

FIGURE 5-2:
 LAND USE PLAN AREA: DOWNTOWN TRANSIT GATEWAY



Livermore Downtown Specific Plan

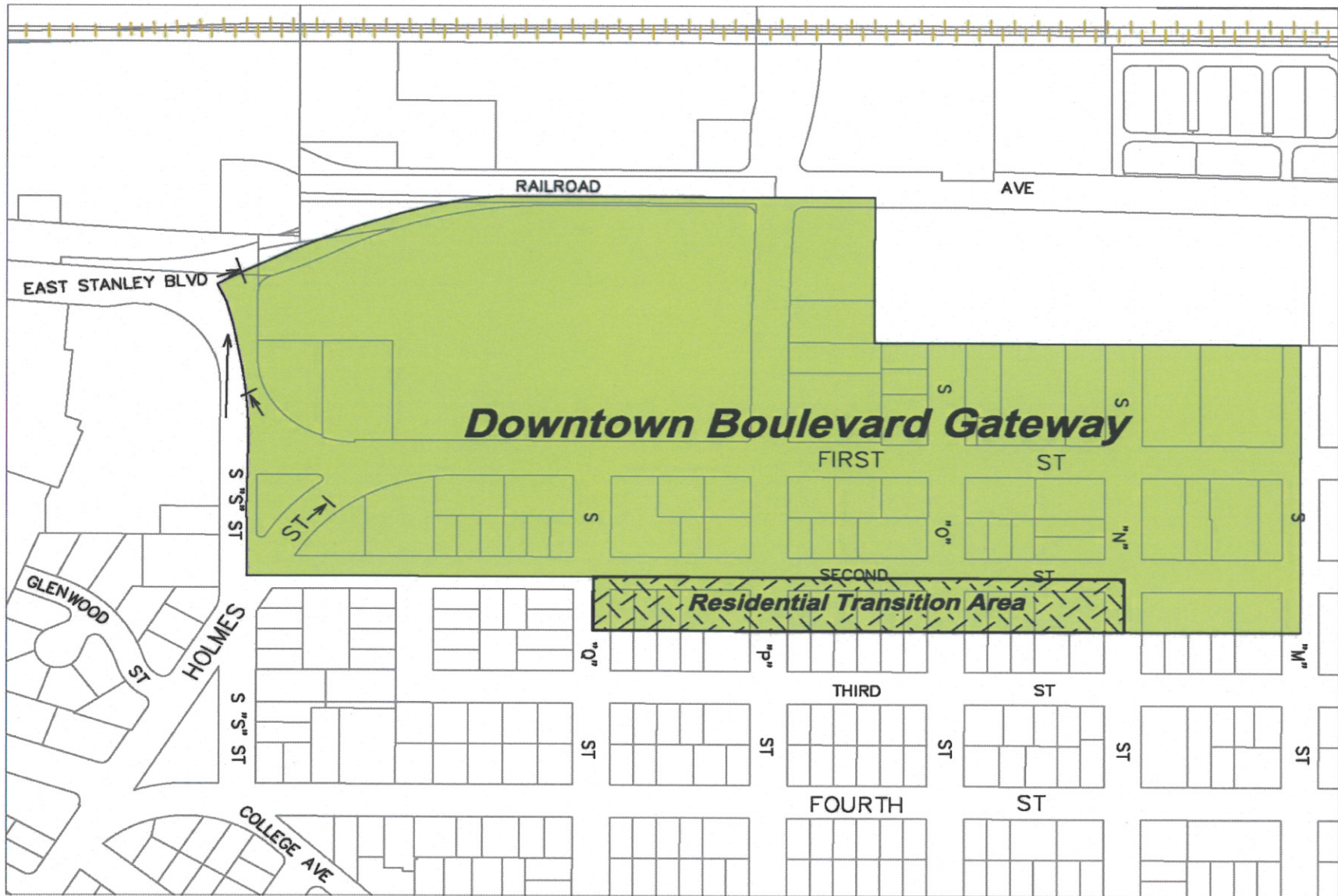
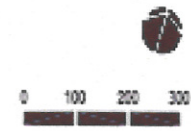


FIGURE 5-3:
 LAND USE PLAN AREA: DOWNTOWN BOULEVARD GATEWAY



Livermore Downtown Specific Plan

Development Standards: Downtown Transit Gateway District and Downtown Boulevard Gateway District

1. Purpose

The purpose of the Gateway District is to revitalize the areas along First Street to the east and west of the Downtown Core as high quality entry districts that support the revitalization of the Downtown Core. The primary intent of these Plan Areas is to provide land area for high quality housing, offices and other compatible uses adjacent to the Downtown Core, as a part of a consistent fabric that weaves into existing and adjoining residential neighborhoods. Standards are structured to create development appropriate to a grand Downtown Boulevard along the edges of First Street to the east and west of the Core. The Downtown Transit Gateway District, centered along east First Street, is intended to provide an area for transit-oriented development, due to the close proximity of the ACE/LAVTA stations, as well as its potential as a location for a light rail station in the future. Comparatively, the Downtown Boulevard Gateway District, centered along west First Street, provides areas for commercial uses that support activities in the adjacent Downtown Core, but because of their size, scale or pedestrian orientation are best located outside of the Core area, such as recreational, home improvement, and other large-scale uses.

2. Uses - Downtown Transit and Downtown Boulevard Gateway Districts

All uses permitted in the Gateway Plan Areas shall support the revitalization of the Downtown Core, by providing uses that are compatible with, but do not compete with, the goods and services provided in the Downtown Core.

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

2.1 Permitted Uses on all floors throughout the Downtown Transit and Downtown Boulevard Gateway Districts (see 2.2 below for additional uses permitted within the Downtown Boulevard Gateway Only)

A Multi-Family and Attached Single-Family Residential.

B. In "Residential Transition Areas", development is limited to residential use, including detached single-family.

- C. Special Condition: Dania Hall- For the property located at the southwest corner of Second Street and N Street, development is limited to residential uses; business, professional and government offices may also be permitted provided that, to the extent feasible, all exterior and interior features of the historic Dania Hall structure are maintained in their historic configuration. Medical and Dental offices may be permitted through a conditional use permit, provided that, to the extent feasible, all exterior and interior features of the historic Dania Hall structure are maintained in their historic configuration (see Section 2.3.D below).
- D. Lodging or other establishments engaged in the provision of temporary accommodation on a less than monthly basis, including hotels, motels, rooming and boarding houses, bed and breakfasts, and temporary housing facilities.
- E. Public and Quasi-Public Uses related to the plan area, including nursery school or day care facilities, health facilities, and residential care homes, including senior citizen housing.
- F. Public Halls, Clubs, Lodges and Community Recreational Centers.
- G. Health and Exercise Clubs.
- H. Business, Professional and Government Offices.
- I. Medical and Dental Offices
- J. Neighborhood Serving Uses, that serve the convenience needs of nearby residential, limited to small grocery stores, specialty markets, and market halls (up to 3,600 sq. ft. per use); and full service deli, dry cleaners, laundromats, tailoring, shoe repair, watch repair and postal annex shops (up to 1,800 square feet per use). Any combination of Neighborhood Serving Uses shall not exceed 3,600 square feet per development. Liquor and Cigarette Stores are prohibited. Neighborhood Serving Uses are limited to the ground-floor only.
- K. Additional Uses Permitted: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

2.2 Additionally Permitted Uses Within the Downtown Boulevard Gateway District Only

Additional retail uses are permitted in the Downtown Boulevard Gateway District to provide for uses that because of their size, scale or pedestrian orientation are not appropriate for the Downtown Core. Permitted uses in the Downtown Boulevard Gateway District include all uses permitted above under Section 2.1, and the following, on ground-floors (and upper-floors if internally connected to and operated in conjunction with the ground-floor use):

- A. Retail Sales and Service, the following uses are permitted:

1. Recreational Sales and Services including outdoor accessories , Sporting goods and outfitters (excluding boat and vehicle sales and repair) of a minimum size of 10,000 square feet; Furniture; Home Furnishings and Appliances ; and Hardware and Home Improvement (lumber yards are not permitted). These uses may not include outdoor sales, display or storage on the premises.
 2. On First Street, between M and O Streets, the following uses are permitted at a minimum store size of 7,500 square feet: Recreational Sales and Services including outdoor accessories , Sporting goods and outfitters (excluding boat and vehicle sales and repair); Furniture; Home Furnishings and Appliances ; and Hardware and Home Improvement (lumber yards are not permitted); Apparel Stores and Electronic Stores. These uses may not include outdoor sales, display or storage on the premises.
- B. On First Street, between M and O streets, the following additional uses are permitted:
1. Full Service Salons and Day Spas.
 2. Restaurants, including those serving alcoholic beverages or providing entertainment, provided this activity is clearly ancillary to food service. Drive-up or drive-in restaurants are not permitted.
- C. Business Sales and Services. The following are permitted: Small Office Equipment Service and Repair, Postal Annex, Graphic Art Services, Computer and Office Supply, Photocopy Shops, Photo Finishers and Print Shops.
- D. Print and Graphics Supply and Service, including typesetting, lithography, graphics and art services, etc.
- E. In "Residential Transition Areas", development is limited to residential only (except as permitted by 2.1.C above).
- F. Special Condition: Vintner's Square Shopping Center and the Vine Center- Uses located within the Vintner's Square Shopping Center (bounded by S Street, P Street, First Street and Railroad Avenue), and the Vine Center (bounded by) Street, First Street and N Street) are also permitted the following land uses:
1. Automotive Sales and Service, including automotive accessory shops.
 2. Commercial Amusement and Entertainment (generating large traffic volumes).
 3. Consumer Services, including business services, financial and business institutions, cocktail lounges, restaurants (except fast food and nightclub), and parking facilities.
 4. Personal Service Shops, including barber and beauty shops; garment pressing, alterations, repairs, laundering, dry cleaning (including pick-up stations) and laundromats; shoe repair; pharmacies; schools of music and dance; studios, photographers and artists; TV and radio stations and vending machines.
 5. Home Improvement, including building materials and hardware (excluding lumber yards), paint, glass, wallpaper and flooring.
 6. Miscellaneous Repair services, including only establishments engaged in the repairing and servicing of household and business equipment, machines and furnishings.

7. Retail, including bicycle sales and service; apparel and accessories; bakeries; food stores (including convenience markets); furniture, home furnishings and appliances; and general merchandise stores (department stores).
 8. Miscellaneous retail, including only candy or ice cream stores, drug stores, hobby or craft shops, liquor stores, newstands, specialty shops, variety stores, pet stores and computer stores.
 9. Hotels and Motels.
 10. Offices, including administrative, business, dental, medical, optical, pharmacy, professional and X-ray laboratory.
 11. Retail certified recycler where located within a building or fully screened from public view by a solid wall or fence.
 12. Any new development generating additional parking demand that cannot be accommodated within the existing on-site parking area will be subject to the land use and development standards of the Downtown Boulevard Gateway Plan Area.
- G. Additional Uses Permitted: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

2.3 Conditional Uses Permitted Within the Downtown Transit and Downtown Boulevard Gateway Districts

Findings for Conditional Uses must document that proposed development is appropriate to its location and adjacent context. Conditional Uses must also be appropriate to the area, and compatible with nearby uses.

Throughout both the Downtown Transit and Downtown Boulevard Gateway Districts, the following uses are permitted upon granting of a Conditional Use Permit:

- A. Detached Single Family Residential (No CUP required in the Downtown Boulevard Gateway Transition Zone).
- B. Commercial Amusement and Entertainment Establishments, including Movie Theaters.
- C. Live-Work - Residential living spaces may include an integrated work space, provided the work space has a ground-floor storefront expression, principally used by one or more of the residents. Residential use must be the predominant use of the unit, and business activity should be secondary. Work activity is limited to business (primarily office), the making of arts and crafts, and other activities compatible with residential use. This use type is open to client visitation only by appointment; walk-in trade may be conditionally permitted by the City. The maximum number of employees discounting the owner/occupant is limited to two. Permitted work activities shall be classified as a business and shall be subject to all applicable City, County, and State Regulations.

- D. Special Condition: Dania Hall- For the property located at the southwest corner of Second Street and N Street, Medical and Dental offices may be permitted through a conditional use permit, provided that, to the extent feasible, all exterior and interior features are maintained in their historic configuration.
- E. Special Condition: Vintner's Square Shopping Center and the Vine Center- Uses located within the Vintner's Square Shopping Center (bounded by S Street, P Street, First Street and Railroad Avenue), and the Vine Center (bounded by) Street, First Street and N Street) are also conditionally permitted the following land uses:
 - 1. Consumer Services, including fast food, drive-in facilities, animal hospitals and veterinarians, amusement centers and bowling alleys.
 - 2. Retail Uses including supermarkets, nursery sales and garden supplies, and shopping centers.
 - 3. Automotive Sales and Services, including automotive services stations, auto service centers in conjunction with a department store or as part of a shopping center/mall development.
 - 4. Theaters.
 - 5. Public and Semi-Public Uses.
 - 6. Wholesale certified recycler where located within a building or fully screened from public view by a solid wall or fence.
 - 7. Health Facilities (as defined by State Code) including community care facilities (elderly residential care, alcoholism recovery, and homes for the mentally disordered, handicapped, dependent and neglected children), hospitals (sanatoriums, nursing homes and maternity homes), and mental health facilities.
- F. Additional Uses Permitted With A Conditional Use Permit: Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.

3. Development Intensity

New development shall occur at densities that transition from high intensities in the Downtown Core to lower intensities in the surrounding neighborhoods.

3.1 Residential Density / Lot Size.

- A. Minimum density of 15 dwelling units per acre and a maximum of 30 units per acre.
- B. Along First Street, and on properties north of First Street in the Transit Gateway, with a Major Conditional Use Permit, residential development may occur up to a maximum density of 50 dwelling units per acre.
- C. In "Residential Transition Areas" the minimum lot size for detached single-family residential development shall be 5,000 square feet and the maximum shall be 10,000 square feet.

- D. A 25 percent density bonus may be permitted for projects located within the Downtown Transit Gateway and within 2,000 feet of the LAVTNACE station (or other planned transit station).
- E. Where unique site constraints prevent this density, and in locations where the Planning Commission finds that providing residential uses at a higher density would be incompatible with the scale and character of existing historic buildings or residential uses, residential development may occur at a minimum density of 10 dwelling units per acre, subject to the granting of a Conditional Use Permit.
- F. In mixed-use residential developments, the area dedicated to a child care component is exempted from and shall not be calculated as part of the minimum density requirement.

4. Height

Building heights shall be appropriate to their context.

4.1 Height.

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

- A. Buildings may not exceed a maximum height of three (3) floors and forty-five (45) feet.
- B. Special Condition: Buildings on First Street, between M and P Streets, in the Boulevard Gateway District shall maintain a minimum height of two (2) floors and twenty-four (24) feet. On all other portions of First Street, buildings must maintain a minimum height of twenty (20) feet -this may be constructed as a one-story building with a parapet.
- C. Special Condition: Residential Transition Areas- In areas deemed "Residential Transition Areas", buildings may not exceed a maximum height of two (2) floors and twenty-four (24) feet. Partially submerged parking levels projecting not more than four (4) feet above average finished grade do not count as a floor and may increase the maximum building height to twenty-eight (28) feet.
- D. Accessory buildings, including non-dwelling units such as freestanding garages for residential units, service structures and tool sheds, may not exceed a maximum of fifteen (15) feet.
- E. Exceptions:
 - 1. Podium or partially submerged parking levels may project beyond the sidewalk or average finished grade for an average of four (4) feet. On lots that slope, the tallest part of the podium level may not exceed five (5) feet. Podium or partially submerged parking levels shall not count as a floor.

2. Special Architectural Features, such as uninhabited towers (clock, bell, observation) or entry volumes, may exceed the maximum height by no more than ten (10) feet, where proportionate and consistent with building design, if approved by the City. Towers or other volumes should not extend for more than twenty (20) feet in any horizontal direction.
3. Rooftop Structures, such as elevator and mechanical equipment enclosures or roof deck trellises and gazebos, may exceed the height limit by ten (10) feet, provided they are set back a minimum of ten (10) feet from building walls and are screened on all sides by a parapet or sloping roof that is architecturally integrated within the building design.
4. Residential developments on the north side of First Street in the Transit Gateway may request an exception to increase the maximum height limit to four (4) floors and fifty-five (55) feet as part of a Major Conditional Use Permit under Section 3.1.8 above to increase the maximum density to 50 dwelling units per acre.
5. Projects proposing height exceptions taller than three (3) floors/forty-five (45) feet are subject to Planning Commission and City Council review in addition to the normally required review process as established in Chapter 10 "Implementation" under Design and Site Plan Review.

5. Setbacks

Nonresidential buildings must be built within twenty (20) feet of the property line in order to draw activity up to the public right-of-way. In order to ensure residences fronting First Street are protected from the high-traffic nature of Downtown's main street, residential buildings are required to have a greater setback.

5.1 Street Frontage Setbacks (excluding alleys)

- A. For all non-residential uses there is no minimum setback; (i.e. uses may be built to the property line); the maximum setback is twenty (20') feet.
- B. In mixed-use buildings, residential uses above ground-floor commercial/office uses may be built to the property line on street frontages.
- C. For residential uses along First Street, the minimum setback is twenty (20') feet, and may be reduced to fifteen (15) feet with a vertical rise of at least two (2) feet between the building entry level and the adjacent sidewalk.
 1. Special Condition: Area bounded by First Street, Inman Street, Wood Street and Fourth Street- For residential uses in this block, the minimum setback may be reduced to ten (10) feet if the frontage condition includes both a low screening wall or fence located at the front property line, and a vertical rise of at least two (2) feet between the building entry level and the adjacent sidewalk.

- D. For residential uses on all other streets, the minimum setback is fifteen (15) feet.
 - 1. Special Condition: Area bounded by First Street, Inman Street, Wood Street and Fourth Street- For residential uses in this block, the minimum setback may be reduced to ten (10) feet with a vertical rise of at least two (2) feet between the building entry level and the adjacent sidewalk.
- E. At corner parcels, setback/build-to requirements apply to both street frontages.
- F. Exceptions: Front entrances, entrance porticos, porches, stairs, canopies and special architectural features may extend a maximum of six (6) feet into the setback area. The total linear building frontage encroaching into the setback area may not exceed one- half (1/2) of the total length of the building mass.

5.2 Side Setbacks

- A. For detached single-family residential uses, the minimum side setback is five (5) feet. The minimum side setback shall be increased five (5) feet for every story above the first.
- B. On First Street there is no minimum setback (except for detached single-family residential uses).
- C. On all other streets, for all uses except detached single-family residential the minimum side setback at the project boundary is five (5) feet. The minimum side setback shall be increased five (5) feet for every story above the first. Buildings may be built in a stair-step pattern to meet this requirement. A reduction in the side yard setback may be considered under a Conditional Use Permit (Planning Commission review and approval) based on compatibility with adjoining uses (not applicable to Residential Transition Areas).

5.3 Rear Setbacks

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

5.4 Setbacks for Parking Lots and Structures

- A. At-grade parking lots shall be set back a minimum of five (5) feet from all side property lines and five (5) feet (fifteen (15) feet in Residential Transition Areas) from rear property lines, and landscaped as described in Landscaping & Screening, below.
- B. Freestanding parking structures shall be set back a minimum of ten (10) feet from side property lines and fifteen (15) feet from rear property lines, and landscaped as described in Landscaping & Screening, below.

5.5 Setbacks from Railroad Tracks

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

6. Site Development

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

6.1 Block Pattern

- A. New streets shall conform to a pattern of generally rectilinear blocks, with new streets and access drives linking orthogonally to surrounding City streets.
- B. For sites having more than 200 feet of street frontage, all new development shall match the typical block increment of three hundred (300) feet in length by two hundred (200) feet in depth, and shall not exceed a maximum block size of four hundred (400) feet in length by three hundred (300) feet in depth. Where achievement of this block size is not feasible, blocks should be subdivided by separating continuous buildings with alley streets or pedestrian spaces.

6.2 Driveway Access

- A. Alley access, leading to residential garages located to the rear of buildings, is required of residential buildings where possible.
- B. The maximum number of curb cuts associated with a single building must be one (1) two-way curb cut or two (2) one-way curb cuts. Otherwise, the maximum number of curb cuts is one (1) two-way curb cut or two (2) one-way curb cuts per one hundred fifty (150) feet of street frontage.
- C. The minimum width of driveways/ curb cuts is ten (10) feet; the maximum width of driveways/curb cuts is twelve (12) feet for a one-way driveway and twenty-four (24) feet for a two-way driveway.
- D. Driveway setbacks must be a minimum of five (5) feet from adjoining properties, and a minimum of three (3) feet from adjacent buildings.

- E. Service access must be from alleys and rear parking areas wherever possible. Where only curbside service is possible, such service must be located along streets other than First Street.
- F. Plan for adequate access for garbage, recycling, food waste collection vehicles, and emergency vehicles.

6.3 Open Space

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

- A. Commercial Development: Developments of greater than 50,000 square feet shall provide a minimum of one hundred (100) square feet of usable public open space for every 2000 square feet of ground floor retail space constructed, and a minimum of one hundred (100) square feet of usable open space for every 1000 square feet of office space constructed. Open space may be constructed on-site, or off-site if located within 500 feet of the project, or through payment of an in-lieu fee.
- B. Office Development: Developments of greater than 20,000 square feet shall provide a minimum of one hundred (100) square feet of usable public open space for every 1000 square feet of office space constructed. Open space may be constructed on-site, or off-site if located within 500 feet of the project, or through payment of an in-lieu fee.
- C. Attached Single-Family and Multi-Family Residential and Mixed Use Developments: Outdoor space shall be provided at a minimum of two hundred (200) square feet of usable publicly accessible open space and one hundred (100) square feet of private open space per unit. Private open space shall be provided on-site. Publicly accessible open space shall be provided as described below:
 - 1. Project Sites 1 Acre or Less: Shall provide required open space on-site, off-site, through the payment of an in-lieu fee, or any combination of the above.
 - 2. Project Sites Greater Than 1 Acre: Shall provide 10 percent of required public open space on-site for every 4,500 square feet (or portion thereof) over 1 acre. Remaining required public open space shall be provided on-site, off-site, through the payment of an in-lieu fee, or any combination of the above.
 - 3. Projects with an approved Conditional Use Permit to develop more than 30 units per acre shall provide a minimum of one hundred fifty (150) square feet of usable publicly accessible open space and one hundred (100) square feet of private open space per unit, and may construct required publicly accessible open space through the payment of an in-lieu fee, or off-site if located within 500 feet of the project.

- D. For Mixed-Use Developments, commercial, office and residential open space requirements shall be calculated separately (based on the requirements of sections 6.3.A, 6.3.8, and 6.3.C above) and then added together to reach the total square footage of public open space required.
- E. Detached Single-Family Residential: A minimum of three hundred (300) square feet of private, usable outdoor space must be provided on-site for all detached single-family residential units.
- F. Iron Horse Trail: All new developments located on parcels backing onto the Southern Pacific right-of-way shall be required to provide a 20-foot dedication south of the existing right-of-way to be reserved for the Iron Horse Multi-Use Trail. Developments shall be required to provide improvements to the trail. This dedication may count as park dedication credits (if approved by LARPD), towards the provision of public open space, but not both.
- G. For all open spaces, usable open space is defined as an area that is not encumbered with any substantial structure, and is not devoted to use as a street, parking area, sidewalk or waste disposal field. Open space provision shall not include required setback areas. (Please refer to the Design Standards and Guidelines for Site Improvements, Furnishings, Landscape and Lighting for design of open space):
 1. Minimum dimension for usable publicly accessible open space in any single direction is twelve (12) feet.
 2. For private open space within multi-family structures, open space may be provided through porches, balconies, decks, yard, terraces, and patios. Minimum dimension for private open space in any single direction is six (6) feet if provided as part of a porch or balcony; and eight (8) feet if provided as a deck, yard, terrace or patio.
 3. Unless otherwise noted, any open space provided off-site shall be located within the same plan area as the project site (Downtown Core, Downtown Boulevard Gateway, etc.) or within 500 feet of the project site.
 4. Any open space provided off-site must be a minimum of 1,000 square feet in size.
 5. For projects opting to pay an in-lieu fee to meet all or a portion of their open space requirements, the fees shall be subject to the provisions of the Downtown Specific Plan Open Space Program.
- H. All open spaces provided as part of the minimum requirement shall be publicly accessible during daylight hours, and shall be designed to connect with public rights-of-way and adjacent public open spaces in the vicinity.
- I. For any public open space provided on or off-site: The project shall provide paths, landscaping, and other amenities (i.e. benches, tables, fountains, shade structures, etc.) for the recreation and enjoyment of on-site users and the public.
- J. For all developments, the developer shall prepare and record binding agreements ("CC&R's") addressing issues of common interest in terms of maintenance of public accessibility to open space, tree planter areas, planting strips, and walks.

6.4 Landscaping & Screening.

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

6.5 Utility Easements.

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

7. Noise

7.1 Exterior Noise Levels

- A. For those permitted land uses in the Downtown generating noise, Exterior Noise Levels may not exceed a maximum exterior decibel rating of 70 dBA from 7:00a.m. to 12:00a.m.
- B. For those permitted land uses in the Downtown generating noise, Exterior Noise levels may not exceed a maximum exterior decibel rating of 60 dBA from 12:00a.m. to 7:00a.m.

7.2 Interior Noise Levels

- A. All Residential -All residential building spaces must be improved or constructed in such a manner that noise levels do not exceed a maximum decibel rating of 45 dBA with windows closed, assuming 85 dBA on the first floor and an exterior noise level of 70 dBA. If noise analysis assumes closed windows 100% of the time, a fresh air ventilation system must be utilized.

8. Historic Structures

8.1 Conversions of Existing Historic Structures

To encourage appropriate rehabilitation of historical resources, the Livermore Development Code allows for deviations from certain development standards like setbacks and coverage. In accordance with Specific Plan policy, all historical resources within the Specific Plan area may utilize the Historic Preservation Incentives identified in Chapter 9.02 of the Livermore Development Code, or as amended.