

### 7.1 Introduction

Downtown Roseville has unique regulatory needs stemming from the higher density of a downtown area, the historic nature of many of the structures, the close relationship between residential and commercial uses, the importance of activity within the public right-of-way, and the promotion of pedestrian traffic. The following provisions and ordinances address these concerns by describing applicable limitations, design standards, and operating requirements for the Specific Plan area.

### 7.2 Mixed-Use Projects



A mixed-use project shall comply with the following requirements.

#### A. Purpose

The intent of providing mixed-use in an urban setting is to establish residential users within close proximity to commercial land use, to create a reciprocity between these use types.

#### B. Design Objectives

A mixed-use project shall be designed to:

1. Provide bona-fide storefronts along street frontages to maintain a pedestrian

orientation at the street level. Residential developments, including live/work units, shall be designed such that ground floor units may be converted to retail commercial storefronts and to establish a clear, functional design relationship with the street front.

2. Provide for internal compatibility between the different uses within the project.
3. Minimize the effects of any exterior noise, odors, glare, vehicular and pedestrian traffic, and other potentially significant impacts.

#### C. Applicability and Location

1. Mixed-use projects may be integrated vertically or horizontally and may cover a small or large land area. Vertical mixed-use projects incorporate different land uses within the same building (e.g., residential and/or office above retail uses). Horizontal mixed-use projects incorporate different land uses within adjacent buildings on the same site. Both types of mixed-use projects are encouraged.
2. These projects are permitted in the Washington Corridor, Washington Corridor (Intensified), Historic Old Town Commercial, Vernon Street, Dry Creek Mixed-Use, Creek View Residential, and Douglas Corridor Districts.

#### D. General Requirements

##### 1. Mix of Uses.

- a. All mixed-use development shall include at least two different land use types, which may include commercial, residential, office, and/or employment uses. Ideally, no one land use type should occupy more than eighty (80) percent of a site, but the appropriate



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mix for each site shall be considered by the City on a case-by-case basis, based on variables such as location, site design, and compatibility with adjacent development.

- b. Horizontal mixed-use buildings shall include a minimum of two individual retail frontages per block face.
- c. Mixed-use buildings with residential uses planned for the second story and higher shall have retail, commercial or office uses on the ground floor. Lobby areas serving upper story residential uses may also be located on the ground floor, provided that such lobby areas occupy less than twenty (20) percent of the available floor space. All non-residential ground floor uses shall be compatible with residential uses.
- d. Mixed Use development can occur as “new construction”, or as re-use of an existing structure. In order to offset impacts that are associated with uses such as, nightclubs, restaurants, theatres or other commercial related uses that will typically have noise impacts which may effect residential uses above or adjacent to the commercial space, the interior noise level of the residential unit shall not exceed 45 DBA. In order

to mitigate noise levels construction techniques such as one floor of separation with a buffering use (e.g. parking, office) may be required. Other standard construction techniques such as baffling or channeling with noise suppression materials may be required to be implemented to conform to this criteria. It is the responsibility of the commercial space to provide adequate noise mitigation. .

2. **Ownership.** All mixed-use development shall be under unified control at the time of application and shall be planned and scheduled to be developed as a whole.
3. **Consistency with the Specific Plan.** The location of the proposed mixed-use project shall be consistent with regulations outlined in this Specific Plan.
4. **Phasing of Development.** Any mixed-use development to be constructed in phases shall include the full details relating thereto, including a time schedule for the phase completion. For horizontal mixed-use projects, no portion of the commercial component shall be occupied prior to the completion (issued a certificate of occupancy) of at least 50% of the residential component. For all mixed-use projects, required open space shall be completed according to a phasing plan approved with the mixed-use development.
5. **Site Design.** The Mixed-Use Design Guidelines set forth in Chapter 5 of the **Downtown Code** shall be used to evaluate the overall design and functional integration of all major components of mixed-use development, including building locations, street layout, parking, transit access, pedestrian areas, etc. To the greatest extent practicable, buildings and uses shall be



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clustered on the site to promote walkability and linked trips.

- 6. Open Space requirement.** For mixed use projects greater than 25 units, each unit shall provide a minimum of 50 square feet per unit of balcony or outdoor usable space. The following amenities can be considered to fulfill this requirement: Private balconies; Common courtyards with landscaping, seating areas or other amenities; Recreation rooms; Fitness rooms; Community gardens; Tot lots; and Outdoor BBQ areas with permanent tables and seating areas.
- 7. Landscaping.** The landscape guidelines established in Chapter 5 of the **Downtown Code** shall apply to all mixed use development projects. Landscaping and/or fencing shall be provided according to a plan approved by the City and may be considered on a case-by-case basis, based on variables such as location, site design, and compatibility with adjacent development. The Landscaping Plan shall include a detailed planting list with sizes at both planting time and maturity.
- 8. Streets, Utilities, and Public Services.** All mixed-use development shall comply with the specifications and standards for streets, utilities, and services established by city code. All mixed use development shall be served by public water and sewer systems, and all utilities shall be installed underground.
- 9. Notice to Occupants.** The owner or developer of any mixed-use building containing residential units shall provide written notice to all future residents and users that the surrounding area may be subject to levels of noise, odor, fumes, lighting and other effects associated with commercial uses at higher levels than would be expected in residential areas. State and

Federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial properties in the applicable zone.

- 10. Parking.** The parking requirements established in Section 3.4 of the **Downtown Code** shall apply to all mixed-use development except as provided herein.
  - a. Separate parking calculations shall be made for residential and non-residential uses within mixed-use projects.
  - b. The total number of parking spaces required for a mixed-use project may be reduced by five (5) percent. Projects eligible for this reduction will provide art on-site that is visible to the public. Art will be budgeted at a minimum of 1% of the overall project cost and not to exceed 50% of the cost of the parking offset.



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- c. A reduction of parking standards up to twenty (20) percent may be granted based upon justification shown within a parking impact study. The study shall be subject to review and modification by the Director.
- d. Mixed-use development located within 1/4-mile of a developed or planned or existing transit stop may be eligible for a maximum parking reduction of up to 20%
- e. Any reduction in parking requirements for mixed-use development in excess of five (5) percent shall be based on justification such as estimated peak use, reductions due to easy pedestrian accessibility from adjacent development, availability of transit service, and/or availability of adjacent on-street parking.
- f. The total parking reduction for any mixed-use development shall be a maximum of 20 percent for the entire site.



### E. Additional Building and Performance Standards

Mixed-use development shall conform to all conditions and standards agreed upon by the applicant and the City at the time of approval.

## 7.3 Live/Work Units

### A. Purpose

Live/work units are occupied by business operators who live in the same structure that contains the commercial activity. A live/work unit functions primarily as a workspace with incidental residential accommodations that meet basic habitability requirements. This section seeks to ensure compatibility between these adjacent commercial and residential uses.

### B. Limitations on Use

The non-residential component of the live/work unit shall be a use principally permitted in the district. A live/work unit shall not be established or used in conjunction with any of the following activities:

1. Adult businesses;
2. Vehicle maintenance or repair;
3. Any Group H occupancy as classified by the California Building Standards Code;
4. Welding, machinery, or any open flame work;
5. Any other activity determined by the Director to not be compatible with the residential activities and/or to have the possibility of affecting the health or safety of residents, because of the potential for the use to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts, or would be hazardous because of materials, processes, products, or wastes.



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### C. Density

One live/work unit shall be allowed for each 1,000 square feet of lot area.

### D. Design standards

- 1. Floor area requirements.** The net total floor area of a live/work unit shall be at least 1,000 square feet and no more than 3,000 square feet. No more than 50% shall be reserved for living space.
- 2. Separation and access.** Each live/work unit shall be separated from other live/work units or other uses in the structure. Access to each live/work unit shall be provided from storefronts, directly from the street, common access areas, corridors, or halls; access to each unit shall be clearly separated from other live/work units or other uses within the structure.
- 3. Facilities to accommodate “work” activities.** A live/work unit shall be designed to accommodate commercial uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in commercial facilities used for the same work activity.
- 4. Building and fire code compliance.** Any building, which contains a live/work unit, shall comply with the latest edition of the Uniform Building Code and applicable building and life safety policies for such units regardless of the age of the building.

### E. Operating requirements

- 1. Notice to occupants.** The owner or developer of any building containing live/work units shall provide written notice to all live/work residents and users that the surrounding area may be subject to levels of noise, dust, fumes and other effects

associated with commercial uses at higher levels than would be expected in residential areas. State and Federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial properties in the applicable zone.

- 2. Non-resident employees.** Up to two persons who do not reside in the live/work unit may work in the unit. The employment of three or more persons who do not reside in the live/work unit may be permitted subject to Conditional Use Permit approval based on the additional findings that the employment would not adversely affect traffic and parking conditions in the vicinity.
- 3. Client and customer visits.** Client and customer visits will be limited to normal working hours of 8 a.m. to 9 p.m. Hours outside of this timeframe will require approval of a Conditional Use Permit. Client and customer visits to live/work units are allowed. Client contact will be subject to any applicable conditions placed upon them by the City.



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### 7.4 Nightclubs



Nightclubs will be considered as principally permitted uses in the Old Town Commercial District south of Main Street, and Administratively Permitted Uses in the Old Town Commercial District north of Main Street, and in the Vernon Street District as reflected in Chapter 2.3.3 of the **Downtown Code**. To promote this type of activity which supports the Vision for Downtown, a set of performance standards have been developed.

**A. Purpose** - To promote the Old Town Commercial district as an entertainment district and to allow nightclub activities within 500 feet of residential uses, the following provisions are being established to allow nightclubs within the entertainment district.

#### B. Permits Required

- 1. Old Town Commercial District - South of Main Street.** The Old Town Commercial District principally permits nightclubs when they meet the standards established by this chapter of the **Downtown Code**, and are located in the areas shown as principally permitted in Exhibit 7.1. Prior to operation or issuance of a business license, building permit or other City approval, a nightclub use shall obtain approval from the Director.

The Director's approval shall be subject to the nightclub use meeting the provisions of this chapter. Nightclubs that are in compliance with the provisions of this chapter shall obtain a Zoning Clearance as defined in the Roseville Municipal Code Chapter 19.72.

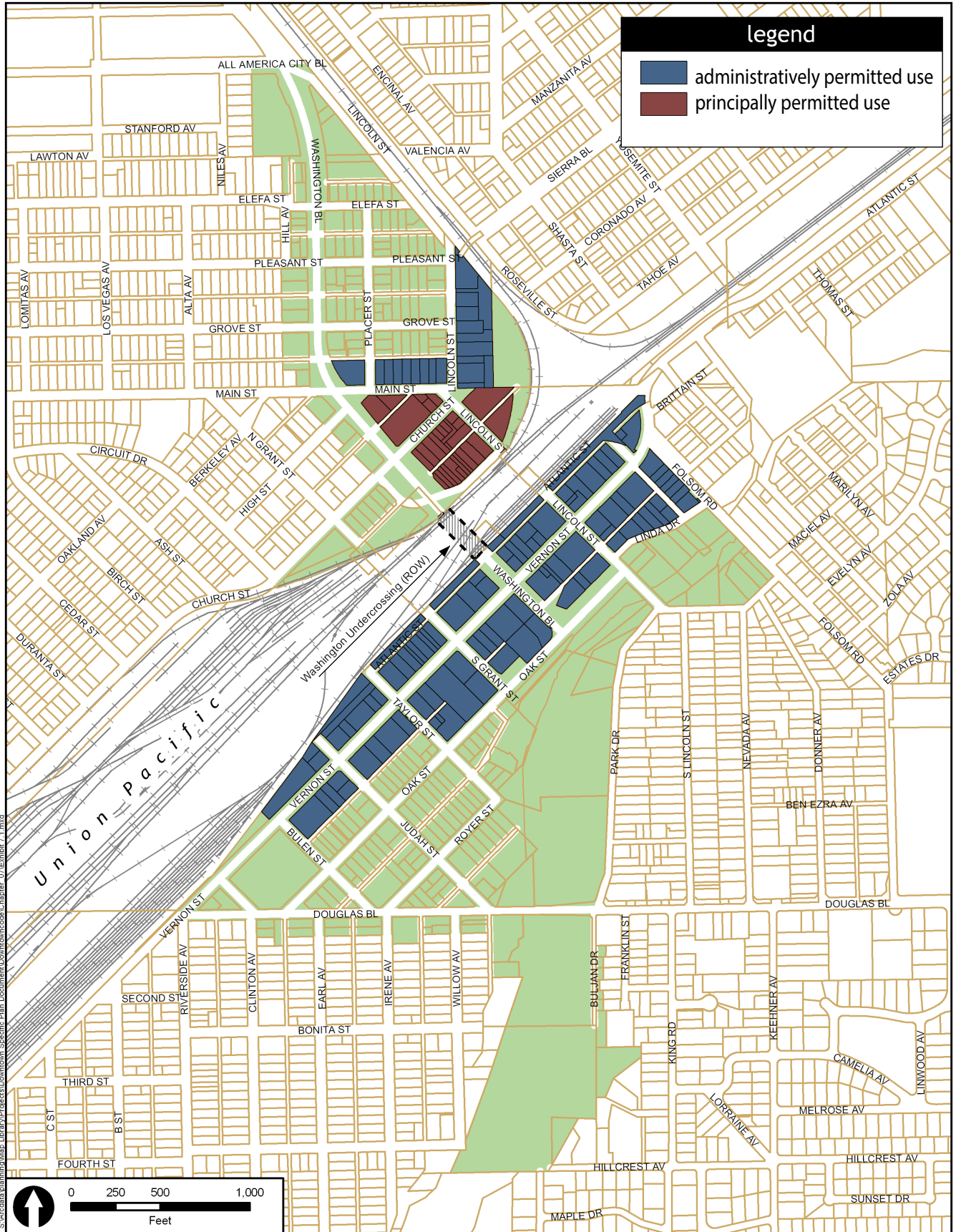
- 2. Old Town Historic District north of Main Street and on Vernon Street.** Nightclub uses desiring to locate within this area will be required to obtain an Administrative Permit as described in Chapter 19.74 of the City's Zoning Ordinance.

#### C. Design Requirements

The following design requirements will be required to be addressed as part of a request for a Zoning Clearance and in consideration of a request for an Administrative Permit;

- 1. Storefront.** The storefronts of ground floor nightclubs or cocktail lounges shall be designed in compliance with the storefront and building façade standards and guidelines located in the Downtown Specific Plan.
- 2. Construction Standards.** Proposed or required construction and/or use changes require a Building Permit. Construction documents shall include occupancy, type of construction, floor area, means of egress, accessibility, 100 psf floor live load and sanitary facility designs as regulated by the Roseville Building Division regulations and standards described in Roseville Municipal Code (RMC) Chapter 16.04.
- 3. Room Capacity.** Maximum room capacity posting, exit identification/illumination, exit access and egress devices shall be designed and provided in accordance with the Roseville Building Division regulations and standards described in Roseville Municipal Code (RMC) Chapter 16.04.





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4. **Fire Equipment.** Fire equipment shall be regulated, designed and provided in accordance with the Roseville Fire Department and building regulations and standards described in Roseville Municipal Code (RMC) Chapter 16.16.
5. **Lighting.** The establishment shall provide outside lighting in a manner that would illuminate outside street and sidewalk areas at a minimum of 0.5 foot-candles, and adjacent parking areas and entry driveways at a minimum of 1.0 foot-candles as a maintained minimum at the pavement surface throughout the night.
6. **Smoking Areas - when provided.** Outdoor smoking areas shall be designed and located in a secured (fenced/walled) area with exterior lighting of a minimum of 1.0 foot-candles that does not adversely impact passing pedestrian traffic and surrounding uses. Smoking areas should be located to minimize impacts to adjacent residential areas.
7. **Noise.** All feasible noise-reducing techniques, such as the use of double doors, sound-absorbing insulation, adequate ventilation that discourages the opening of doors and/or windows, and buffering outdoor seating areas, shall be employed wherever possible.



In a mixed-use development, where there are residential uses over the nightclub, all feasible mitigation will be installed to minimize the noise impacts within the residential unit. A typical mitigation measure is to provide at least one floor of non-residential use (eg. office) between the nightclub floor and residential floor. Re-use of an existing building will require installation of feasible noise reduction construction techniques.

### D. Operating Requirements

The following operating requirements will be required to be addressed as part of a request for a Zoning Clearance and in consideration of a request for an Administrative Permit;

1. **Entertainment Permit Required.** Pursuant to RMC Chapter 9.40 the nightclub operator shall be required to secure an Entertainment Permit from the Roseville Police Department. The provisions of the business plan and security plan accepted by the Police Department as part of the approved Entertainment Permit shall establish site specific operational and security provisions. The following criteria provide minimum standards that shall be required of all nightclub operations; the provisions of the Entertainment Permit may exceed the criteria listed below, but shall not be less than the listed criteria.
2. **Hours of Operation.** Patrons shall only be allowed in the nightclub between the hours of 8:00 a.m. and 2:00 a.m. Entertainment in any establishment shall only be allowed between the hours of 1:00 p.m. and 1:30 a.m. Exceptions to these operating hours can be granted by the Director when there are limited impacts due to additional operational measures being put in place. Such measures may include, but are not limited to, additional on and off-premise security, valet parking, restaurant and food services, and limited alcohol service.



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- 3. Alcohol Beverage Control.** All nightclubs shall comply with all conditions and restrictions imposed upon the California Department of Alcohol Beverage Control (ABC) license and all applicable ABC regulations.
- 4. Room Capacity.** Maximum room capacity posting, exit identification/illumination, exit access and egress devices shall be maintained in accordance with the Roseville Fire Department and building regulations and standards described in Roseville Municipal Code (RMC) Chapter 16.16.
- 5. Pyrotechnic Effects Prohibited.** The use of pyrotechnic special effects or displays is prohibited.
- 6. Interior Lighting.** The establishment shall have minimum interior lighting of six-candle power at floor level, except during performances on stages.
- 7. Trash Receptacles.** Sufficient trash and recycling receptacles shall be provided and shall be regularly maintained. 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 garbage or other debris. The operator shall arrange for litter removal from the storefront and public sidewalks adjacent to the storefront after the close of business. Sidewalks in front of the business and within 100 feet of the operation shall be pressure washed on a monthly basis at the expense of the business.
- 8. Outdoor Seating.** Outdoor seating that is in conjunction with and clearly accessory to any nightclub use will be evaluated based on the regulations provided in Chapter 7.8.3 of the Downtown Code.
- 9. Noise Impacts.** All feasible noise-reducing techniques, such as the use of double doors, sound-absorbing insulation, adequate ventilation that discourages the opening of doors and/or windows, and buffering outdoor seating areas, shall be employed wherever possible. No use shall create noise levels which impact residential interior areas by 45 db or more.
- 10. Sanitation Facilities.** Operating provisions will be put in-place that allow queuing patrons to gain access to restrooms, within the club, if necessary.
- 11. Security Provisions.**
  - a. Security shall be provided via a private security company that is licensed and bonded.
  - b. When open for entertainment, the operator shall provide a minimum of two security guards to admit patrons and monitor exterior and interior areas when occupancy levels are below 100 persons. When occupancy exceeds 100 persons, the operator shall provide additional guards to adequately control the environment at a ratio of one guard per additional 50 people (or any fraction thereof). The operator is responsible for providing a safe environment.



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- c. Management shall designate a front door security presence when open for entertainment. Front door security will check identification to verify age requirements, monitor occupancy, screen for weapons, and direct security to prohibit further entry when maximum occupancy is reached.
- d. Management is responsible for maintaining an outdoor security presence when a crowd is waiting to gain access to the building. Security officers shall be responsible for providing an organized method of maintaining a line that will not block public sidewalks, driveways, or surrounding business doorways.
- e. Security officers shall wear uniforms and be readily identifiable as private security personnel.
- f. Security personnel shall be visible at the primary entrance at closing of the entertainment business and shall remain until patrons are dispersed. Security shall not permit crowds and/or patrons to loiter in the front of or in the immediate vicinity of the nightclub or cocktail lounge after closing.

### 7.5 Parking Structures

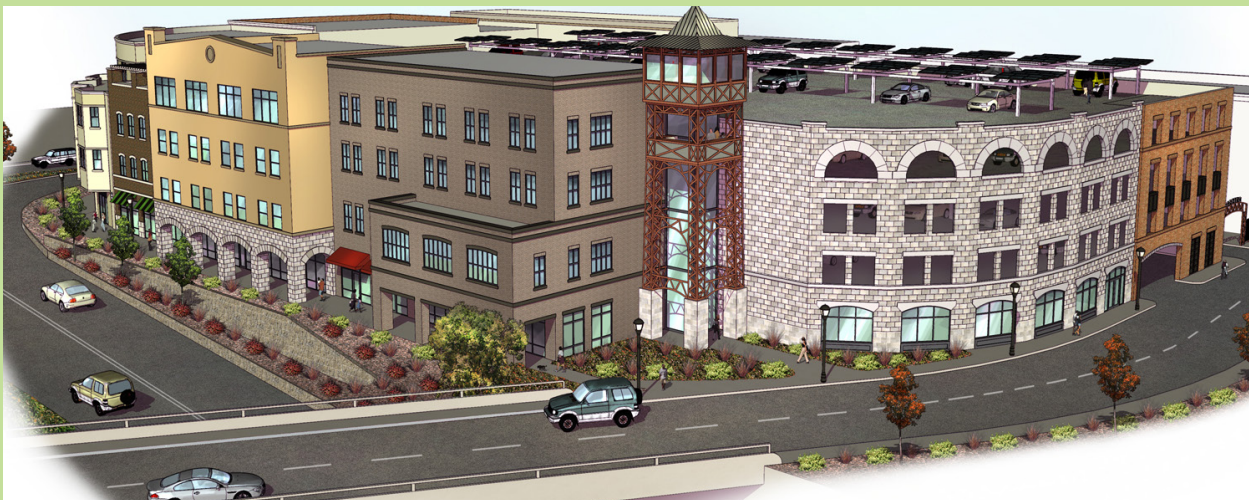
#### A. Purpose

Parking structures are to be integrated into the overall atmosphere and architecture for the Downtown. It is important that these facilities are functional, but do not become a detriment due to their appearance. The following criteria is provided to ensure that these facilities are attributes to the Downtown.

#### B. Parking Structure Design

The following parking structure design standards shall apply to all parking structures located in the Specific Plan area.

1. Parking decks should be flat where feasible. At a minimum, a majority of both the ground floor and top parking decks shall be required to be flat, as opposed to continuously ramping.
2. External elevator towers and stair wells shall be open to public view or enclosed with transparent glazing.
3. Public restrooms shall be located on the ground floor of the parking structure.



*Conceptual of Pacific Street Parking Structure*

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4. Lighting shall meet the requirements of the Uniform Building Code.
5. Parking structure top floor wall designs must conform to one or more of the following options:
  - a. Top Floor Wall with Architectural Focal Point: A top floor wall focal point refers to a prominent wall edge feature such as a glazed elevator and/or stair tower, or top floor line trellis structure; and
  - b. Top Floor Wall Line Variation:
    - i. Projecting Cornice. Top floor wall line articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.
    - ii. Articulated Parapet. Top floor wall line parapets shall incorporate angled, curved, or stepped detail elements.
6. Parking structures with building facades facing or visible from the public right-of-way (ROW) shall use one (1) or a combination of the following design features:
  - a. The facade shall have the appearance of an office building or hotel use.

- b. Design features that would mask the building as a parking structure.

Proposed design features shall be approved by the Director.

### C. Parking Structure Character and Massing

Parking structure facades over 150 feet in length shall incorporate vertical and/or horizontal variations in setback, material or fenestration design along the length of the applicable facade, in at least one (1) or more of the following ways:

1. **Vertical Facade Changes.** Incorporation of intervals of architectural variation at least every eighty (80) feet over the length of the applicable facade such as:
  - a. Varying arrangement, proportioning, and/or design of garage floor openings;
  - b. Incorporating changes in architectural materials; and/or
  - c. Projecting forward or recessing back portions or elements of the parking structure facade.



*Conceptual of Oak Street parking garage*

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**2. Horizontal Facade Changes.** Designed differentiation of the ground floor from upper floors, such as:

- a. Stepping back the upper floors from the ground floor parking structure façade;
- b. Changing materials between the parking structure base and upper floors; and/or
- c. Including a continuous cornice line or pedestrian weather protection element between the ground floor and upper floors.

### D. Minimizing Views Into the Parking Structure Interior

Façades of parking structures shall be designed without continuous horizontal parking floor openings.

1. For portions of parking structures without a pedestrian level retail/commercial use, a minimum five (5) foot wide façade landscape strip is required. The strip should consist of:



- a. A mix of evergreen shrub groupings spaced no more than four (4) feet apart that do not exceed a height of six (6) feet at maturity;
- b. Ground cover; and
- c. Seasonal displays of flowering annual bedding plants.

2. Any portion of a parking structure ground floor with exposed parking areas adjacent to a public street shall minimize views into the parking structure. This can be accomplished via the installation of trellis work or window display cases. The trellis work or window display cases may be waived if the proponent can actually provide first floor retail or commercial uses on the bottom floor adjacent to the sidewalk.

3. In addition to the above, views into the upper floors of parking structures shall be minimized through one or more of the following methods:

- a. The use of planters integrated into the upper floors of parking structure facade design;
- b. Decorative trellis work and/or screening as architectural elements on the parking structure upper floor facades; and/or
- c. Upper parking floors designed as a pattern of window-like openings on the parking structure facade.

4. Parking located under or within buildings shall subordinate the garage entrance to the pedestrian entrance in terms of prominence on the street, location and design emphasis. Limited parking structure entry shall be allowed on any street designated as a "Retail Street" by the Downtown Specific Plan.

### 7.6 Cottage Courtyard Development

#### A. Purpose

A Cottage Courtyard Development (CCD) is a cluster of four (4) to twelve (12) small single family homes clustered around a central open space. A CCD is a valuable housing type in the Old Town Bungalow and Vernon Bungalow Districts because they can serve a variety of household sizes and ages, provide opportunities for home ownership, and encourage creation of usable open space.

#### B. Density and minimum lot area

1. In a CCD, the permitted density shall be 12 to 18 units per acre, and can be located within the Medium Density Land Use designation.
2. The minimum lot area for a development shall be 5,000 square feet.
3. On a lot to be used for a CCD, an existing detached single family or duplex structure, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased.

#### C. Height limit and roof pitch

1. The height limit permitted for structures in a Cottage Courtyard Development shall be 35 feet.
2. The ridge of pitched roofs may extend up to 35 feet. To avoid flat 2-story facades, the second story shall be incorporated into the roof pitch and framing. (See examples located in left column)

#### D. Floor area

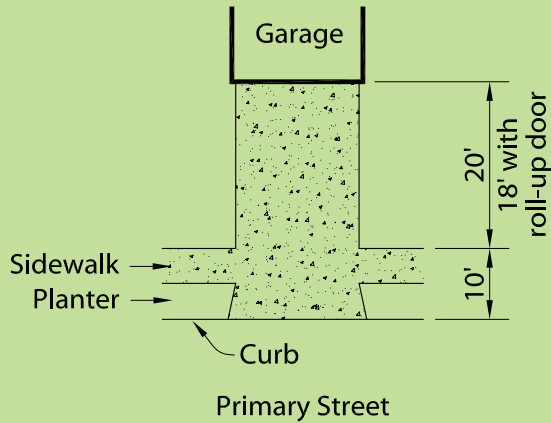
1. The maximum first floor or main floor area for a home in a Cottage Courtyard Development shall be up to 1,200 square feet.



*The above examples depict a variety of roof pitches and framing styles appropriate for cottage styles*



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*Diagram shows appropriate location of parking*



2. The total floor area of each cottage shall not exceed either 1.5 times the area of the main level or 1,800 square feet, whichever is less.

### E. Setbacks and Building Separation

1. Setbacks for all structures from the property lines shall be an average of 10 feet, but not less than 5 feet, except 15 feet from a public street.
2. All structures shall maintain 10 feet of separation within the cluster.

### F. Porches

Cottage homes shall have a covered porch at least 60 square feet in size, and a minimum width/depth of 8 feet.

### G. Architecture

Architecture shall emulate that of the existing neighborhood incorporating, Craftsman, California Bungalow or Victorian elements into the design

### H. Required open space

1. A minimum of 300 square feet per unit of common open space is required.
2. At least 50% of the cottage unit shall abut the common open space, all of the cottage units shall be within 60 feet walking distance of the common open space, and the common open space shall have cottages abutting at least two sides.

### I. Parking Requirement

1. The parking requirements for these structures are as follows:  
Studio of 1 bedroom = 1 space  
2 Bedroom and up = 1.5 spaces  
Guest parking = 1 additional space for every 10 units



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2. Location. Parking shall be on the CCD property. Parking may be in or under a structure or outside a structure, provided that the spaces are:
  - a. Clustered and separated from the common area by landscaping or architectural screen;
  - b. Screened from streets and adjacent residential uses by landscaping or architectural screen; and
  - c. 30 feet from the primary street when contained within a garage. May be 28 feet when garage door is a roll-up door, but must be parked outside of the 15 foot front setback.

### 7.7 Newspaper Racks

#### A. Purpose

Newspaper racks can disrupt the pedestrian environment due to their location and aesthetics. The purpose of this section is to provide standards for the location, design and maintenance of these facilities.



#### B. Permits Required

No person shall place or maintain a newspaper rack that is on or projects into a public right-of-way in the Specific Plan area, unless an approved Zoning Clearance and Encroachment Permit are secured. The newspaper rack shall conform to the requirements of this section.

#### C. Placement

The following standards shall apply to the placement of newspaper racks:

1. Newspaper racks shall be placed on the back of the sidewalk away from the curb so that the back edge of the rack is not farther than six inches from the back edge of the sidewalk.
2. When a newspaper rack is placed adjacent to the wall of any building, the rack shall be placed with its long axis parallel to the building and with the back edge of the rack a maximum of six inches away from the building.
3. Clear space for pedestrian/bicycle passage shall be maintained as follows:
  - a. On bicycle-pedestrian paths, at least eight feet clear space, provided no newspaper rack shall be placed on the paved portion of such path.
  - b. On sidewalks of eight feet or less in width, at least four feet clear space.
4. No newspaper rack shall be installed, used, or maintained within the following distances, measured parallel to the street unless otherwise indicated, from the following:
  - a. Within 15 feet of the curb return of any intersection with either a marked or unmarked crosswalk;



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- b. Within a five-foot radius of any public telephone, or fire hydrant, traffic controller box, or other emergency facility;
  - c. Within 10 feet of any driveway;
  - d. Within five feet of any entrance to a building or sidewalk leading to the entrance of a building;
  - e. In front of, or so situated so as to impede access to or from, any bus bench or shelter or access to or from public transit;
  - f. Within 10 feet of any no parking or stopping zone, unless the newspaper rack is located on the side of the sidewalk farthest from the street;
  - g. Within the limits of a handicap ramp or designated handicapped parking stall; and
  - h. Within any area found to be a safety problem by the Director in accordance with the standards established by this section.
5. Newspaper racks may be placed or joined together so long as the group combined does not extend for a distance of more than eight feet. A space of no less than three feet separating each rack group is required.
  6. A newspaper rack shall not be chained, bolted, or otherwise attached to public property, unless approved by the Director. Racks shall not be chained, bolted, or otherwise attached to any shrub, tree, tree stake, or other plant, street furniture, utility pole, street or traffic sign, mailbox, nor situated upon any landscaped area, unless approved by the Director.
  7. The Director shall require a newspaper rack owner to move a rack if he or she determines that the placement of the newspaper rack does not meet the criteria of this section.
  8. Where possible, newspaper racks will be placed within an attractive, screened enclosure that provides a solid wall which screens the units from the street. Typical screening materials include; split face block, brick and plant material.
- C. Maintenance**
1. Each newspaper rack shall at all times be maintained in a neat and clean condition and in good repair. Each rack shall be maintained and serviced so that it is reasonably free of:
    - a. General dirt and grease;
    - b. Chipped, faded, peeling, and cracked paint, or graffiti, on all visible painted areas;
    - c. Rust and corrosion on all visible unpainted metal areas;
    - d. Cracks, dents, blemishes, and discolorations in the clear plastic and glass parts, if any, through which publications are viewed;
    - e. Tears, peeling, or fading in the paper or cardboard parts and inserts; and
    - f. Broken or misshapen structural parts.
  2. Newspaper racks that are damaged or defective shall be replaced or repaired as soon as practical. The City's Code Enforcement division can remove and hold damaged or defective racks for up to 20 days after issuing a formal notice.



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- When the use of a newspaper rack is permanently discontinued, it shall be removed and the location restored to its previous condition, normal wear and tear excepted. A rack that is unused for one month shall be presumed to be permanently discontinued.

### D. Specifications

- All single-unit configurations shall conform to the following:
  - The dimensions shall not exceed:
    - Fifty inches in height;
    - Twenty-four inches in width; and
    - Eighteen inches in depth.
  - The base shall be enclosed and shall not be a wire-type design.
  - The lettering on a single-unit configuration shall not exceed 170 square inches in area.
- All modular-unit configurations shall conform to the following:
  - The dimensions shall not exceed:
    - Fifty-five inches in height;
    - One-hundred inches in width; and
    - Eighteen inches in depth.
  - The base shall be a pedestal-type design.
  - The lettering on the modular-unit configurations shall not exceed 170 square inches in area per each newspaper rack within the configuration
- Racks on Vernon Street will be painted Downtown Green and Black in Old Town.



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### 7.8 Pedestrian Zone Improvements



#### A. Purpose

The purpose of defining the permitted Pedestrian Zone Improvements is to optimize the growth and income of retail businesses and restaurants by allowing and encouraging the use of portions of the public right-of-way between the curb and the adjacent private property. These improvements will promote an environment that encourages pedestrian traffic. The provisions of this section of the **Downtown Code** provide the criteria for sidewalk signs, outdoor display areas, outdoor dining areas and outdoor vendors.

#### B. Applicability

Only those retail and restaurant businesses fronting onto the public right-of-way and located on the ground floor are permitted to place sidewalk signs, outdoor display or provide outdoor dining areas subject to the provisions of section. Pedestrian Zone Improvements shall only be permitted in the following Specific Plan Districts: Old Town Commercial, Vernon Street and Dry Creek Mixed Use Districts.

#### C. Permit(s) Required

Prior to the installation of any improvement within the City's public right-of-way (PROW) a Zoning Clearance and Encroachment Permit shall be secured. This approval shall be limited to a one year period from the date of approval. The City may withhold re-issuance of this permit for the following reasons:

- Business owner has not maintained the pedestrian improvements in safe and sanitary condition.
- Business' insurance policy has not been maintained in a manner acceptable to the City.
- City has responded to more than three (3) complaints regarding the location, condition or the maintenance of the pedestrian improvement in a one year period.
- Pedestrian zone improvements are governed by this code and are exempt from the Roseville Municipal Code.

#### D. Display of Permit

The approved permit shall be prominently displayed at all times at the approved location. The approved location shall be in the window on the building face, in a location that is clearly visible from the pedestrian zone on the exterior of the building. Portable vendors shall post this permit in a visible location on their cart.

#### E. General Requirements

The following provides the general requirements for securing a permit for the installation of pedestrian improvements within the public right-of-way (PROW).

- 1. Grant of permission.** The City's rights with respect to the Public Right of Way shall remain and continue in full force and effect. It shall in no way be affected by the City's grant of permission to place the listed improvements in the public right-of-way.



## 7.0 Downtown Specific Ordinances

2. **Hold Harmless.** The business owner shall agree at all times to indemnify and hold the City free and harmless from and pay in full, any and all claims, demands, losses, damages, or expenses that the City may sustain or incur in any manner resulting from the construction, maintenance, state of use, repair or presence of the improvement installed. Prior to installation of the pedestrian improvement the business owner shall enter in to a hold harmless agreement with the City. The City is to provide the appropriate form.
3. **Liability Insurance.** The Business Owner shall maintain a policy of liability insurance in the amount that is satisfactory to the City Manager and Public Works Director in order to protect the City and property owner from any potential claims from the pedestrian improvement(s). The policy of liability shall be in a form acceptable to the City. Cancellation of a business' insurance policy immediately voids the permit approvals.
4. **Violation of Standards.** The Business Owner shall remove or relocate, at Business Owner's expense, any pedestrian enhancement, within 24 hours after direct notice by the City (through City official or by letter). If the Business Owner fails to remove or relocate the pedestrian improvement, in the required time and manner, or if deemed necessary by the City, the City may

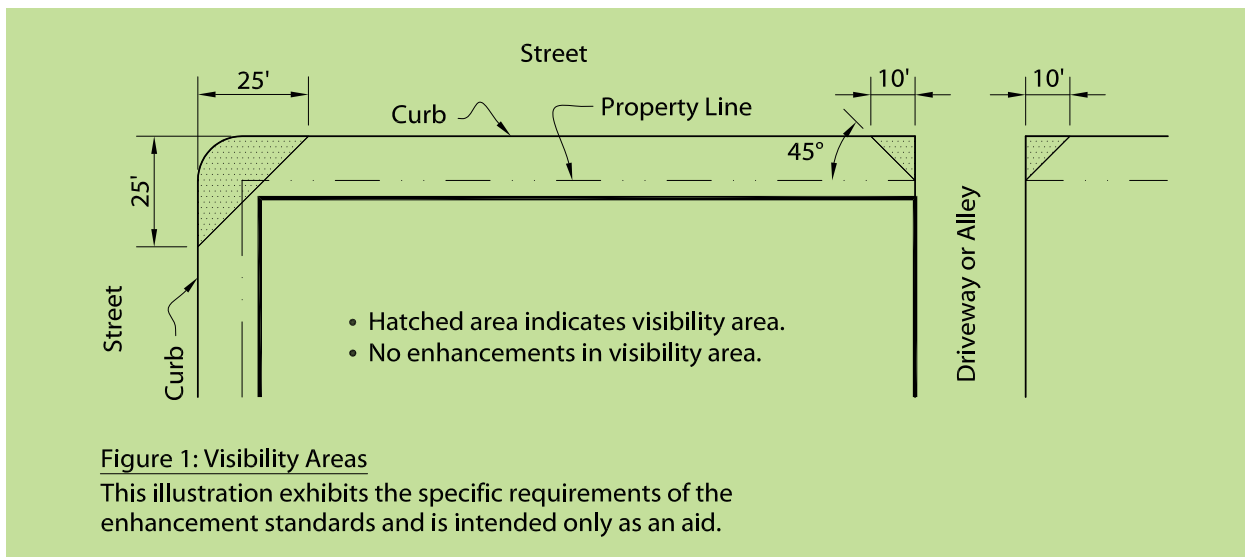
cause such work to be done and charge the Business Owner for the cost of the work, at the sole discretion of the City. The City also has the authority to order that any pedestrian improvement be immediately removed or relocated to protect the life/health/safety of the public.

5. **Public Events.** During public events such as street fairs and parades all pedestrian improvements shall be removed, unless express permission has been granted through written approval by the Planning Director or Planning Director's designee.

### F. Location

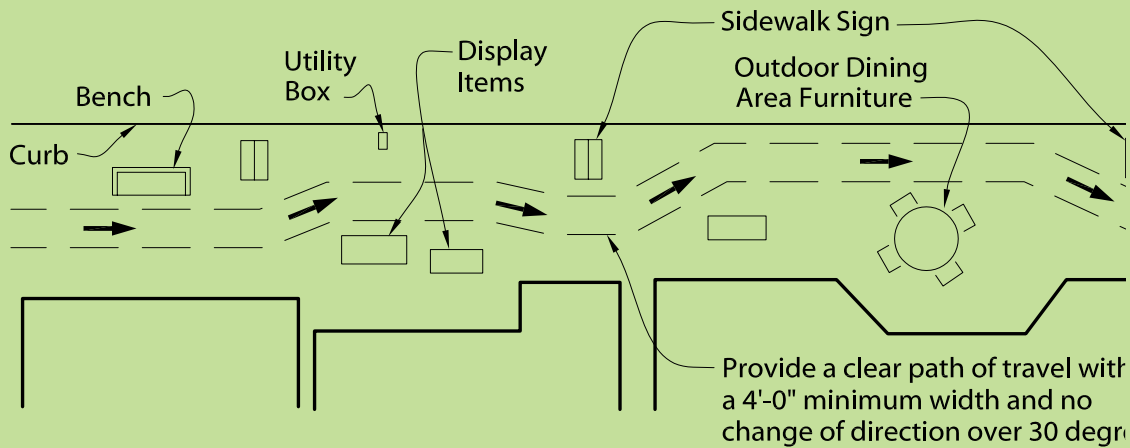
The location of these improvements is critical to the safety of the pedestrians within the Pedestrian Zone in which these improvements are being placed. The business owner, upon securing the approvals as noted in section 7.8 C – "Permits Required", shall adhere to the following locational criteria when placing improvements in the Public Right of Way.

1. Pedestrian Improvements shall be placed so as not to block or obstruct vehicular visibility areas, including but not limited to the 25'-0" visibility triangle required at the intersection of any two streets and the 10'-0" visibility area required at a driveway or alley intersecting a street (Figure 1).



## 7.0 Downtown Specific Ordinances

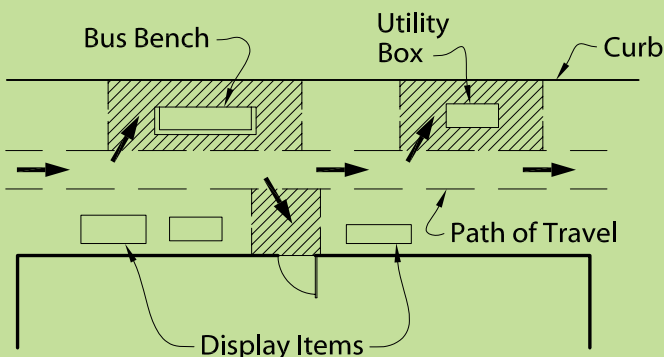
- Pedestrian improvements shall be placed so as to maintain a clear path of travel that has (a) a minimum width of 4'-0", (b) no more than thirty-degree changes of direction for travel along the sidewalk itself, and (c) no travel onto private property except for access to and egress from a specific business, area, or location. (Figure 2).



**Figure 2: Clear Path of Travel**

This illustration exhibits the specific requirements of the enhancement standards and is intended only as an aid.

- Pedestrian Improvements shall be placed no closer than two feet (2'-0") to the front face of the curb.
- Pedestrian Improvements shall be placed so as to not block or obstruct access to building entrances and exits (such as those areas required adjacent to a door for disabled access) and street furniture, including but not limited to, bus benches or shelters and public utility boxes and poles. (Figure 3)



- Provide access per accessibility codes where the crosshatching is shown.
- This diagram is neither intended to illustrate all the applicable codes of the Disabled Accessibility Standards of the "C.B.C." (California Building Code) nor those of the "A.D.A." (American Disabilities Act).

**Figure 3: Accessibility**

This illustration exhibits the specific requirements of the enhancement standards and is intended only as an aid.

## 7.0 Downtown Specific Ordinances

5. Pedestrian Improvements shall be placed in such a way so as not to substantially obstruct a business or restaurant's transparency (i.e. the views into a store or restaurant's interior and window displays).
6. Pedestrian Improvements shall be placed a minimum of five feet from any public water facilities including fire hydrants and meter boxes or assemblies. (Figure 4)
7. Pedestrian Improvements shall be placed a minimum of two feet from any sewer lateral cleanout in the public sidewalk.
8. Pedestrian Improvements (except flowerpots, flower planter boxes, and statuary) are permitted in the Public Right of Way only during business hours. Storage of these items shall be within the building during non-business hours.
9. Pedestrian Improvements shall not be attached to public utility boxes and poles or other street furniture.
10. Business services (including those of cashiers or salespersons) and demonstrations shall not be provided in the Public Right of Way.

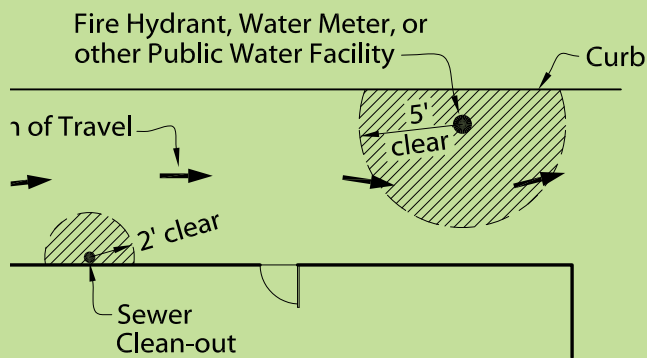
Security personnel, business personnel managing an outdoor display area, and waiters or waitresses for outdoor dining areas are permitted in the Public Right of Way.

11. The Public Right of Way shall not be painted, resurfaced, or raised.
12. It is the responsibility of the Business Owner to determine the location of the property line.

### G. Exclusions

Pedestrian Improvements do not include the installation of awnings, railings, and other permanent structures (except flower pots, flower boxes and statuary) in the Public Right of Way.

The scope of this section does not include any pedestrian improvements or enhancements, whether temporary or permanent in nature, on private property.



- The crosshatching indicates those areas to remain free of enhancements.
- Provide clearances as shown.
- The clear path of travel may pass through the crosshatched areas.

Figure 4: Clearances from Public Water Facilities and Sewer Clean-outs  
This illustration exhibits the specific requirements of the enhancement standards and is intended only as an aid.

## 7.0 Downtown Specific Ordinances

### Sidewalk Sign Standards

- A-frame style.
- Signboard to continue to the ground.
- The bottom 2" of the signboard shall be of a contrasting color to that of the ground.
- Sign to be of professional quality.
- Sign to be made of durable materials.
- No sharp edges or comers.
- No paper signs.
- No balloons, windsocks, pinwheels, or other wind-activated items.

### 7.8.1 Sidewalk Sign Standards

#### A. Purpose

The purpose for sidewalk signs is to allow encouraged uses such as retail and restaurants to show menus, daily specials, advertise sales, deals or services, at the pedestrian level.

#### B. Applicability

Any retail or restaurant business which is not a Home Business (A home occupation is defined as an accessory, nonresidential business activity carried on within a dwelling by its inhabitants, incidental to the residential use of the dwelling, that does not change the character of the surrounding residential area by generating more traffic, noise, or storage of material than would normally be expected in a residential zone.) and has a current business tax certificate issued by the City may have a sidewalk sign complying with these standards.

#### C. General

Only those retail and restaurant businesses fronting on the PROW (*Public Right-of-Way*) and located on the first floor may maintain a sidewalk sign. Sidewalk signs may be placed only in the PROW directly in front of the Business's storefront so long as they conform to the General Requirements, Standards, and Conditions of the Pedestrian Improvement Zone. The following provides additional specific criteria for the use of sidewalk signs in the Downtown:

1. **Quantity.** Only one sign per business is allowed with a maximum of two faces per sign.
2. **Placement.** A sidewalk sign shall be:
  - a. Located directly in front of the business it represents.



## 7.0 Downtown Specific Ordinances

- b. Located in the Public Right of Way, but not within two feet of the front face of the curb, not in the clear path of travel and not in clear areas adjacent to street furniture.
  - c. Removed when weather conditions create potentially hazardous conditions.
- 3. Size, Appearance and Design.** The maximum footprint of a freestanding sign shall be 2'-0" x 3'-0". The sign height shall be between 3'-0" and 4'-0". Pedestal signs or other types are not permitted. The sign boards shall continue to the ground for detection by those who are visually impaired. The bottom two inches of the sign shall have a strong contrast with the grade below for detection by those who are visually impaired. (Figure 5)
4. The sign shall be designed to stand on its own.
  5. The style of the sign's graphics shall be professional in quality and complement the business' permanent building sign(s), if any.
  6. The sign shall be made of a durable material(s), such as medium density overlay plywood painted with enamel paint, stainless
- or other weatherable steel, laminate plastic, slate chalkboard, or marker board. A natural wood 1" x 2" frame is strongly encouraged. No glass, breakable materials, or attached illumination shall be allowed. Every sign and all parts, portions, shall be professionally manufactured
7. Paper signs, wind-activated items (such as balloons, windsocks, and pinwheels), and non-rigid changeable areas shall not be used as or attached to a sign.
  8. The sign shall have no sharp edges or corners. All surfaces shall be smooth and be free of protruding tacks, nails and wires. All parts, portions, and materials of a sign shall be kept in good repair. The display surface shall be kept clean, neatly painted, and free from rust, corrosion, and graffiti. Any cracked or broken surfaces, missing sign copy, or other poorly maintained or damaged portion of a sign shall be repaired, replaced or removed.



**Figure 5: Size, Appearance, and Design**

This illustration exhibits the specific requirements of the enhancement standards and is intended only as an aid.

- A-frame style.
- Signboard to continue to the ground.
- The bottom 2" of the signboard shall be of a contrasting color to that of the ground.
- Sign to be of professional quality.
- Sign to be made of durable materials and professionally manufactured.
- No sharp edges or corners.
- No paper signs.
- No balloons, windsocks, pinwheels, or other wind-activated items.



## 7.0 Downtown Specific Ordinances

### 7.8.2 Outdoor Displays



#### A. Purpose

The purpose of outdoor display areas is to attract customers into retail or restaurant uses that front onto the pedestrian zone.

#### B. Applicability

Any retail or restaurant business which is not a Home Business and has a current business tax certificate issued by the City may have outdoor displays complying with these standards.

#### C. General

Only those retail businesses fronting on the PROW (*Public Right-of-Way*) and located on the first floor may have outdoor displays of retail goods. Outdoor displays may be placed only in the PROW directly in front of the Business's storefront so long as they conform to the General Requirements, Standards, and Conditions of the Pedestrian Improvement Zone. The following provides additional specific criteria for outdoor displays in the Downtown:

1. **Allowable Display Area.** The following prescribes the allowable area in which outdoor retail displays can be located.
  - a. The permitted display items shall be placed in the PROW for a distance no more than 4'- 0" from the property line. (Note: the street wall of the building may or may not be located at the property line. It is the responsibility of the Owner to determine the location of the property line.)
  - b. The actual allowable depth of the exhibit area from property line towards the curb may be less due to other restrictions. (Figure 6)

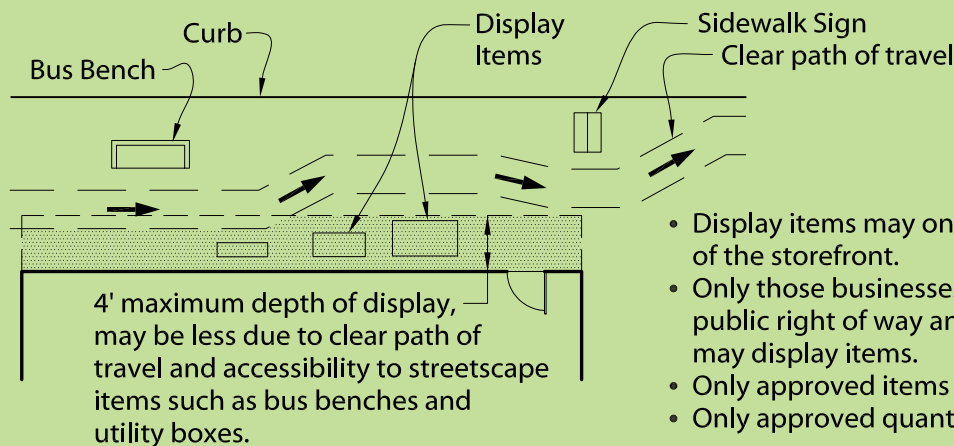


Figure 6: Location of Display Items in the Public Right of Way

This illustration exhibits the specific requirements of the enhancement standards and is intended only as an aid.



## 7.0 Downtown Specific Ordinances

- c. The display areas shall be limited to the length of the business' storefront.
- 2. Permitted Display Items.** The following items may be displayed in the PROW, provided the Business Owner abides with the Pedestrian Improvement Zone standards. The merchandise shall be free of graffiti and constitute no hazard to pedestrian traffic
- a. Furniture: patio furniture and wooden and metal furniture (excluding mattresses and sofas).
  - b. Books and magazines.
  - c. Produce, baked goods, and food in containers.
  - d. Cut or live flowers and plants.
  - e. Clothing and accessories.
  - f. Hand crafted products and goods.
  - g. Art work, including paintings, photography, sculpture, frames, and pottery, displayed by retail vendors.
  - h. Sports equipment.
  - i. Bicycles.
  - j. Musical instruments.
  - k. Leather goods.
  - l. Luggage.
  - m. Rugs.
  - n. Pet accessories.
  - o. Other merchandise similar in character, type or nature to the merchandise listed above, with approval from the Director.
- 3. Merchandise Not Permitted.** Any merchandise not falling within the approved categories shall not be displayed outdoors, including, but not limited to the following:
- a. Alcoholic Beverages.
  - b. Tobacco cigarettes and smoking accessories.
  - c. Upholstered items with a cumulative height, width and depth of nine feet or more.
  - d. Shoes, except those on mannequins or props.
  - e. Vending and dispensing equipment.
  - f. Appliances.
  - g. Canned or prepackaged foods.
  - h. Adult oriented material.
  - i. Auto-related merchandise.
  - j. Mattresses.
  - k. Major appliances.
  - l. Compact discs, videotapes, digital video discs and similar items.
  - m. Computers, business machines and home electronics.
  - n. Cameras and photographic equipment.
  - o. Live animals.
  - p. Pawned items.
  - q. Weapons, including but not limited to, knives, fencing swords, and antique pistols.
  - r. Home cleaning products.
  - s. Personal care items.
  - t. Other merchandise similar in character, type or nature to that listed above.



## 7.0 Downtown Specific Ordinances

- 4. Maximum Quantities:** Businesses may display one or two of the following five types of merchandise:
- Furniture, limited to one item for every five linear feet of storefront. (Example: a store with a gross storefront length of 25 feet may display up to a maximum of five items.)
  - Book and magazine racks, limited to one rack per every storefront length of 25 feet, or portion thereof.
  - Hand-crafted products and goods, artwork, and/or pottery, limited to two items for every five feet of storefront. (Example: a store with 25 feet of storefront may display up to a maximum of ten items.)
  - Food products, limited to one linear foot of display space for every five feet of storefront. (Example: a store with 25 feet of storefront may display food products along a maximum of five linear feet.)
  - Dress apparel [clothing, accessories, and shoes (as allowed)], limited to six pieces, (Note: if seven to twelve articles

of apparel, whether clothing, accessories, or shoes, are displayed, then no other type or quantity of merchandise may be displayed.) (Example: a store with 25 feet of storefront may display six pieces of apparel and a rack of books or display twelve pieces of apparel.)

- 5. Display Requirements.** Businesses electing to display materials on the sidewalk shall meet the following display requirements:
- All items publicly displayed shall be in good condition, not require repair, and not be wrapped in plastic or other wrapping materials.
  - Items shall be displayed appropriately (preferably on three-dimensional props) that coordinate with the store facade. Cardboard boxes and folding tables are not permitted as display racks.
  - Clothing shall be hung only on mannequins or props, except that clothing may be displayed on hangers on the door(s) of the business.

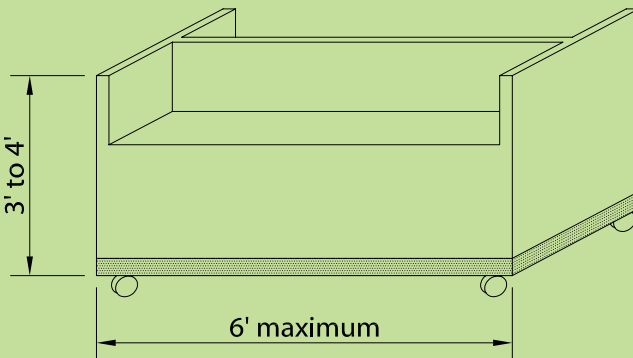


## 7.0 Downtown Specific Ordinances

- d. Books and magazines shall be displayed on racks 3'-0" to 4'-0" in height. Books shall be displayed to allow the title and author of each book to be seen. Each rack shall be no more than 6'-0" in length. (Figure 7), Racks shall be in good condition and not require repair.
- e. All items and displays shall be safe and stable with no risk of overturning due to wind or contact. Props and items of display shall not project into the clear path of travel; corners shall be rounded. Businesses shall remove displays when weather conditions create a potentially hazardous condition.
- f. All items (such as racks, mannequins, props, furniture and other display items) must extend to within 2 inches of the ground and have a two-inch wide stripe at all bottom edges or in some other manner be physically and visually detectable in an easy manner by the visually impaired.



*Books shall be displayed to allow the title and author of each book to be seen.*



- Bookcases and magazine racks must extend to within two inches of the ground and have a two inch wide stripe of color that contrasts with the ground.

**Figure 7: Book and Magazine Racks**

This illustration exhibits the specific requirements of the enhancement standards and is intended only as an aid.



## 7.0 Downtown Specific Ordinances

### 7.8.3 Outdoor Dining Area Standards



#### A. Purpose

The purpose is to encourage a pedestrian environment that is interesting, unique and interactive. These provisions will allow for outdoor dining areas within the Public Right of Way.

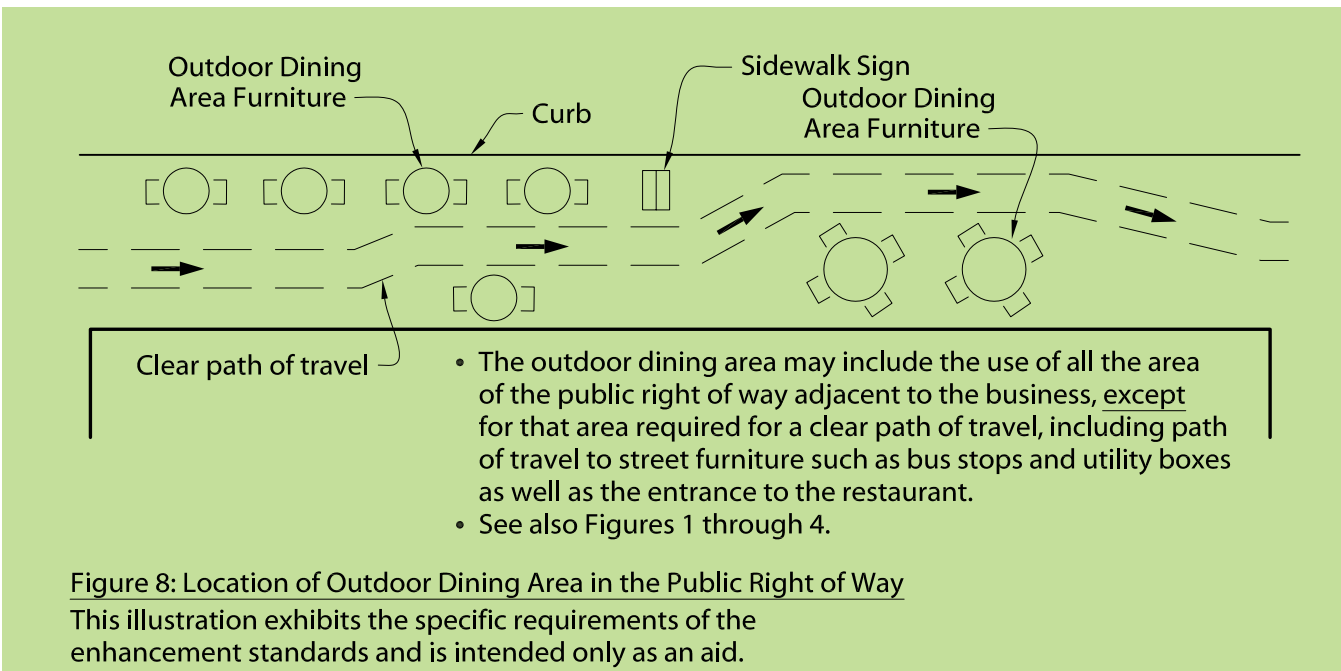
#### B. Applicability

Businesses licensed to serve food and/or beverages are permitted to have an outdoor dining area that complies with the standards of this section.

#### C. General

Only those restaurant businesses fronting on the PROW (*Public Right-of-Way*) and located on the first floor may have outdoor dining areas. Dining seating may be placed only in the PROW directly in front of the Business's storefront so long as they conform to the General Requirements, Standards, and Conditions of the Pedestrian Improvement Zone. The following additional standards are required to establish outdoor dining areas.

1. The outdoor dining shall be located directly in front of the restaurant or food/beverage business.
2. The sale of alcoholic beverages in an outdoor dining area requires licensing by the department of Alcoholic Beverage



## 7.0 Downtown Specific Ordinances

Control (ABC). If a restaurant intends on serving alcohol in the outdoor dining area all requirements and improvements from ABC shall be shown on the plans submitted for a Zoning Clearance.

3. The hours of operation of the outdoor eating areas shall not exceed those of the primary use.
4. A minimum horizontal clearance of four (4) feet from will be maintained on the sidewalk area to ensure that an adequate path of travel is provided.
5. An outdoor dining area may include the use of all the area in the PROW adjacent to the business except that area required for the clear path of travel or clear area adjacent to street furniture, such as benches or utility boxes and that area of Public Right of Way within two feet of the curb. (Figure 8)
6. Tables and chairs shall be moveable, metal, wood, durable plastic, or other approved material, and must be in good condition and not require repair. Umbrellas must be in good condition, be fire-treated, and not require repair.
7. Permanent lighting complying with City and accessibility standards and installed with electrical permits may be provided for the Public Right of Way. The lighting shall be attached to the building.
8. Outdoor seating provided by restaurants within the Downtown Specific Plan area are not subject to the parking requirements established by Chapter 19.26 and 19.52 of the Zoning Ordinance.



## 7.0 Downtown Specific Ordinances

### 7.8.4 Open Air Vending Facilities



#### A. Purpose

The purpose is to provide standards for Open Air Vending Facilities selling prepared food, fresh cut flowers or plants or any other use determined by the Director to be consistent with this type of sales, when not in association with a permanent business.

#### B. Applicability

Businesses licensed through the City may be permitted in the downtown commercial and industrial districts.

#### C. Permit Required

The use shall be on improved property and obtain a Zoning Clearance. Additionally, an Encroachment permit is required for any facility located within the Public Right of Way. Permit provisions will be subject to the same standards as provided for in Sections 7.8 of the **Downtown Code**. (Improved property shall be defined as a property which has a paved legal access and adequate hardscaping to accommodate an open air vending facility).

#### D. General

Open Air Vending Facilities are anticipated attributes to a healthy downtown. The following

standards are provided in order to insure that future uses within the public-right-of way do not conflict with goals established in Specific Plan and the **Downtown Code**. An open air vending facility shall comply with the following development standards:

1. The use shall not be within 200 feet of another vending facility, or within 100 feet of a permanent business whose primary business is selling similar items (e.g. food and beverage items);
2. The use shall not be within 15 feet of any fire hydrant;
3. The use shall not occupy required off-street parking spaces or required landscape areas, and shall not be located on a pedestrian path/sidewalk that is less than 10 feet in width. A minimum of a six-foot path of travel shall be maintained around the facility;
4. The use shall not be allowed to be located within any required landscaping setback adjacent to a public street;
5. The use shall not exceed more than 200 square feet in area;
6. At an intersection, the use shall be located outside of a 25-foot by 25-foot commercial clear vision triangle;
7. The use shall include trash receptacle(s) and such receptacles shall be maintained, by the vendor, so as not to create an offending odor or visual nuisance;
8. The area on which the open air vending facility is located shall be kept free of debris;
9. The use shall not reflect undesirable light and glare from the designated premises;
10. The use shall not use, play or employ any sound, outcry, amplifier, loudspeaker, radio or any other instrument or device for the production of sound in connection with the



## 7.0 Downtown Specific Ordinances

- promotion of an open air vending facility;
11. The open air vending facility shall not be greater than 10 feet in height;
  12. Signage shall not exceed a total of 30 square feet on a maximum of two signs, of which, are required to be attached to the pushcart;
  13. Sale of product shall be from the approved open air vending facility and not from additional accessory stands, tables, chairs, or other devices other than those permitted as indicated on the application;
  14. The use shall be located on a generally level portion of the site and an adequate braking system be provided for, as necessary;
  15. The use shall not be closer than 12 feet from the outer edge of any entrance to any building; and
  16. Storage and handling of food shall comply with all applicable county and state requirements.

**Lapse of Permit.** A permit issued pursuant to this chapter shall lapse and be of no further force and effect in the event the open air vending facility fails to be operated for a period of 90 consecutive days. Prior to conducting any further activities including upon lapse, a new permit shall be obtained per Section 7.8C of the **Downtown Code**.



## 7.0 Downtown Specific Ordinances

### 7.9 Efficiency Units

#### A. Purpose

Efficiency units offer an alternative housing opportunity within the Downtown. The following provisions are to provide guidance and standards to the development of these units as practical workforce housing within downtown Roseville.

#### B. Applicability

Efficiency Units shall only be permitted in the following Specific Plan Districts: Old Town Commercial and Vernon Street. Projects over 25 units require a Conditional Use Permit.

#### C. Defined

An Efficiency Unit is defined as a room or group of internally connected rooms that have independent sleeping, cooking, eating and sanitation facilities, which constitutes an independent housekeeping unit, occupied by or intended for one household on a long-term basis.



*Example of Efficiency Units typically located above retail and entertainment uses in the Old Town Commercial district*

#### D. Development Standards

To ensure and separate these units from a studio or 1 bedroom dwelling unit the following development standards shall be implemented:

##### 1. Unit Size

Each living unit must have at least 150 square feet of net floor area. When an Efficiency unit exceeds 400 square feet in area, existing underlying zone density and parking standards for a one bedroom apartment unit apply.

##### 2. Maximum occupancy

Two Persons

##### 3. Kitchen facilities

Kitchen facilities consisting of a minimum of a kitchen sink with a garbage disposal, counter top, refrigerator and microwave oven, standard range or cooktop is required.

##### 4. Bathroom facilities

A complete bathroom is required in every Efficiency Unit. This includes a toilet, sink and shower or bathtub/shower. The bathroom area is to be screened from the remainder of the unit via a solid wall.

##### 5. Phone/Television Services

Each Efficiency Unit shall be pre-wired for phone and cable television service.

##### 6. Parking

Parking shall be provided on a ratio of 0.8 of a space per unit. All required parking for the project shall be available to the residents only. Parking must be provided on-site or within less than 300 feet from the efficiency unit's location. For projects that are 25 units or less, 100% of the parking requirement may be satisfied through payment of the City's parking in-lieu fee.



## 7.0 Downtown Specific Ordinances

### 7.10 Residential to Commercial Conversions



#### A. Purpose

A residential to commercial conversion is defined as a unit which previously supported a single family residential use and is now proposed to convert to a commercial use (office or personal service use). The purpose of this section is to establish regulations that will promote the conversion of existing older residential structures in the Bungalow districts (Residential Mixed Use zone) to commercial uses.

#### B. Applicability

Residential to Commercial conversions shall only be permitted in the following Specific Plan Districts: Old Town Bungalow and Vernon Street Bungalow Districts (Residential Mixed Use zone).

#### C. Permit Required

Prior to conversion of a residential structure to a commercial use the property owner shall obtain approval of a Zoning Clearance, and a Building Permit for any associated building improvements.

#### D Permitted Uses

The following commercial uses shall be permitted in the Bungalow districts (Residential Mixed Use zone):

- 1. Permitted Residential Uses:** Residential Uses as prescribed in section 2.3 of the Downtown Code.
- 2. Professional office including:** Accountant/ Financial Consultant; Answering Service; Architecture/Engineering/Planning; Artist's Studio; Attorney; Drafting Service; Contractor's Office; Insurance Agent; Interior Decorator; Medical/Dental Office; Public Utility Office; Real Estate Agent; Travel Agency and other similar office uses as determined by the Director. Cash advance or bail bonds offices are not allowed as part of the office uses within these districts.
- 3. Personal Service Uses including:** Music Lessons; Barber/Beauty Shops; Tailors, Bridal Shops; Shoe Repair Shops; Massage Therapist, Photography Studio and other similar uses as determined by the Director. Tattoo, piercing and similar businesses are not allowed as a personal service in these districts.

#### E. Development Standards

The change in use of a structure that was previously a residential use to a commercial use may require up-grades to the building to meet commercial occupancy standards. To ensure that the conversion of these units is not detrimental to the surrounding uses or neighborhood the following development standards shall be implemented:

- 1. Density and setbacks:** Existing underlying zone density, setbacks, building height and coverage as described in sections 4.0, Old Town and Vernon Street Bungalow districts shall apply.



## 7.0 Downtown Specific Ordinances

### 2. Maximum occupancy

As determined by the California Building Code.

### 3 Building Development Requirements

The following building development requirements shall be instituted, when deemed necessary, as part of the conversion of a residence to a commercial use:

- a. Adequate fire suppression is required (1,500 gpm with 20 psi residual); if fire sprinklers are required;
- b. A ¾" commercial meter and backflow is required to provide service to the building;
- c. A sewer cleanout is required on-site;
- d. A commercial rated electrical panel may be required;
- e. Handicapped accessible bathroom facilities shall be provided per the California Building Code;
- f. Exterior building walls and openings shall comply with fire resistance rating requirements;

- g. The building shall provide an accessible path of travel as shown on a required "site accessibility plan" to be submitted prior to Building Plan check approval; and,
- h. Any exterior modification to the building shall conform to the Downtown Code design standards, and shall be consistent with the existing architecture of the building, as well as, the surrounding neighborhood.

### 4. Site Development Requirements

The following site development requirements shall be instituted, when deemed necessary, as part of conversion of a residence to a commercial use

- a. Grading consisting more than 50 cubic yards requires approval of a grading permit;
- b. Any work to be preformed within the right-of-way shall require an encroachment permit;
- c. Adequate fire vehicle access of no less than 20 feet in width shall be provided via an asphalt paved surface;
- d. Existing and new landscaping within the front yard setback or parking areas shall be irrigated by an automatic timed sprinkler system.

### 5. Parking Requirement

Based on the "park once" strategy of the Downtown Specific Plan and the implementation of an in-lieu parking fee, the parking requirement for residential to commercial conversions is as follows:

- a. **Parking calculation**  
1 space per 500 square feet.



## 7.0 Downtown Specific Ordinances

### b. Parking location

Parking shall not be allowed within the front setback area.

### c. Parking Required

Parking can be satisfied through payment of the City established in-lieu fee and no on-site parking shall be required. If a project elects to construct or provide on-site parking, a minimum of one stall shall meet handicap accessibility standards as required by the California Building Code. New parking shall comply with the design and lighting standards established in the Zoning Ordinance.



## G. Operational Standards

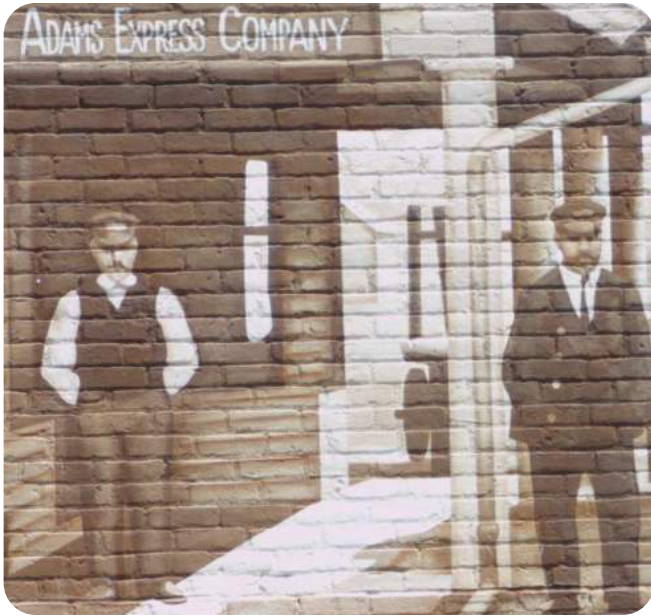
To preserve the character of the existing neighborhood the following operational standards will be applied to all commercial uses within the Bungalow districts (Residential Mixed Use zone):

- 1. Commercial hours of operation:** Commercial uses shall operate only between the hours of seven o'clock (7:00) a.m and eleven o'clock (11:00) p.m.
- 2. Deliveries:** Deliveries to commercial uses shall occur only during the business hours of the particular use.
- 3. Outside Storage:** Storage of all commercial, professional, or business related equipment, goods or materials shall take place only within a fully enclosed structure. Outside storage of such equipment, goods and materials is prohibited.
- 4. Signage:** Signs advertising the business shall comply with the district design guidelines established in Chapter 4 and Chapter 8 of the Downtown Code and with the City of Roseville Sign Ordinance.



## 7.0 Downtown Specific Ordinances

### 7.11 Downtown Murals



#### A. Purpose

In order to effectively implement a successful mural program for the Downtown that will ensure process consistency and community aesthetic benefits, it is important that potential applicants adhere to the following policy and standards. The policy and standards that follow are intended to provide a reasonable process that will safeguard the interests of the community, properties adjacent to sites with murals, as well as those of the individual building/property owner.

#### B. Applicability

The purpose of the Downtown mural program is to support the creation and maintenance of a visually engaging environment in the various commercial districts within the Specific Plan area. The following Downtown Specific Plan Districts will allow murals: Washington Boulevard, Washington Boulevard Intensified, Old Town Commercial, Vernon Street, Douglas Boulevard and the Dry Creek Districts. For purposes of the Downtown Code, murals shall not be considered signs as defined by Title 17 of the Roseville Municipal Code.

#### C. Permit Required

Prior to the application of any mural to a building façade, a minor design review permit (MDRP) as described in Chapter 19.74 C(1) of the Zoning Ordinance, shall be obtained from the City of Roseville Planning and Redevelopment Department.



## 7.0 Downtown Specific Ordinances

### D. Design Criteria

The following provides the design criteria that needs to be considered as part of the development of a building mural:

#### 1. Materials

Murals shall be of exceptional design and quality and incorporate high-quality materials that enhance the overall development and appearance of the site. The materials used may include paint or other artistic mediums, such as tile or mosaic which are appropriate for an outdoor location. Materials used to produce the mural shall be long lasting and graffiti-resistant to the greatest extent possible.

#### 2. Colors

Mural colors should be harmonious with the exterior colors of the building structure. Under no circumstances will neon, fluorescent or reflective type colors/materials be permitted.

#### 3. Size

The overall size of the mural shall be based on how the mural integrates with the building architecture and will be reviewed as part of the Design Review process.

### 4. Advertising

A mural shall not contain commercial advertising, defined as any text displaying business logos, names, or services, and imagery with a commercial message (as defined by the Sign Ordinance). Commercial advertising is regulated by the Sign Ordinance and Downtown Code Chapter 8, not by this section. Murals may contain design content that references business activities at the site (ex: a cornucopia mural on a grocery store), provided it does not contain commercial advertising. The exception will be the inclusion of a historic advertising theme that is unrelated to business activities within the building/structure (ex: a mural of historic fruit packing crates, provided none of the brands displayed currently exist). Additionally, the mural artist's signature may appear on the finished mural provided that it does not detract from the mural display.

### 5. Building Architecture

The mural, by its design, construction, and location shall enhance and not obscure or detract from the overall building architecture.



## 7.0 Downtown Specific Ordinances

### E. Care and Maintenance

#### 1. Responsibility

Any mural produced on a private structure shall become the physical property of the property owner. As such, the building owner is responsible for the care and maintenance of the mural, and any costs associated with maintenance, repair, and/or removal of the mural.

#### 2. Neglect of Maintenance

If, for whatever reason, the City has found that the mural is in a state of poor condition, the building owner will be notified in writing, and required to make the necessary repairs within 60 days of official notification. If the repairs are not made within the specified time period, the City reserves the right to repair or remove the mural at the property owner's expense.

### F. Approval Process

The approval process shall be a Minor Design Review Permit as established in Chapter 19.74 of the Zoning Ordinance.

#### 1. Formal Application

Any entity desiring to construct a mural on a building in the Downtown shall submit a Minor Design Review permit application. Accompanying the application will be a color scale rendering of the proposed project which shall be submitted to the Director, or his/her designee. This application will be reviewed for appropriateness of design, content accuracy, proposed building location and any other information required to complete the process. Mural designs that do not meet all of the design criteria may be denied, or accepted with required modifications.

#### 2. Appeal of decision

Mural designs that do not receive approval may be appealed. The Director's decision to deny an application may be appealed to the Design Committee, following filing of a written appeal and payment of the required appeal fee as described in Chapter 19.80 of the City's Zoning Ordinance.



## 7.0 Downtown Specific Ordinances

### 3. Schedule

Applicants are required to begin their mural project within 60 days of approval and are required to complete the mural project within nine months of the approved Minor Design Review Permit.

### 4. Building Owner Authorization

The Minor Design Review Permit application must be signed by the property owner. This signature represents the owner authorization to proceed with a mural at the site.



## 7.0 Downtown Specific Ordinances



*Historic-era properties eligible for listing in the California Register of Historical Resources (CRHR) include the Tower Theater (419–425 Vernon Street) and the Haman House on Oak Street.*



### 7.12 Additional Downtown Provisions

#### A. Purpose

The Downtown has been recognized as being a “unique” area within the Community. In order to preserve the unique character of the Downtown, the size, appearance of storefronts during vacancies, application of the state Historic Building Code and noise provisions are addressed in Sections 7.2 B-E of the **Downtown Code**.

#### B. Retail establishment size - “Anti-Big Box Provision”

No single retail commercial establishment shall exceed a gross floor area of 10,000 square feet in the Old Town, Downtown Vernon, or Dry Creek Districts without a conditional use permit or 25,000 square feet in the Washington Corridor and Douglas Corridor Districts. Entertainment or restaurant/bar/cocktail lounge uses are not included in this provision.

#### C. California State Historic Building Code

The City shall apply the California State Historic Building Code for use in historic structures as described and identified as “Eligible” structures by the architectural inventory contained as part of the Environmental Impact Report (EIR). By implementing this section of the building code, it provides relief to certain current building codes that would otherwise constrain or act as a disincentive for the re-use of older buildings. The State Historic Building Code is written acknowledging the structural, design and site issues typically associated with older structures. Eligible structures and potential eligible structures, as determined in the EIR, are shown in Exhibit 7.2 and Table 7.1. The City may also extend this designation to other structures within the Plan when deemed necessary. Determination of application shall be granted by the Director.

#### D. Potentially Significant Building

Prior to the approval of demolition or building permits that would result in substantial alteration of any of the potentially significant buildings, as shown in Exhibit 7.2, an evaluation of significance in accordance with the California





## 7.0 Downtown Specific Ordinances

**Table 7.1 - Historic/Significant Building Table**

### Significant Buildings

<b>Buildings deemed as Significant Buildings per Chapter 19.61 of the Zoning Ordinance</b>			
<b>Map #</b>	<b>Address</b>	<b>APN</b>	<b>Name</b>
4	315 WASHINGTON BL	011-144-001-000	Hemphill House
5	100 MAIN ST	011-146-024-000	McRae Building
7	341 LINCOLN ST	012-200-008-000	Bank of Italy Building
8	314 LINCOLN ST	012-122-003-000	Barker Hotel
9	109 WASHINGTON BL	012-123-009-000	First Methodist Church
10	112 PACIFIC ST	012-200-012-000	Odd Fellows Hall
12	345 ATLANTIC ST	013-092-010-000	West House
13	201 VERNON ST	013-093-007-000	Citizens Bank
18	222-226 VERNON ST	013-093-005-520	Vernon Street Hotel
25	424 OAK ST	013-123-018-000	Haman House
29	700 VERNON ST	013-250-017-000	Placer Co Exhibit Bldg

### Significant Buildings - City Owned

<b>City owned buildings deemed as Significant Buildings per Resolution No. 06-610</b>			
<b>Map #</b>	<b>Address</b>	<b>APN</b>	<b>Name</b>
1	557 LINCOLN ST	011-143-006-000	Carnegie Library
6	400 LINCOLN ST	011-147-011-000	Fire Station (Old Town)
11	315 CHURCH ST	013-250-022-000	UP Hospital
16	316 VERNON ST	013-091-009-000	City Hall Annex
17	235 VERNON ST	013-093-003-000	Roseville Theater
24	421 VERNON ST	013-123-022-000	Tower Theater

### Potentially Significant Buildings

<b>Buildings 45 years or older at plan built-out that may have historical significance</b>			
<b>Map #</b>	<b>Address</b>	<b>APN</b>	<b>Name</b>
2	400 WASHINGTON BL	011-142-014-000	Post 1963 Building
3	104 GROVE ST	011-143-008-000	Post 1963 Building
14	127 LINDA DR	013-101-013-000	Post 1963 Building
15	140 FOLSOM RD	013-101-021-000	Post 1963 Building
19	424 VERNON ST	013-122-010-000	Post 1963 Building
20	401 VERNON ST	013-123-017-000	Post 1963 Building
21	115 S. GRANT ST	013-124-011-000	Post 1963 Building
22	500 VERNON ST	013-121-006-000	Post 1963 Building
23	520 VERNON ST	013-121-002-000	Post 1963 Building
26	521 VERNON ST	013-153-019-000	Post 1963 Building
27	531 VERNON ST	013-153-023-000	Post 1963 Building
28	605 VERNON ST	013-152-012-000	Post 1963 Building
30	508 ROYER ST	013-154-003-000	Post 1963 Building
31	701 OAK ST	013-163-005-000	Post 1963 Building
32	323 JUDAH ST	013-172-014-000	Post 1963 Building

## 7.0 Downtown Specific Ordinances

Register of Historic Resources (CRHR) criteria shall be performed. If the evaluation indicates the property is not eligible for listing in the CRHR, no further action is required. If any of these buildings are found to be eligible for CRHR listing, renovations to retained structures shall be consistent with the Secretary of Interior's standards for the treatment of historic properties. If the structure is being demolished, documentation of the structure, consistent to the Historic American Building Survey (HABS), shall first be conducted. Additionally, buildings that have been identified in the City's Zoning Ordinance, Chapter 19.61, Significant Buildings, will be subject to the provisions contained within the ordinance. Similar to these provisions, City owned significant buildings will require Council approval of a development plan prior to their demolition.

### E. Noise Provisions

Due to the mixed-use character of Downtown, the following unique noise provisions shall apply:

#### 1. Refuse Pick-Up

In order to minimize conflicts between pedestrian and vehicular traffic and refuse vehicles, and improve efficiency, refuse pick-ups shall be permitted in the commercial and industrial zones prior to 7 am.



*The Hemphill House, at 315 Washington Boulevard, is one of the City of Roseville's Significant Buildings*

