specify the method of participation in the City's affordable housing program, if applicable. The Program Statement items will be the basis of conditions of project approval.

2. Additional Height Zone B.

The Additional Height Zone B includes properties located on the east side of Front Street between Soquel Avenue and Laurel Street.

- a. Eligible Development Projects. The granting of building height above the 50-foot Base Height limit is discretionary and requires a Design Permit with the recommendation of the Planning Commission to the City Council, which must approve the additional height. To achieve approval, the applicant must demonstrate that the proposed project meets the criteria described below. Applicants for development within the Additional Height Zone B may request additional height as indicated below if one of the following conditions is met:
 - i. The aggregate parcel size is greater than 15,000 square feet;
 - ii. The frontage along Front Street is greater than 100 feet;
 - iii. The parcel is located between adjacent structures of three or more floors in height;or
- b. Additional Height Criteria for Project Approval. The development project shall be found consistent with the following overarching City objectives:
 - i. The additional height will help to achieve the First Principles of the Downtown Plan (e.g. form, scale, housing, accessibility and open space);
 - ii. The additional height will contribute to an improved social and economic environment;
 - iii. The form of the development promotes the appearance of a grouping of buildings rather than large monolithic building masses;
 - iv. The development receiving additional height will physically and/or financially contribute its fair share (through an Improvement District, Development Agreement

- or similar mechanisms) to the implementation of internal pedestrian connections between Front Street and the Riverwalk;
- v. The additional height will help to meaningfully achieve one or more of the following key community objectives, including but not limited to: Economic Development Contributions to the Downtown, Affordable Housing, Day Care Center, exceed Green Building minimums, Incubator Space for Small Business, Public Access Easements, Public Right-of-way Improvements, Publicly Accessible Open Space, Structured or Shared Parking, and Transportation Demand Management concepts.
 - vi. Clear demonstration of the public benefit relating to two principal objectives: high quality public access between Front Street and the river, and the appropriate treatment of the riverfront edge along the Riverwalk.
 - vii. Affordable Housing Public Benefit Fee For Non-Residential Projects. An application for additional height is voluntary. Because an applicant requesting additional height is receiving a benefit in the form of increased height and intensity, and to ensure that non-residential projects which are granted additional height reasonably contribute to the City's need for affordable housing, non-residential projects that are granted additional height shall be required to pay an in-lieu public benefit fee in the amount of \$5.00 per square foot of gross floor area occurring above the 50-foot Base Height limit (i.e., the additional gross floor area occurring within the project on levels that exceed the 50-foot Base Height limit). The fee shall be paid prior to occupancy of the project. All fees provided collected under this section shall be deposited the City of Santa Cruz's affordable housing trust fund.
- c. Zone B Maximum Height and Floors. The buildings shall conform to the adopted building codes in effect at the time of building permit application to achieve the following height limits.
- i. For development projects on aggregated parcels larger than 15,000 square feet, the maximum height shall be 70 feet and the maximum number of floors shall be 5 floors above the required ground floor commercial use.
 - ii. Uninhabitable mechanical penthouses will be permitted to project 20 feet above the approved additional height of building, provided that such penthouses are set back a minimum of 15 feet from any exposed face of the building, unless architecturally integrated into the building façade.
 - iii. Uninhabitable architectural features at prominent gateway corners may exceed the maximum heights above for a total of no more than 15 percent of the building footprint.
- d. Performance Criteria. In addition to meeting the Front Street/Riverfront Corridor Development Standards and Design Guidelines, the project shall meet the following criteria, which are intended to promote the appearance of multiple buildings of varying heights, and to avoid the development of monolithic buildings:
- i. Building Recessed Breaks. In order to break down the mass of buildings along Front Street and to promote the appearance of multiple buildings, require any portion of the building mass that exceeds the maximum base height of 50 feet to establish a separation or break that is open to the sky, measuring at least 15 feet along the

streetfront property line, with a depth no less than 10 feet as measured perpendicular from the streetfront property line. (See Figures H-5 and H-7)

The recessed breaks must provide a clear separation between building volumes, but at the same time contribute to a positive streetscape environment. The recessed space should be open to the sky above the ground level. A light-weight sheltering structure, distinct from the architecture of the principal building (e.g., steel and glass trellis, awning, canopy, or single-level storefront) may be incorporated within the recessed space to provide activity along the street and protection to the ground level activity. This structure may encroach into the setback zone by up to two feet and should extend horizontally on either side of the recessed space by at least 1 foot, but not more than 2 feet to interlock with the principal building. The structure may include sliding doors or gates that can be secured at night, provided that they are accessible and visible during daytime business hours.

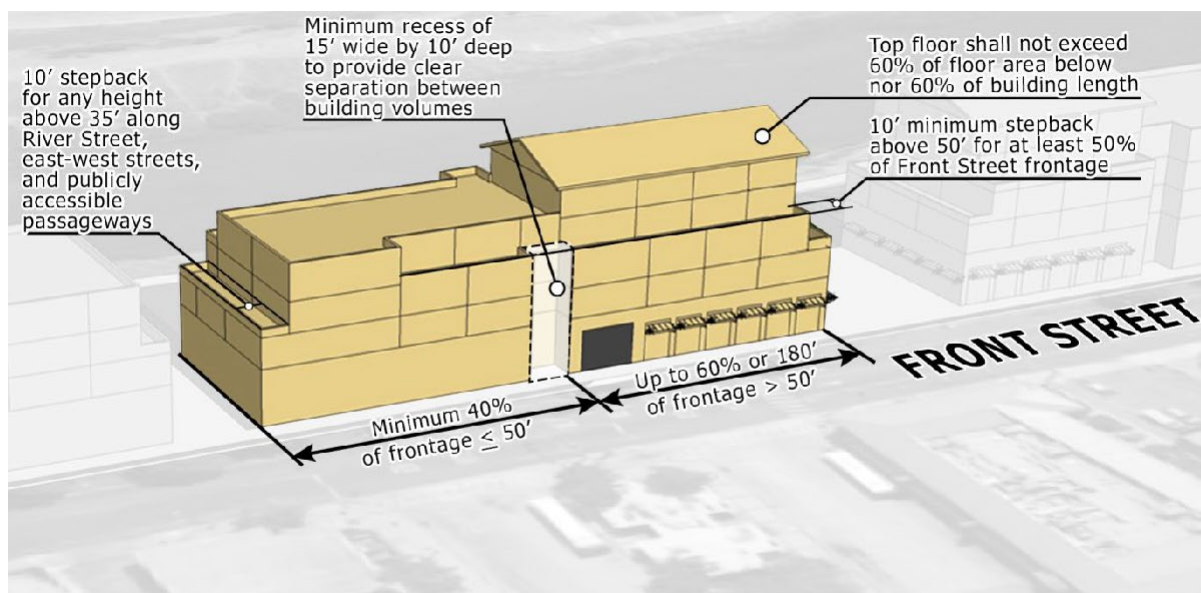


Figure H-7: Example of distribution of frontage heights and horizontal massing variation along Front Street.

- ii. Skyline Architectural Variation. To promote skyline variation, the top floor of any building shall not exceed 60% of the floor area below or 60% of the building length as measured along Front Street or the Riverwalk, unless the project incorporates planned publicly accessible pedestrian passageways between Front Street and the Riverwalk (in the proximity of the extensions of Cathcart Street, Maple Street, and Elm Street). For projects that incorporate other publicly accessible connections, variation to the 60% floor area standard may be permitted with a recommendation from the Planning Commission and final approval by the City Council provided a finding can be made that the project includes adequate variation/breaks in massing, including as provided by the pedestrian passageways between building, paseo, etc.
- iii. Integrated Rooftop Design. Rooftops shall be fully designed and creatively integrated into the function of the building. Rooftops provide opportunities including, but not limited to, usable residential or commercial open spaces, activated

amenity spaces such as rooftop bars and pools, community gardens, rainwater retention facilities, green-roof landscaping, solar panel facilities as shade structures, building mechanical equipment and other uses. These spaces shall be thoughtfully and creatively designed as part of the initial project application.

- e. Application Requirements. The following materials shall be submitted with all applications for proposed buildings taller than 50 feet.
 - i. Visual Analysis. A detailed visual analysis of the proposed building including three-dimensional perspectives to determine the visual impact of the development shall be submitted. The visual impact analysis must consider the views from key locations within the City, the views from Front Street and from the Soquel and Laurel bridges and the levee opposite the project site from a pedestrian level view.
 - ii. Roof Design Plan. A detailed and fully integrated roof design plan that includes details of open space uses and amenity uses, landscaping, solar facilities, drainage, and mechanical equipment.
 - iii. Grading and Landscape Plan. A comprehensive grading and landscape plan for the filled area of the river levee.
 - iv. Passageway Plan. For projects adjacent to the proposed publicly accessible passageways between Front Street and the Riverwalk (in the proximity of the extensions of Cathcart Street, Maple Street and Elm Street), a scaled plan shall be provided with adequate details, section drawings and other drawings that describe how the project will achieve high quality public access to the riverfront from Front Street and how the riverfront edge will be designed to reinforce the amenity value and safety of the Riverwalk. Drawings shall describe the relationship of publicly accessible spaces with adjacent proposed development activities, grading, landscape and paving materials and treatments.
 - iii. Program Statement. A Program Statement shall be submitted indicating details of public amenities to be included in the project. The Program Statement shall specify the private funding mechanism for on-going management and maintenance of the exterior common areas, including public and private spaces between the Riverwalk and the development and any adjacent paseo or passageway from Front Street to the Riverwalk. The Program Statement shall specify the method of participation in the City's affordable housing program, if applicable.

I. ALL CENTRAL BUSINESS DISTRICTS STOREFRONT STANDARDS AND GUIDELINES

The intention of the storefront guidelines is to promote variety and individuality along the street while complementing the scale and design character of the streetscape, reinforce the pedestrian environment, and allow for the landscape character of the downtown to extend into the private realm. The storefront guidelines encourage both setbacks from, and encroachments into, the public right-of-way, where such measures will serve to enrich the visual diversity and life of the street.

1. Storefront Projections and Setbacks. In addition to landscape elements, storefronts are encouraged to introduce architectural variation at the pedestrian level in order to create a diverse building edge between the public and private realms, and the total linear measurement of all facade elements should exceed the length of the property line by 5% or more. More specifically:

- a. Bay Windows. Storefront bay windows may project up to 12 inches into the public right-of-way, if such windows maintain glazing on all projecting faces, and if the windows do not exceed 15 feet in width. A clearance of at least 12 inches between the bottom of the projecting bay and the sidewalk is recommended.
- b. Porticos. Entry porticos may project up to 12 inches into the public right-of-way.
- c. Entry Setbacks. Entries shall be setback no less than 36 inches from the property line, as part of a door yard.
- d. Marquees and Canopies. Permanent marquis structures or canopies that project from the buildings are encouraged, but shall be confined to entry lobbies leading to upper-level residential or office uses, or to public-oriented passages that provide for pedestrian access through the block. They shall be designed as an attractive and integral part of the overall facade design, shall project no more than 6 feet from the face of the building, take up no more than 10 feet of frontage, and maintain a clearance of at least 8 feet above the sidewalk surface. No column supports shall be permitted within the public right-of-way.
- e. Projecting Signs. Projecting signs are encouraged on storefronts consistent with the sign regulations for the Central Business District in the Zoning Code.
- f. Awnings. Awnings overhanging the sidewalk are also encouraged to further enhance the life and variety of the street. The preferred material for awnings is canvas, but other materials will be considered if they are light in character and can be architecturally integrated with the building facade. Awnings shall be maintained at least 8 feet above the sidewalk surface, and shall be carefully designed to complement the overall facade design. Under standard conditions (e.g., not within retail extension zones), storefront awnings shall not project more than 6 feet into the public right-of-way, and generally shall not be higher than 14 feet above the sidewalk. Awnings above 14 feet in height shall not project more than 3 feet into the public right-of-way.

2. Storefront Variation and Craftsmanship. The visual experience of moving along the street shall be enjoyable and varied. Changes in treatment (e.g., the use of porticos, setbacks, architectural elements, landscape treatments, etc.), within the standards and guidelines are outlined above and below. Particular attention shall be given to the craftsmanship and detailing within the pedestrian's range of touch and view. The use of special materials (e.g., stone, brass, bronze, terra cotta, ceramic, wood) for storefront ornamentation is strongly encouraged, particularly around windows and entries and at the base of building walls.

3. Retractable Storefronts. Where appropriate, the use of retractable storefronts is encouraged to create a direct relationship between sidewalk activity and the commercial establishment; this treatment is particularly encouraged for restaurants where outdoor seating is proposed, or for retail establishments that include an extension area within the public right-of-way.

4. Storefront Landscape Elements. The introduction of plant materials on the building face and storefront is strongly encouraged to reinforce and extend the landscape identity of Pacific Avenue and the downtown. More specifically:

- a. Storefront Setbacks. Storefront setbacks of up to 18 inches may be permitted for the introduction of low planters of up to 12 inches in height below storefront windows.
- b. Sidewalk Planting. The sidewalk paving along Pacific Avenue may be designed to allow for planting beds at sidewalk level to encroach into the public right-of-way up to 18 inches. Such planting beds shall include durable curbing (up to 3 inches in height) to provide a clear visual separation.
- c. Planter and Window Boxes. Planter and window boxes may be allowed to project into the public right-of-way up to 18 inches, with a maximum height of 24 inches above the sidewalk level. It is recommended that window boxes maintain a clearance of 12 inches above the sidewalk, not including decorative support braces. Window boxes shall be designed as a compatible and integral extension of the storefront window casing; materials shall be durable and of high quality. Planter and window boxes shall also provide for internal drainage connecting to roof drain lines.
- d. Hanging Flower Pots. Hanging flower pots may project into the public right-of-way up to 12 inches and shall have a minimum 8-foot clearance within the public right-of-way unless hanging directly above planter boxes.
- e. Trellises. Trellis structures supporting climbing vines are encouraged against blank building walls, both at the storefront and upper levels. At the storefront level, trellises shall be allowed to project into the public right-of-way up to 6 inches; above 8 feet in height, overhanging arbor or trellis structures shall be allowed to project up to 18 inches into the right-of-way.
- f. Living Walls. When installed consistent with the requirements of SCMC Section 24.12.185, living walls will be an allowable component of storefront landscaping provided they are a minimum of 4 feet wide and 8 feet tall.

- g. Plant Types. Plant materials within planters, planting beds, flower boxes and flower pots shall provide color and variety throughout the year. The use of non-flowering shrubs or plant materials is discouraged, unless they are part of a planned pattern of landscape to that creates interest on the street.

J. ALL CENTRAL BUSINESS DISTRICTS OTHER DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

1. Design Variation. The Downtown Plan contains development standards, which when implemented, are intended to achieve the First Principles of the Plan and public objectives for the downtown. While every effort has been made to thoughtfully produce clear and concise standards for the community, the Plan can never address or respond to all development scenarios and circumstances. Therefore, projects that closely conform to the development standards, but with slight variations may be considered upon demonstration that the resulting project will better achieve stated Plan and community objectives. Such variations shall be minor in nature and must receive a positive recommendation from the Planning Director, with final approval by the City Council.
2. Storefront Setbacks. Minor ground-level storefront setbacks are permitted within the provisions of the storefront and building façade standards and guidelines discussed below. Recessed storefronts up to six feet in depth and twenty-five feet in length may occur where a designated outdoor use, such as an outdoor café, is an integral part of the retail business.
3. Roof Top Mechanical Equipment. The design of roof top mechanical equipment and related structures is an important aesthetic consideration when viewing the downtown skyline. The arrangement of roof top equipment, elevator penthouses, mechanical penthouses and enclosures, safety rails, inside faces of parapets, roofing surfaces, architectural elements, and other mechanical or electrical equipment, including telecommunications equipment, shall be designed, installed and painted to be visually unobtrusive and to create a unified, coherent whole. These roof top features shall be incorporated into the building design at the Planning approval stage of the project. Additional visual simulations may be required to demonstrate that the project provides for architecturally interesting and varied skyline views, with specific attention given to integrating these rooftop features into the overall building design.
4. Permanent Projections into the Public Right-of-Way. It is not the intent of the Plan to create a hard edge between the public and private realms. Rather, building facades and storefronts that are varied and that promote activity and interest are encouraged.
5. Café and Retail Extension Zones. Pacific Avenue and some of the east-west streets (e.g., Church Street, Walnut Avenue, Cathcart Street, and any pedestrian paseo or lane such as pedestrian-oriented portions of Plaza Lane, Pearl Alley, and Frazier Lewis Lane.) will include opportunities for the extension of retail and restaurant activities into the public right-of-way. These extension areas will be managed by the City and its designated agent through revocable licenses [See Extension Area requirements in section 24.10 of the Zoning Ordinance]. The following guidelines shall govern the physical design of these extension areas:
 - a. Types of Uses. Designated extension areas shall be confined to uses that add activity and color to the urban environment. Permitted uses shall be limited to outdoor cafes, food kiosks or carts, or the selling of goods belonging to an established adjacent commercial use, unless otherwise approved by the Planning Director or their designated agent.
 - b. Outdoor Cafes. The extension area for cafes shall project no more than 12 feet from the property line into the public right-of-way or into any area of private or

city-owned property dedicated for public pedestrian use, and in no case shall a cafe extension area result in a public walkway of less than 8 feet wide. The elevation of the extension area shall be the same as the public sidewalk or surrounding pedestrian area, and shall meet ADA accessibility standards. A canvas awning will be permitted to extend over the full depth of the cafe extension area; no columns or supporting poles will be permitted within the public right-of-way. Awnings shall comply with the design and height guidelines prescribed below. The use of removable umbrellas within the extension areas is also encouraged, provided that seven feet of vertical clearance is provided from the sidewalk or walkway.

- i. Within Public Sidewalks: No permanent structures will be allowed within the public right-of-way, with the exception of ADA-complaint barriers. If a separation between the cafe and a sidewalk is desired, this shall be achieved through low planters that could contain colorful flowers or a low hedge not permanently affixed to the sidewalk; the maximum height of such planters (including the planting) shall be no more than four feet. Planters shall consist of high-quality, durable materials of a weight and mass that will discourage theft, vandalism or easy movement. Removable wind screens that are of a transparent material and that are an integral part of the planter will be permitted to extend the seasonal use of the cafe area. Such screens shall not exceed a height of six feet and shall be separated from the awning to provide for air movement.
 - ii. Within Pedestrian Lanes or Alleyways: No planters or permanent or semi-permanent separation between extension areas and walkways will be allowed in pedestrian lanes, in order to ensure access by maintenance vehicles as necessary. Furnishings and equipment in extension areas occupying pedestrian lanes should be lightweight and moveable to ensure short-notice vehicular access to the area can be provided.
- c. Retailing Uses. Retail extension areas shall not exceed 6 feet in depth, unless it is determined by the Planning Director or their designated agent that such depth is necessary to achieve the desired pedestrian objectives for the street, and in no case shall an extension area result in a public promenade that is less than 12 feet in depth on Pacific Avenue and no less than 8 feet in depth on Front Street, Laurel Street, or any pedestrian lane. Merchandise shall be displayed against the shop front and be oriented toward the adjacent walkway on tables or stands that do not exceed four feet in height. No separation (e.g., planters or low walls) between the merchandise and the street shall be permitted.
- d. Furniture. All furniture (e.g., tables, chairs, retailing stands) shall be durable, well-maintained, and of a high quality, suitable for outdoor use; such furniture shall be light, not heavy or massive in nature, to ensure that it does not visually dominate the surroundings. All furniture shall be approved by City Council or its designated agent.
- e. Design Materials. The design materials and colors used for chairs, tables, display stands, lighting, and other fixtures (including umbrellas and awnings) shall

be generally consistent with both the architectural style and colors used on the building facade and the quality of fixtures along Pacific Avenue.

f. Lighting. Lighting shall be incorporated into the facade of the building and shall complement the style of the building. Lights on buildings shall not be glaring to pedestrians and shall illuminate only the extension area and the activities within. General illumination shall be at 5 foot-candles, with a maximum of 10 foot-candles. Table lamps or candles are encouraged in cafe areas. Wired electrical fixtures will be allowed outside the face of the building, if contained within the semi-permanent barrier allowed for cafe extension areas and if installed by a licensed electrician. A lighting plan must be approved by the City Council or its designated agent.

i. Within pedestrian lanes overhead lighting such as string lights or similar will also be permitted so long as a minimum clearance of 10 feet is maintained to ensure access by maintenance vehicles as necessary.

g. Sidewalk Cleaning. The sidewalk or pedestrian lane area within the Café or Retail Extension Zone shall be cleaned and maintained by the licensee. The area shall be cleaned, at a minimum, daily and shall be steam cleaned as needed and appropriate, to maintain a clean, sanitary and attractive environment.

6. Distinctive Architectural Elements. Towers, cupolas, chimneys, dormers, spires, flag poles and other architectural elements will be allowed on a conditional basis, if they can meet the following criteria:

- a. Key Locations. Such elements occur at significant locations within the downtown (e.g. key corners, street termini, downtown gateways), and provide landmarks that will reinforce the overall sense of place;
- b. Architectural Integration. Such elements have been architecturally integrated within the building design and contribute positively to the overall harmony, composition and articulation of the facade and building mass;
- c. Solar Access. Such elements do not significantly affect solar access objectives for the west-facing sidewalk of Pacific Avenue or the south-facing sidewalks of east-west streets; and
- d. No Habitable Space. Such elements do not add habitable space above the prescribed height limits set forth above.

7. Accessibility. The Plan recognizes that accessibility permeates all elements of urban design, and requires that access be aesthetically integrated within all public and private development in the downtown. The *Americans with Disability Act*, passed by Congress in 1990, confirms that accessibility is a civil right and not a luxury or option. The Plan endorses this position, and requires that new development strive to achieve an "optimum state" of accessibility, beginning with compliance with both the State of California's *Title 24 Accessibility Requirements* and the *Uniform Federal Accessibility Standards (UFAS)*. This requirement shall govern all subdistricts within the downtown.

8. Pedestrian Passages. While sideyard spaces are discouraged in favor of contiguous building facades, public-oriented passages that provide pedestrian access through a development parcel to parking facilities, interior courtyards, and/or other developments are encouraged. These passages shall comply with Californian Building Code, et seq., dimensional requirements, and include provision of natural (as well as electrical) light and active uses along their length. To the maximum extent practicable, adjacent development shall establish a relationship to these passages with entries and storefronts, to promote a secure and interesting environment.

9. Interior Courtyards. Santa Cruz has a tradition of interior courtyards and gardens that provide attractive places to sit and relax, and a spatial counterpoint to the street experience. If provided, courtyards or interior gardens shall be designed to include: direct publicly-oriented linkages to Pacific Avenue and/or to other public streets or lanes; activities that do not reduce the principal objective of activating Pacific Avenue; and generous solar access throughout the year.

10. Intersection Treatment. High activity-generating uses are especially encouraged at the Pacific Avenue intersections. Minor corner setbacks in conjunction with storefront entries are also encouraged at these locations.

11. Corner Treatment. Corner parcels are encouraged to incorporate special features such as rounded or cut corners, articulated corner entrances, display windows, corner roof features, etc.

12. "T" Intersections. New development that occurs at the "T" intersections along Pacific Avenue (Cooper-Church-Locust; Soquel-Walnut-Lincoln; Elm-Maple-Pacific) are encouraged to accentuate the unique spatial characteristics of this condition, through corner treatments as described above, and through special facade treatments at the visual terminus of the east-west streets (e.g., towers, distinctive change in fenestration, roof profile, building material, etc.). Buildings located at the "T" intersections are required to prepare a visual impact analysis to determine the visual impact from the east-west street.

13. Ground Level Treatment. Along rear parking lots and service lanes, rear alleys are envisioned as attractive pedestrian places as well as service spaces. Where the back of development is adjacent to a public alley or surface parking lot, the ground level shall be designed to include architectural interest and detail on the rear façade. At a minimum, a usable and operable rear entrance shall be provided and, to the maximum extent practicable, views into the retailing activity shall be provided from the rear of the building.

14. Off-site Parking and Parking Structures. Required residential and commercial parking may be provided off-site, provided that such parking is located within the parking District No. 1. Publicly available parking structures shall conform to height limits of this Plan, but are not required to adhere to a maximum floor-area-ratio limit.

15. Service Access. Parcels adjacent to rear alleys must maintain service access from the rear and provide attractive rear entrances. Trash storage areas shall be internal to the building or completely enclosed and screened from view, as required by City ordinance. Trash or loading areas shall not, to the maximum extent practicable, be located adjacent to Pacific Avenue, North

Pacific Avenue, Front Street or Water Street. Required grease trap interceptors shall be maintained within the property. On a conditional basis, the City will consider their location within public alleys or within the street right-of-way, if there is no feasible alternative within the property.

16. Activated Roof Top Amenities. Because the Plan contemplates that rooftops provide opportunities for usable residential or commercial spaces, community gardens, other common or community amenities including rooftop bars and pools, shade structures, and associated access facilities, rooftop improvements will be permitted to:

- Extend no more than 15 feet above the otherwise maximum allowable height limit;
- Shall be setback at least 15 feet from the edge of the roof, provided that they are found to better achieve stated Plan and community objectives;
- Are architecturally integrated into the building design; and
- Structures above the height limit are limited to not more than 50% of the gross rooftop area.

Such variations shall be minor in nature and must receive a recommendation from the Planning Commission, with final approval by the City Council. These exceptions are in addition to additional height allowances found in Section 24.12.150 of the Zoning Ordinance.

17. Development Review. Coordinate interdepartmental City review of new development projects to evaluate ways in which public safety and community access to public spaces can be supported, for example, through physical design, security, exterior lighting, programming, and maintenance requirements. This review will consider, in particular, the exterior of the building and how it interacts with the surrounding public rights of way, and may condition a project to provide accommodation for features that support and enhance those interactions.

18. Resiliency Requirements. Due to the potential for floodwater intrusion in the Downtown, all new development will be required to comply with the standards for floodplain development as established by the California Building Standards Code and the more restrictive of either the most updated mapping data published by FEMA, or any Letter of Map Revision (LOMR) submitted to FEMA for review, based upon the timing of building permit submittal.

19. Outdoor Lighting. Review lighting along the San Lorenzo River to ensure consistency with the guidelines in place to protect the riparian environment, such as shielding individual lights to direct light downward, maintaining intensity less than 1,260 lumens and ensuring a color temperature no more than 3000 Kelvin.

K. SOUTH OF LAUREL AREA DEVELOPMENT STANDARDS

1. Applicability

In general, the guidelines and standards established in Section B. *Pacific Avenue Retail District - Development Standards*, Section C. *Pacific Avenue Retail District - Building Façade Standards and Guidelines*, Section D. *Pacific Avenue Retail District - Storefront Standards and Design Guidelines* and Section E. *Front Street/Riverfront Corridor - Development Standards and Design Guidelines* will apply in the South of Laurel Area, with the standards for each area extending south to the point where Pacific Avenue and Front Street meet. Beyond that point the remainder of the South of Laurel Area District shall be generally subject to the standards established in Section E. *Front Street/Riverfront Corridor - Development Standards and Design Guidelines*. Exceptions to these general provisions are shown here. Where this section includes guidelines or standards that conflict with the above referenced sections, this section shall supersede for property within the South of Laurel Area.

2. Floodplain Development

All new buildings in the South of Laurel Area shall be constructed in compliance with the standards for floodplain development as established by the California Building Standards Code and the more restrictive of either one of the following, based upon the timing of building permit submittal:

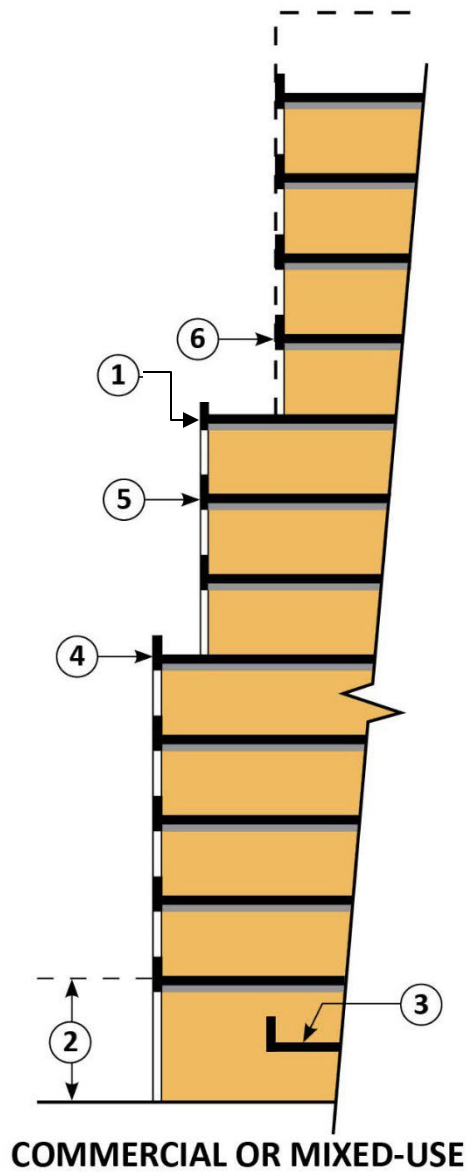
- a. the most updated mapping data published by FEMA, or
- b. any Letter of Map Revision (LOMR) submitted for review that postdates the published map applicable to the development site.

3. Building Height

The following height standards shall apply to all development within the South of Laurel Area. All new development must conform with the Base Height requirements, unless pursuing a City or State Density Bonus and requesting a waiver or concession for building height.

- a. Base Height and Floors. No new development shall exceed the base height of 85 feet, 70 feet, or 50 feet (as indicated in Figures B-1 and B-3) except as the result of compliance with any density bonus program or provision of state or local law.
 - i. Areas shown in Figure B-3 as “Reduced Height Overlay Zones” shall be limited to no more than 70 feet in height in order to provide some transition in height adjacent to Beach Hill.
- b. Floor-to-Floor Height. Parcel frontages located on the west or north side of Pacific Avenue or on Center Street must have a minimum ground floor height of 15 feet. Exclusive of commercial ground floor requirements, parcel frontages along the south side of Laurel Street must have a minimum ground floor height of 11 feet six inches. All other parcel frontages in the South of Laurel Area must have a minimum ground floor height of 18 feet. Any mezzanine incorporated into the first story shall be set back at least 20 feet from the building frontage on the street and shall occupy no more than one half of the area of the floor below.

- i. Floor-to-Floor heights for mechanical, electrical, trash, or utility rooms located on the ground floor can be lower than the above standards.
4. Commercial Ground Floors.
 - a. Ground floors along Pacific Avenue, Laurel Street, and Spruce Street must be dedicated to commercial space with minimum of depth of 20 feet.
 - b. Residential lobbies consistent with the requirements of that land use as defined with the Uses Chart in the Downtown Plan will be the only exceptions to this standard.
 - c. Buildings adjacent to Activity Nodes identified in Appendix 8, Figure 8.4-6, Gateways and Nodes, will be required to dedicate ground floors to commercial space. Commercial spaces will have a minimum length of 50 feet of total frontage and a depth no less than 20 feet.
5. Upper-Level Tapering (*supersedes all stepback requirements from subsection E (1)*). In order to promote a pedestrian scale, to increase light to the street, and to reduce overall building mass and scale of development on sites over one-half acre in size and with a street frontage dimension of 150 feet or more shall be required to taper above 55 feet. See Figure K-1. Tapering shall be consistent with the following:
 - a. The stories containing interior finished floor above 55 feet in height shall be no more than 90% of the interior finished floor area of the highest finished floor below 55 feet.
 - b. The first floorplate above 75 feet in height shall be no more than 75% of the floor area of the highest floor below 55 feet.
 - c. Any floorplate above 85 feet in height added through density bonus application shall be no more than 35% of the floor area of the highest floor below 55 feet in height.
6. View Corridor Setbacks. The block of land identified in Appendix 8 as Redevelopment Block 'D' located south of Spruce Street, north of Beach Hill, and between the Santa Cruz Riverwalk and Front Street, shall be developed in a manner that maintains the public view from the Cliff Street Stairs toward the San Lorenzo River by setting back all stories above 35' from grade level. The required setback will taper from 75 feet at the southern end to 35' at the north end of the parcel, measured from the western edge of the existing Riverwalk path.
7. Visual Simulation Requirement. All new development and redevelopment proposals must prepare a visual rendering from a pedestrian eye-level, showing the proposed development in context of surrounding buildings and streetscape features.



- ① Maximum 85' to top plate
- ② Minimum 18' ground level floor-to-floor dimension
- ③ Maximum mezzanine area = 50% of floor below
- ④ Floors above 55' = 90% of floor below
- ⑤ Floors above 75' = 75% of floor below 55'
- ⑥ Floors added through Downtown Density Bonus = 35% of floor below 55'

Figure K-1: Maximum Building Heights and Floors, south of Laurel Street.

*Number 1 above applies only to sites with 85' height standard as shown in in Figure B-3.

8. Activated Roof Top Amenities. Because the Plan contemplates that rooftops provide opportunities for usable residential or commercial spaces, community gardens, other common or community amenities including rooftop bars and pools, shade structures, and associated access facilities, rooftop improvements will be permitted to:
- Extend no more than 15 feet above the otherwise maximum allowable height limit;
 - Shall be setback at least 15 feet from the edge of the roof, provided that they are found to better achieve stated Plan and community objectives;
 - Are architecturally integrated into the building design; and
 - Structures above the height limit are limited to not more than 50% of the gross rooftop area.

Such variations shall be minor in nature and must receive a recommendation from the Planning Commission, with final approval by the City Council. These exceptions are in addition to allowances found in Section 24.12.150 of the Zoning Ordinance.

9. Upper-Level Facades. (i.e., the levels of building wall above the ground floor). Upper-level facades should provide a counterpoint to the storefronts below and provide a visually interesting and varied edge to the public space of the street. In general, the upper-level façade should consist of carefully composed “punctured openings” within a richly detailed wall. A variety of treatments shall be introduced to create richness in both the horizontal and vertical planes, including:
- windows with sills a minimum of six inches in depth,
 - articulation through variation in facade depth,
 - balconies,
 - bay windows,
 - flower boxes,
 - awnings,
 - cornice and belt courses, and/or
 - massing breaks as described in SCMC 24.12.185.

10. Streetwall. To create a visually interesting “streetwall” with a rhythm and cadence that is reflective of the pattern of development along Pacific Avenue, building facades shall introduce variation at general intervals of 25 to 50 feet horizontal distance with the use of:
- fenestration;
 - architectural elements
 - building materials, and/or
 - building planes.

Large, uninterrupted expanses of horizontal or vertical wall surface shall be avoided. Regardless of property lines, the appearance shall be of a street with varying architectural

treatments at intervals of no more than 50 to 75 feet. The multiple rhythms shall be created through the careful design of building elements and three-dimensional articulation of building elements sufficient to mitigate the presence of long, blank walls along Pacific Avenue, Front Street, Cedar Street, the Spruce Street Plaza, the east-west streets, and the alleys. Elements that make up the rhythmic variation may include, but are not limited to:

- recessed windows as described in SCMC 24.12.185,
- projecting windows,
- bay windows,
- structural elements,
- surface textures, patterns and colors,
- trim elements,
- balconies,
- belt-cornices,
- cornices,
- massing breaks as described in SCMC 24.12.185,
- awnings and shutters; and/or
- landscape elements including Living Walls a minimum of 4 feet wide and 8 feet in height and as defined in SCMC Section 24.12.185.

11. Public and Private Parking Facilities. The South of Laurel Area is outside of Downtown Parking District #1 and parcels in this area are not eligible for inclusion in that District and access to the allowances and requirements of that District unless annexed. On-site parking will not be permitted unless it meets the conditions otherwise required by Section B part 3 or by Section E part 9, respectively, based on location as defined above.

- a. Any parking provided for residential units shall be provided in an unbundled fashion, separating the cost of parking from the cost to purchase or rent housing. In no case will a residential tenant or owner be required to purchase any amount of parking space in order to own or rent a housing unit.
- b. Any parking facilities associated with a sports arena will be permitted to exceed the limits on the number of driveways but shall still seek to minimize curb cuts on Front Street, while accommodating the loading and parking needs of the use. A sports arena shall have no curb cuts on Pacific Avenue.
- c. Standards for bicycle storage and parking shall be as required in SCMC Chapter 24.12.
 - i. In the South of Laurel Area, new residential development may provide up to 30% of required Class 1 bike storage spaces within residential units. The remainder of required bike facilities will be provided consistent with the requirements of the Municipal Code.

12. Transportation Demand Management.

New development projects will meet the requirements of SCMC Chapter 10.46, Citywide Trip Reduction Program, and in the South of Laurel Area will also be required to provide the following:

- a. When more than 50 residential units are proposed, shared electric bicycles shall be provided for resident use at the following ratios. In no case shall less than one electric bicycle be provided when any fraction is required, and building management shall be responsible for ongoing maintenance, replacement, etc.
 - i. Up to 50 units – 1 bicycle
 - ii. 51 to 80 units – 2 bicycles
 - iii. 81-110 units – 3 bicycles
 - iv. 111 and greater – 4 bicycles

13. Events Arena.

The SOLA District allows for the construction of a new sporting and events arena, which may be located either on the south side of the block of Spruce Street between Pacific Avenue and Front Street, or on the south side of the block of Spruce Street between Front Street and the Santa Cruz Riverwalk. In either location, the following development standards and guidelines shall apply to that development.

- a. The arena should seek to incorporate durable, high-quality materials (e.g., brick, stone, steel, glass, triple-layer stucco etc.) and serve as a distinctive architectural landmark to the greater downtown area.
- b. The arena building façade should include windows and other pedestrian-friendly materials to create an inviting streetscape.
- c. Building massing along Front Street shall incorporate pedestrian-friendly design features such as windows, articulated facades (i.e., setbacks), door entrances, planter boxes, etc. Long continuous walls without articulation should be avoided.
- d. Incorporate ground-floor active commercial uses (e.g., restaurants, box-office) fronting portions of the Spruce Street Plaza to the greatest extent possible. Semi-private use of the portion of the Spruce Street Plaza fronting the arena for outdoor dining, pre- and post-event gatherings, etc. is permitted and encouraged.
- e. Active commercial ground-floor uses are encouraged on Front Street (if arena is on Block D) and required on Pacific Avenue (if arena is on Block C) to create an engaging, lively, and pedestrian-friendly civic space.
- f. If the arena is constructed on Block D, portions of the eastern boundary shall include active uses that complement and integrate with the Santa Cruz Riverwalk. This shall include levee-oriented commercial space, (e.g., restaurants).
- g. The arena could incorporate other community-serving amenities such as an above-grade terrace affording views of the San Lorenzo River and cityscape, or other community serving amenities. Any such uses that are directly adjacent to the arena building may be closed to the public as needed.

- h. The use of large-format digital screens and/or image projection on the arena building façade to promote sporting and other entertainment events is encouraged, while considering its location, intensity, time of illumination, and positioning, consistent with environmental conditions.
- i. “Back-of-house” service access shall be either via the new Laurel Street Extension to the south (if the arena is on Block D) or from Front Street or a new service alley accessed from Front Street (if the arena is on Block C).

14. Downtown Density Bonus

All parcels within the South of Laurel Area are eligible to pursue development incentives for additional height and/or Floor Area Ratio for buildings meeting certain criteria. The purpose of the Downtown Density Bonus (DDB) is to support a compact urban core while achieving a higher-than-average rate of below-market-rate housing units, promoting high-quality design, and generally encouraging building heights of twelve stories or less. Applications for a Downtown Density Bonus will be processed as part of the Design Permit when requested by qualifying development project.

- a. Bonus Development Density. Development proposals meeting any one of the qualifying criteria are eligible to select either one of the options for bonus density as follows:
 - i. Option A: Bonus Floor Area Ratio (FAR). Up to 75% additional FAR on top of the base FAR, and up to an additional 75% in height not to exceed 85 feet. Projects may choose to use some or all of any bonus for which they qualify.
 - ii. Option B: Unlimited Floor Area Ratio (FAR). For development proposals that limit height to the height limits of the Downtown Plan (50, 70, 85 feet), excluding the exceptions to height limits consistent with the Downtown Plan in Chapter 4, Subsections J.1, J.3, J.6, J.16, or K.8 or SCMC Section 24.12.150 - Height Limit Modifications, elimination of the maximum FAR standard.
- b. Qualifying Development. Applicants for development within the South of Laurel Area of the Downtown Plan qualify for bonus density under this section when all the following conditions are met:
 - i. The proposal is for a mixed-use or fully residential, rental housing development. The Downtown Density Bonus is not available to for-sale residential development proposals.
 - ii. The floor area of the proposed development consists of 2/3 or more residential dwellings, while ensuring that the ground floor frontage is reserved for commercial and active, public-facing uses consistent with Sections A and K of Chapter 4 of the Downtown Plan.
 - iii. The proposed development meets the required development standards as delineated below in parts h and i and complies with the requirements for Architectural Review as described in part j.
 - iv. The development proposal meets one of the following criteria, with any fractional

obligation being rounded up to the next whole number:

- (1) *On-site option:* If below-market-rate units are provided on the same site as the market rate units projects must meet the following minimum standards:
 - (a) Provide 13.4% of the total dwelling units, inclusive of any and all density bonus units, to Low-Income households at a Low-Income affordable rent, consistent with part k below. Deeper levels of affordability will also qualify; and
 - (b) Provide 8% of the total dwelling units, inclusive of any and all density bonus units, to Moderate-Income households at a Moderate-Income affordable rent, consistent with part k below. Deeper levels of affordability will also qualify
- (2) *Off-site Option:* If below market rate units are provided off-site from the market rate units and consistent with criteria in parts d, e, and f, as applicable, projects must meet the following minimum standards:
 - (a) Provide a number of bedrooms equating to at least 26.7% of the total bedrooms, inclusive of bedrooms in any and all density bonus units, on the DDB site as part of a development project at a low-income affordable rent, as defined in SCMC 24.16.015 consistent with part 10 below. Deeper levels of affordability will also qualify; and
 - (b) Provide a total square footage of dwelling unit area in the off-site project that is not less than 75% of the total dwelling unit area of the DDB project multiplied by 26.7%. Common areas such as corridors, stairwells, community rooms, etc. are not counted toward this amount, only square footage within dwelling units. For instance, if a DDB project contains 100,000 square feet of dwelling unit area the required off-site project square footage of dwelling unit area would be a minimum of 20,025 square feet ($100,000 \times 26.7\% = 26,700$ and $26,700 \times 75\% = 20,025$).
 - (c) These bedrooms and dwelling unit area may be arranged into any size or number of dwelling units.
- (3) *Fee Option:* If a fee is provided in lieu of construction of the required below market rate units on or off site, said fee will be calculated at a rate of \$60 per square foot of in-dwelling-unit leasable area to be paid to the City of Santa Cruz Affordable Housing Trust Fund. The fee will be expended consistent with part gh below. The amount of the required fee will be adjusted annually beginning on January 1, 2026, consistent with the Consumer Price Index.
- (4) *Land Dedication Option:* If land is dedicated to the City consistent with parts d and g, parcels must meet the following minimum standards:
 - (a) Parcels shall be entitled for development of below-market rate housing alone or in combination with ground-floor commercial uses, prior to issuance of a building permit for the market rate project, except that the Planning and Community Development Director shall have the discretion to issue the building permit for the market rate project if it is determined that diligent progress is being made on the entitlements, which at a

minimum includes submittal of a substantially complete application and plan set.

- (b) Entitled projects on land to be dedicated will provide a total square footage of dwelling unit area that is not less than 75% of the total dwelling unit area of the DDB project multiplied by 40%. Common areas such as corridors, stairwells, community rooms, etc. are not counted toward this amount, only square footage within proposed dwelling units. For instance, if a DDB project contains 100,000 square feet of dwelling unit area the required entitled project on the parcels to be dedicated will include dwelling unit area that is a minimum of 30,000 square feet ($100,000 \times 75\% = 75,000$ and $75,000 \times 40\% = 30,000$).

- (c) The square footage may be arranged into any size or number of dwelling units.

- (5) *Combination Option*: A combination of qualification options may be approved by the City Council based upon the favorable recommendations of the Directors of Planning & Community Development and Economic Development & Housing, if Council finds that the combination of approaches provides an equivalent or greater affordable housing benefit to the community.

c. Additional Criteria for Project Approval.

- i. In pursuing a DDB, the developer will permanently forgo any State Density Bonus or other City Density Bonus for which the development might otherwise be eligible. No other state or local development incentives may be combined with use of the Downtown Density Bonus.
- ii. Any properties pursuing a DDB that trigger requirements under state or local law for replacement housing will be responsible for providing such housing consistent with those regulations. Required replacement units may be counted towards meeting the City's inclusionary requirement and/or qualifying for a DDB provided that the level of subsidy and duration of affordability meet the criteria of this policy. The number of bedrooms in the affordable replacement units will be deducted from the number of bedrooms needed in the off-site affordable units.
 - (1) For sites using the off-site option: Any existing units on the site identified for the off-site below-market rate units that are subject to replacement requirements for lower-income residents by state law must be provided in addition to the total required number of bedrooms and square footage in lower-income affordable units needed to qualify for the DDB; an individual unit or bedroom cannot be counted toward both obligations.
- iii. Prior to Building Permit issuance, developers using the DDB must complete an affordable housing agreement with the City that enumerates the following items:
 - (1) the specific number, location, and depth of affordability of all below market rate units to be constructed or any in-lieu fees to be paid;
 - (2) the on-site affordable housing or in-lieu fee requirements that will apply

should an off-site option be selected but not achieved within specified timelines; and

- (3) that all below market rate housing units created as a result of a DDB project shall be perpetually restricted, unless subordinate to secured state or federal affordable housing restrictions, to the income level required under part b.
- d. Selection of Sites for Off-Site Below-Market Rate Units or Land Dedication.
 - i. Any off-site below-market rate units must be built on, or on land dedicated to the City in order to qualify for a DDB, must consist of, a parcel or parcels within the City of Santa Cruz that are either:
 - (1) within a half-mile radius of the South of Laurel Area of the Downtown Plan; or
 - (2) within the Downtown Plan area; or
 - (3) within the Coastal Zone.
 - ii. More than one DDB site may contribute bedrooms in off-site units as part of a larger project, provided that the total number of bedrooms required in below-market rate units is not reduced.
 - iii. More than one DDB site may contribute land to a single land dedication action as part of a larger project, provided that the total amount of land required for dedication is not reduced.
 - iv. The site or sites must be large enough to accommodate the required square footage and/or number of bedrooms, as a part of housing units, in addition to any required replacement units that redevelopment of the receiving site would trigger.
 - v. Multiple sites, contiguous or otherwise, may be utilized to meet the off-site obligation for below-market rate units, or the land dedication option, and all sites must comply with these locational criteria.
 - vi. If it is indicated by an applicant or determined by staff that state or federal funding for financing will be needed then the site or sites must be located in areas deemed by the Economic Development Director to be highly competitive for State and Federal housing grant funding opportunities, in order to encourage timely completion of the—affordable housing development(s).
 - e. Additional Criteria for construction for off-site below-market housing together with market rate housing development
 - i. If an applicant proposes to incorporate the off-site below-market rate units into a project that is anything other than a 100% below-market-rate development, excepting manager units, the bedrooms and units that are being used to qualify for the DDB must be in excess of any inclusionary or replacement below-market rate units otherwise required for the market rate project on the receiving site, and cannot be counted toward qualifying for any State Density Bonus. The amount of below-market rate housing on the site will not be less than the total of all of the following:

- (1) the number of bedrooms and square footage required under part b;
 - (2) the number of units required as replacement units under state law, if any; and
 - (3) the number of units required for compliance with the City's inclusionary housing ordinance on the site, consistent with applicable state laws.
- ii. For this option, the developer of the site seeking the DDB will either identify and acquire a site suitable for development or will identify a development partner already engaged in development of a suitable site where additional affordable units will be added pursuant to other provisions in this section, and ensure entitlement and completion of construction of a project that will meet or exceed the requirements of part b.
 - iii. To approve this option, the affordable housing agreement for the DDB site will stipulate the following:
 - (1) A substantially complete development entitlement application for the receiving site or a substantially complete building permit application in the case of a ministerial project, as determined by the City, shall be submitted for City review prior to issuing Building Permits for DDB site.
 - (2) Prior to issuing a Certificate of Occupancy to the site utilizing the DDB, the developer of the DDB site or a development partner shall commence construction on the housing units proposed to meet the qualification criteria for the DDB.
 - (3) Compensation or securities must be provided by the developer of the DDB site for any bedrooms for lower-income households not available for occupancy as part of the off-site project at the time of issuance of the Certificate of Occupancy to the DDB site. Such compensation or securities shall be provided in one of the following ways:
 - (a) The required number of off-site bedrooms can be provided at the DDB site to lower-income households at an affordable rent as defined in part k; or
 - (b) A bond in an amount equivalent to the in-lieu fee that would have qualified the project for a DDB shall be required to be submitted to the City. The bond will be returned to the developer if the affordable units have been constructed and occupied within two years of the date that the DDB project is occupied.
 - (c) If the Directors of Planning and Community Development and Economic Development and Housing determine that the off-site project has not made sufficient progress to meet the timing expectations of this section, the City reserves the right to require full payment of in-lieu fees immediately and inclusive of a 10% penalty. The determination of the directors is appealable to the City Council, with the applicant responsible for covering City costs associated with bringing such an appeal to hearing.
 - (4) Variation from timing standards may be sought for good cause by the developer of either the DDB site or the off-site project and shall require the approval of the City Council with an affirmative recommendation from the Directors of both Planning and Community Development and Economic

Development and Housing.

- f. Additional Criteria for construction of off-site below-market rate units as part of a 100% below-market rate project
 - i. If an applicant proposes to incorporate the off-site below-market rate units into a project that is a 100% below-market-rate development, excepting manager units, the bedrooms and units that are being used to qualify for the DDB must be in excess of any inclusionary or replacement below-market rate units otherwise required on the receiving site, but may contribute toward qualifying for a State Density Bonus.
 - ii. The developer of the site seeking the DDB will provide a suitable site for development of below-market-rate housing as approved by the Directors of Planning and Community Development and Economic Development and Housing. The Directors shall approve the site based on the relevant provisions of this section, including with the intent of this Policy for the off-site option to increase the number of 100% affordable projects beyond the number that would occur absent the DDB. The developer will then either proceed with entitlement and development of the site, or will engage with a City-approved affordable housing partner as part of a City-approved transaction to pursue entitlement for and complete construction of a development project of sufficient size to meet or exceed the requirement for bedrooms and square footage in below-market rate units established by part b above.
 - iii. To approve this option, the affordable housing agreement for the DDB site will stipulate the following:
 - (1) A complete development application for the receiving site or a complete building permit application in the case of a ministerial project, shall be accepted for City review prior to issuing Building Permits for DDB site.
 - (2) Prior to issuing a Certificate of Occupancy to the site utilizing the DDB, the developer of the DDB site or a development partner shall commence construction on the housing units proposed to meet the qualification criteria for the DDB.
 - (3) Compensation or securities must be provided by the developer of the DDB site for any bedrooms for lower-income households not available for occupancy as part of the off-site project at the time of issuance of the Certificate of Occupancy to the DDB site. Such compensation or securities shall be provided in one of the following ways:
 - (a) The required number of off-site bedrooms can be provided at the DDB site to lower-income households at an affordable rent as defined in part k, or
 - (b) A Bond in an amount equivalent to the amount of the in-lieu fee that would have qualified the project for a DDB shall be required to be submitted to the City. The bond will be returned to the developer if the affordable units have been constructed and occupied within two years of the date that the DDB project is occupied.

- (c) If the Directors of Planning and Community Development and Economic Development and Housing determine that the off-site project has not made sufficient progress to meet the timing expectations of this section, the City reserves the right to require full payment of in-lieu fees immediately and inclusive of a 10% penalty. The determination of the directors is appealable to the City Council, with the applicant responsible for covering City costs associated with bringing such an appeal to hearing.
 - (4) Variation from timing standards may be sought for good cause by the developer of either the DDB site or the off-site project and shall require the approval of the City Council with an affirmative recommendation from the Directors of both Planning and Community Development and Economic Development and Housing.
 - (5) Following completion of construction, the developer will transfer ownership of the property to the City of Santa Cruz unless alternative agreements are negotiated with the Economic Development and Housing Department. Subject to City approval, the developer may lease and operate the below market rate housing development or may transfer the lease for the housing units to a City-approved affordable housing partner.
 - (a) As part of the affordable housing agreement, the developer of the DDB site will identify the preferred option for achieving compliance with this requirement, selecting from the following options:
 - (i) Only the land is transferred to the City, the developer holds the units and operates the below market rate project.
 - (ii) Both the land and the housing units are transferred to the City, and the City selects an affordable housing partner to operate and manage the housing.
 - (b) The developer of the receiving site is a City-approved affordable housing partner, who retains ownership of both the land and the housing units. The land and the affordable units shall be subject to a covenant ensuring perpetual affordability of the units to lower-income households at an affordable rent, as defined in part k, which shall be recorded on the property at the time of the transfer. The covenant shall clarify that the land will be reserved for housing affordable to lower-income households in perpetuity. This covenant shall be recorded in a priority lien position that shall survive a foreclosure event.
- g. Requirements for Land Dedication for off-site below market rate units
 - i. Approval will be based upon conformance with the following minimum requirements and approval by the Directors of Planning and Community Development and Economic Development and Housing:
 - (1) The parcels to be dedicated will provide sufficient land area to provide a minimum of 50% more square footage of housing than the amount that would otherwise be required under the option to provide off-site construction of below-market rate housing.

- (2) The applicant for the DDB will provide the City with financial compensation for the City costs of completing development of the site(s) with an affordable housing project. For purposes of this section, the amount of compensation shall be equal to one year of staff salary and benefits costs for a Development Manager.
- (3) The applicant shall enter into an affordable housing agreement with the City prior to issuance of a building permit for the DDB site. Among other things, the affordable housing agreement will specify requirements for relocation of any tenants prior to the land being dedicated to the City, consistent with applicable laws.
- (4) The land to be dedicated will be fully entitled for development at the time of dedication to the City.
- (5) Dedication of land and required financial contribution to the City for staff costs must be completed prior to issuance of the Certificate of Occupancy for the DDB site.
- (6) As an alternative to dedicating the land to the City, with an affirmative recommendation from the Directors of both Planning and Community Development and Economic Development and Housing, the City Council may approve an alternative dedication that still provides the requisite affordable housing, such as dedication of the land to an affordable housing developer, coupled with an affordable housing deed restriction.
- (7) To facilitate development of the off-site affordable housing project or the provision of other affordable housing in the City, prior to occupancy of the market rate project, the developer of the DDB site shall contribute money to the City's Affordable Housing Trust Fund in the amount of \$9.54 per square foot of off-site affordable housing dwelling unit area that the developer would be required to provide under this land dedication option. The amount of the required contribution will be adjusted annually beginning on January 1, 2026, consistent with the Consumer Price Index.
- (8) Credit for Excess Off-Site Land Capacity. If a developer dedicates land that generates more affordable housing dwelling unit area than is required for the market-rate project, then the developer may claim affordable housing square footage credits towards a future DDB project if all of the following criteria are met:
 - (a) The project and resident amenities in the entitled affordable housing project must be comparable to or exceed those of other recent City-led affordable housing projects.
 - (b) Only the dwelling unit area square footage in excess of that otherwise required may be considered for credit towards a future project.
 - (c) The excess square footage credits may not be sold or transferred. Only the market rate DDB project applicant or their affiliate may use the credits towards a separate, future DDB project. For purposes of this section, an affiliate means any current or future entity that is directly or indirectly owned, operated, or controlled by the developer or by any person or entity that directly or indirectly controls the developer.
 - (d) Credit Expiration.
 - (i) The credit will expire seven years from the date that final occupancy is granted for the residential portion of the initial market rate project, unless a formal application for a new project that will utilize the credit

has been submitted.

(ii) The applicant must diligently pursue permit approvals for and, following any necessary entitlements, diligently pursue construction of the alternative site seeking to utilize the credits. Expiration of credits may result through action of the City Council if diligent pursuit is not maintained.

(iii) The City Council may extend the expiration of credits beyond seven years from the date that final occupancy is granted for the initial project if the Council finds that extenuating circumstances exist, such as market or economic conditions that prevent housing construction.

h. Requirements for in-lieu Fees

i. To approve this option, the affordable housing agreement for the DDB site will stipulate the following:

(1) The total amount of the in-lieu fee will be calculated based on the expected date of building permit issuance.

(2) The fee will be paid to the Affordable Housing Trust Fund in no more than two installments:

(a) At least 50% of the fee will be paid prior to issuance of building permits; and

(b) Any remaining in-lieu fee will be paid prior to issuance of Temporary Certificate of Occupancy or Certificate of Occupancy.

ii. All fees collected from DDB projects will be expended on projects that create or preserve affordable housing for lower-income households

(1) A minimum of 50% of funds resulting from any DDB in-lieu fee will be spent on projects inside the Coastal Zone or within the Downtown Plan area. The administrators of the Affordable Housing Trust Fund shall maintain accounting of the expenditures to ensure compliance with this provision.

(2) In-lieu fees must be applied to preservation or development of at least as many affordable bedrooms as required by the market rate development and must be committed to projects that will preserve affordable housing or that will receive entitlement within five years of building permit issuance for the market rate project. The Council may extend the expenditure timeline at a formal Council meeting if extenuating circumstances exist.

i. Maximum Height with DDB

i. For sites utilizing Option A: Bonus FAR

(1) Special attention shall be paid to the structure to address issues such as massing, building shadows, transition to lower intensity uses, and skyline views from a distance. The upper-level tapering standards in Section K.5 above or similar approaches can be used as guidelines to address these issues. One way to address these issues would be to have no more than 35% of the site area exceed 85' in height. The Architectural Review Committee shall review proposals.

(2) The tallest portion of the structures, measured to the top plate, shall be no

more than 8 stories and 85' tall. Rooftop structures may exceed this height limit in accordance with the allowances established in SCMC Section 24.12.150 and in the Downtown Plan Chapter 4.

- (3) Based upon a request by the developer and a recommendation from the Planning Commission, the City Council may approve greater heights or stories in order to achieve superior building design, such as improved skyline aesthetics, enhanced rooftop access, improved solar access, or other similar features, as demonstrated at a public hearing and approved by a majority of City Council. Structures using this discretionary provision to exceed the 85' height limit, unless otherwise expressly allowed in the Downtown Plan Chapter 4, Subsections J.1, J.3, J.6, J.16, or K.8 or in Santa Cruz Municipal Code Section 24.12.150, shall not allow for an additional story, shall be limited to architectural features that provide for improved skyline aesthetics, and shall comprise no more than 20% of the site area.
 - ii. For sites utilizing Option B: Unlimited FAR
 - (1) Height will be measured consistent with the standards and allowances of Chapter 4 of the Downtown Specific Plan, inclusive of allowances for elements exceeding base height.
 - (2) Based upon a request by the developer and a recommendation from the Planning Commission, the City Council may approve greater heights or stories in order to achieve superior building design, such as improved skyline aesthetics, enhanced rooftop access, improved solar access, or other similar features, as demonstrated at a public hearing and approved by a majority of City Council. Structures using this discretionary provision to exceed the 85' height limit, unless otherwise expressly allowed in the Downtown Plan Chapter 4, Subsections J.1, J.3, J.6, J.16, or K.8 or in Santa Cruz Municipal Code Section 24.12.150, shall not allow for an additional story, shall be limited to architectural features that provide for improved skyline aesthetics, and shall comprise no more than 20% of the site area.
- j. Development Standards, Waivers, and Concessions
 - i. The development standards regulating height, FAR, setbacks, upper-story stepbacks, for sites in the South of Laurel Area of the Downtown Plan will not apply as objective standards for projects utilizing the DDB consistent with accommodating the incentive granted per parts a, b, and h above, and may be used as guidelines during development review. All other requirements for design and development of buildings in the South of Laurel Area will continue to be applied to projects pursuing a DDB.
 - ii. Discretionary review can deny waivers, concessions and incentives but the standards applied shall not be more stringent than those that would apply to the site absent the application of the DDB (i.e. those found in the Downtown Plan Chapter 4, applicable General Plan and Zoning policies, etc.), though additional minor variations can be made consistent with Subsection J of Chapter 4.

- iii. All building designs will be considered by the Architectural Review Committee, with a recommendation to staff about how to proceed with requested waivers and concessions.

k. Architectural Review Committee Process

- i. All applications for DDB projects agree to provide a site plan, floorplans, elevation drawings for all building facades with exterior materials identified, renderings of all building facades that show three-dimensional characteristics of the designs, at least three cross-sections showing key areas of the full building, conceptual landscape plans, conceptual lighting plans, and sufficient building details to show depths of façade elements or other key building features to the City for use in the Architectural Review Committee (ARC) process.
- ii. The Planning and Community Development Department will be responsible for selecting a committee of three licensed architects to conduct collaborative review of a DDB development application. This may occur as part of a formal application process or as part of a preliminary application review process.
- iii. The ARC will review the DDB project application consistent with part i above, and in relation to the ARC Review Guidelines established by the Planning and Community Development Director in consultation with the Planning Commission or a subcommittee of the Planning Commission. These administrative guidelines will be published on the City's website.
- iv. The ARC will meet with the project applicant and City staff to review and critique building design proposals.
- v. Applications triggering ARC review will be acted on by the Planning Commission and may be appealed to the City Council, unless another requisite entitlement triggers the need for Council review, in which case the Planning Commission will make a recommendation to the City Council. Planning staff will incorporate a summary of the ARC discussion into the Planning Commission staff report for the Design Permit review.
- vi. City staff reserves the right to extend or repeat the ARC review process, if needed, should issues arise such as a request for extensive redesign or persistent disagreements on design of the proposal.
- vii. The Planning and Community Development Director, or his/her designee, may establish additional procedures and requirements related to the ARC process.
- viii. Any project developed using a DDB will be subject to a review of selected exterior materials at the time of Building Permit Plan Check process. This review will be conducted by a subcommittee of the City Planning Commission in consultation with the Planning and Community Development Director or his or her designee.

l. Below-market Rate Housing Requirements

- i. With the exception of the method of calculating the number of inclusionary units

required, the City's standard inclusionary housing requirements regulated by SCMC Sections 24.16.010 through 24.16.025 and 24.16.040 through 24.16.045 will apply to all low-income or moderate income housing that is produced as a result of projects using the DDB, including but not limited to income limits, affordable rent payment standards, and equivalence between market and below-market rate housing units for units built on-site with the DDB project.

- (1) Because there may be a difference in the type of unit proposed in the DDB project and an off-site below market rate project, the requirements of 24.16.025.4 relating to the average size of inclusionary units will not apply to off-site below market rate projects developed as part of a DDB project.
- ii. Below-market rate units for Moderate-income households will be subject to the following standards and requirements:
 - (1) Maximum monthly rent will be calculated in compliance with the applicable definition of affordable rent and requirements per SCMC 24.16.015 and 24.16.045.
 - (2) Residents of units reserved for moderate-income households will be required to verify a household income that complies with the applicable definition and requirements in SCMC 24.16.015 and 24.16.045.