

EXHIBIT A: PROPOSED AMENDMENTS TO THE PLANNING CODE

The following are the proposed Planning Code amendments. Deletions are in ~~strike-out~~ and additions are underlined.

17.10.040 Accessory activities.

In addition to the principal activities expressly included therein, each activity type shall be deemed to include such activities as are customarily associated with, and are appropriate, incidental, and subordinate to, such a principal activity; are located on the same lot as such principal activity except as otherwise provided in Subsections A., J., ~~and K.~~, and N of this Section; and meet the further conditions set forth hereinafter. Such accessory activities shall be controlled in the same manner as the principal activities within such type except as otherwise expressly provided in the zoning regulations. Such accessory activities include, but are not limited to, the activities indicated below, but exclude the sale of alcoholic beverages to the general public except at a Full-Service Restaurant, Limited-Service Restaurant and Café, or an alcoholic beverage manufacturer, as described in Sections 17.10.272, 17.10.274, 17.10.550, and 17.10.560, and subject to the standards in Section 17.103.030. (See also Section 17.10.050 for additional activities included within activity types in the case of combinations of different principal activities.)

- N. Auto repair on the same lot as an auto showroom, or auto repair on a separate lot in the D-BV-4 Zone upon the granting of a Conditional Use Permit according to the requirements of limitation L18 in Table 17.101C.01.

Chapter 17.101C D-BV BROADWAY VALDEZ DISTRICT COMMERCIAL ZONES REGULATIONS

Sections:

17.101C.030 - Permitted and conditionally permitted activities.

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Table 17.101C.01 lists the permitted, conditionally permitted, and prohibited activities in the D-BV Zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

Table 17.101C.01: Permitted and Conditionally Permitted Activities

Activities	Zones				Combining Zone*	Additional Regulations
	D-BV-1	D-BV-2	D-BV-3	D-BV-4	N*	
Civic Activities						
Essential Service	P(L2019)	P(L2019)	P(L2019)	P(L232)	P(L2019)	
Commercial Activities						
Automobile and Other Light Vehicle Gas Station and Servicing	—(L17)	—(L17)	C(L5)	—(L17)	—(L17)	
Automobile and Other Light Vehicle Repair and Cleaning	—(L17)	—(L17)	C(L5)	—(L17) (L18)	—(L17)	
Automotive Fee Parking	P(L198)	P(L198)	P(L198)	P(L198)	P(L198)	
Agriculture and Extractive Activities						
Limited Agriculture	—	—	—	C(L210)	—	
Extensive Agriculture	—	—	—	C(L221)	—	

*If the N Combining Zone, the N regulations supersede the primary zone.

Limitations on Table 17.101C.01:

L18. An auto showroom and its accessory automotive repair activity are permitted to be on separate lots upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).- In addition to the CUP criteria contained in Section 17.134.050, the project must also meet each of the following criteria:

1. The auto repair facility is between 26th Street and I-580, and the auto showroom is on Broadway;
2. With the exception of the building addition described in criteria 3 below, the auto repair activity is within an existing nonresidential facility;
3. The amount of added floor area devoted to the auto repair activity does not exceed twenty percent (20%) of that already existing on the affected lot; and
4. All overnight storage (including inoperable vehicle storage) and auto repair takes place indoors.

L198. Automotive Fee Parking is permitted when located on a lot containing a principle facility. Automotive Fee Parking is also permitted in a multi-story parking garage to serve nearby businesses upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).- In addition to the CUP criteria contained in Section 17.134.050, these conditionally permitted ground floor activities must also meet each of the ~~additional~~ criteria contained in L5.

L2019.– Community Gardens and Botanical Gardens are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

L210.– Limited Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;
2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and
3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

L221.– Extensive Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic.

L232.– Community Gardens are permitted outright if they do not include the cultivation of animals, animal products, and/or livestock production, except for bee keeping involving no more than three (3) hives. The cultivation of animals, animal products and/or livestock production, except for bee keeping involving no more than three (3) hives, is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).