

STAFF REPORT

DATE: August 27, 2024

TO: City Council

FROM: Dara Dungworth, Principal Planner
Sherri Metzker, Community Development Director

SUBJECT: Oakshade Town Center
Planned Development Amendment/Rezone
Planning Application #24-29, Rezone #02-24

Recommendation

Staff and the Planning Commission recommend that the City of Council introduce an Ordinance of The City Council of The City Of Davis Amending Section 4 Neighborhood Commercial Area Of Ordinance 1842 (As Amended By Ordinance 1867, 1891, and 1997) Planned Development #5-95, Cowell/Lillard/Valdora And Making A Determination Of Exemption Under CEQA

Fiscal Impact

All fees and costs associated with processing the Oakshade Town Center Planned Development Amendment application are paid by the project applicant. A deposit was provided with the application which will be replenished with additional funds as additional costs are incurred.

Council Goals

The proposed project will help support the City Council goals:

- Stepping Up Economic Development Efforts
- Achieving Greater Fiscal Resilience

Project Description

The applicant, Regency Centers, is requesting approval of an amendment to Ordinance 1842 (as previously amended by ordinances 1867, 1891, and 1997), Planned Development #5-95 Cowell/Lillard/Valdora to modify certain permitted uses, to reclassify certain conditional uses as permitted uses, and to remove size limits for uses within the Neighborhood Commercial Area of the Planned Development (Section 4).

Planning Commission Action

On July 10, 2024, the Planning Commission held a public hearing to consider the proposed Planned Development (PD) Amendment. The Planning Commission evaluated the proposed revisions to the existing size limitations and the uses and their classifications as allowed or conditional. The Planning Commission deliberated and generally was in support of the proposed changes. However, prior to the final motion, a concern was raised by the Planning Commission that residential uses could warrant

more scrutiny. Therefore, the Planning Commission recommends residential and office uses remain a conditional use. The Commission then voted 5-0 to recommend approval, with the second story residential and office uses as a conditional use. The applicant indicated they are amenable to that change and explained they would be unlikely to add a residential component at this center because that is not Regency's primary business model. The attached redline version and draft Ordinance reflect the Planning Commission's recommendation (**Attachments 1 and 2**). Staff continues to believe there would not be any compatibility concerns with having residential and office uses be permitted by right. Although this Amendment was focused on removing regulatory barriers for commercial and retail uses, staff supports the removal of regulatory barriers for residential uses also. Making residential uses permitted aligns with the State legislative efforts to promote housing, as well.

Background

In 2023, two of the three anchor spaces in the Oakshade Town Center, Rite Aid and Office Max, closed, leaving approximately 38,000 square feet of vacant space in the shopping center. The shopping center's owner, Regency Centers Corporation, has been actively marketing the center and diligently pursuing new tenants for these spaces. In early Spring 2024, Regency approached the City to ask if there would be support for amending the existing Cowell/Lillard/Valdora Planned Development Neighborhood Commercial district (PD) to allow more flexibility in configuring the vacant spaces which in turn would assist them in successfully attracting new tenants. At about the same time, the City Council Infill Subcommittee was investigating commercial vacancies throughout the City and later in the Spring, the Council adopted the new Goals for 2024-2025.

In May 2024, Regency applied for this proposed Amendment. Shortly thereafter, Katie Yancey, Economic Development Director, started working for the City. Community Development staff immediately brought Economic Development into the internal discussions about the requested PD Amendment, the changes Planning wished to include to simplify the uses, and how the City could make its own changes to this PD in support of the City's stated goals to pursue new economic development opportunities in advance of the proposed revenue measure. Through these conversations, staff recognized that this amendment request could be the precursor for a City initiative to make broader changes to amend identified PDs governing other shopping centers and commercial areas throughout the City. Therefore, staff is using this opportunity to identify the regulatory barriers that hinder the ability for commercial landlords to attract and retain successful tenants. Economic Development and Planning staff will conclude the broader research efforts in the next few months and bring forward an "omnibus" PD and zoning amendment that may utilize the knowledge gained from the Oakshade PD Amendment.

Analysis

Use Changes

The applicant's requested change to uses within the PD was generally to move most conditional uses into the permitted uses category, so that uses with which there were no compatibility concerns did not require the analysis performed via a conditional use

permit and potential tenants would not be required to pay fees and go through a several months' long entitlement process to gain approval. After careful consideration, staff determined that the applicant's identification of allowed uses, including residential and office uses on the second story, was reasonable and did not have the potential to create incompatibility between uses if approved. Refer to **Table 1** for a summary of all the proposed changes, including clean up of prior Code references and the Planning Commission's recommendation. Refer to **Attachment 1** for a redline version showing the original PD language and the Planning Commission's recommended use and size changes.

During staff's analysis of the Applicant's requested changes, it was determined that the limitation of four full-service restaurants was not necessary and did not provide reasonable flexibility in attracting an optimum mix of tenants. Therefore, staff recommends removing the limitation on the number of full-service restaurants. Staff also recommends moving one permitted use, 'daycare centers not exceeding 8,000 square feet,' from permitted uses to conditional uses. Because of the removal of size requirements for all uses, as discussed further below, and the potential for daycare centers of any size to have incompatibility with a busy commercial center, staff believes that making any daycare center a conditional use allows for the appropriate level of analysis. In addition, making daycare centers conditional provides the City with the ability to place operational conditions (particularly on the outdoor activities) on such a project that would remove the potential incompatibilities.

In combination with the removal of size limitations discussed below, staff recommends retaining the two remaining conditional uses for this center: 'daycare centers' and 'not more than one gas station or automobile service station, such as oil change, is permitted,' and supports the original proposal to reclassify 'residential or office uses on upper stories above neighborhood retail or personal services' from a to a permitted use.

Size Restrictions

The applicant did not initially request the removal of the various size limitations for the center's overall square footage or for individual uses within the center. Through staff's analysis and the application of the City's economic goals, staff determined that the removal of all use square footage restrictions would provide the maximum flexibility for tenant attraction and responsiveness to market demands. Part of staff's analysis also included the consideration that California Assembly Bill 2097 (AB 2097) prohibits public agencies from imposing or enforcing minimum automobile parking requirements on development projects located within one-half mile of a major transit stop. SACOG's [2020 MTP/SCS Existing and Planned Major Transit Stops](#) map shows that Oakshade Town Center is within less than one-half mile of four transit stops. In the past, the number of parking spaces required for various uses was a primary factor in considering conditional uses and determining compatibility between uses. With the new law in place, parking requirements can no longer justify limitations on uses. For that reason, staff recommends repealing Section 4.G. Parking to make Section 4. Neighborhood Commercial consistent with the State regulations.

Table 1 – Summary of Proposed Zoning Changes

Code Section	Proposed Change
4.A. Permitted uses	
Repeal Permitted Uses	<p>(1) A maximum of four (4) restaurants with full table service or lunch/dinner service not exceeding 8,000 square feet, individually or in aggregate, in the neighborhood commercial areas. This restaurant restriction shall not apply to other retail shops which are oriented to neighborhood convenience and typically sell a primary food item such as pizza, coffee, bagels, ice cream, etc. All premises serving food shall allow public access to restrooms.</p> <p>(2) Financial services are permitted; provided that a bank or savings and loan institution shall be a satellite of an existing facility in the core area.</p> <p>(3) Linens, fabric, toy, hobby, or crafts stores are permitted not exceeding 8,000 square feet.</p> <p>(4) Day care centers are permitted, not exceeding 8,000 square feet.</p> <p>(5) Outdoor seating area for food establishments are permitted and do not count for calculating maximum square footage of the center or specific uses. There shall be sufficient outdoor seating areas at all locations that food is served.</p> <p>(6) A drive-through facility for a pharmacy or drugstore is permitted.</p> <p>(7) The two “additional building or portions thereof” of Subsection E(3) may be used for any neighborhood retail services or neighborhood personal service, including apparel.</p> <p>(Reflected in both redline attachment and Draft Ordinance)</p>
Enact Permitted Uses	<p>(1) Restaurants. All premises serving food shall allow public access to restrooms.</p> <p>(2) Outdoor seating areas for food establishments. These areas do not count for calculating maximum square footage of the center.</p> <p>(3) Financial services, including banks, credit unions.</p> <p>(4) Neighborhood retail services including sales of linens, fabric, toy, hobby, crafts, books, pet supply, auto parts, home goods sales and similar retail goods, apparel, shoes and accessories, and recreational/sporting goods.</p> <p>(5) Pharmacies or drugstores, including a drive-through facility.</p> <p>(6) Food stores.</p>

	<p>(7) Recreation and entertainment uses, such as bowling, pickleball, escape room, basketball, trampoline, etc. that operate entirely within a wholly enclosed building.</p> <p>(8) Fitness centers, including exercise studios or classes, yoga studios, martial arts studios, dance studios, etc.</p> <p>(9) Neighborhood personal services.</p> <p>(10) Professional and administrative offices.</p> <p>(11) Medical services.</p> <p>(12) Animal care. Uses typically include, but are not limited to, animal clinics, large and small animal hospitals, and kennels that operate entirely within a wholly enclosed building.</p> <p>(Reflected in both redline attachment and Draft Ordinance)</p>
Davis Municipal Code references	<p>Update references to Section 29 with references to current Chapter 40 sections. (Reflected in Draft Ordinance only)</p>
4.B. Accessory Uses	
Davis Municipal Code references	<p>Update references to Section 29 with references to current Chapter 40 sections. (Reflected in Draft Ordinance only)</p>
4.C. Conditional Uses	
Repeal Conditional Uses	<p>(1) Recreation and entertainment uses, such as theaters or video arcades are not permitted.</p> <p>(2) Residential or office uses on upper stories above neighborhood retail of personal services are permitted.</p> <p>(3) Auto parts over 5,000 square feet are permitted, to a maximum of 15,000 square feet. (Auto parts stores 5,000 square feet or smaller are a permitted retail use.)</p> <p>(4) Medical offices over 5,000 square feet are permitted, to a maximum of 15,000 square feet.</p> <p>(5) Fitness centers over 5,000 square feet are permitted, to a maximum of 15,000 square feet.</p> <p>(6) Neighborhood retail or personal services exceeding 5,000 square feet are permitted, to a maximum of 10,000 square feet.</p> <p>(7) Day care centers over 8,000 square feet are permitted.</p> <p>(8) Not more than one gas station or automobile service station, such as oil change, is permitted.</p> <p>(9) The size of the additional builders or spaces of subsection E(3) of this Section may be established in accordance with Section 29-85(b)(4) through a Conditional Use Permit upon specific determination by the Planning Commission that the size is desirable in order to meet neighborhood service needs; and that the store will otherwise carry out the purpose of the area as</p>

	<p>established in subsection A; and that the size is consistent with the goals and policies of the General Plan. No space over 15,000 square feet may be used for apparel or department store uses.</p> <p>(Reflected in both redline attachment and Draft Ordinance)</p>
Enact Conditional Uses	<p>(1) Day care centers. (2) Not more than one gas station or automobile service station, such as oil change. (3) Residential or office uses on upper stories above neighborhood retail or personal services.</p> <p>(Reflected in both redline attachment and Draft Ordinance)</p>
4.D. Height and yard requirements	
Davis Municipal Code references	<p>Update references to Section 29 with references to current Chapter 40 sections.</p> <p>(Reflected in Draft Ordinance only)</p>
4.E. Area requirements	
Repeal Area requirements section in its entirety	(Reflected in both redline attachment and Draft Ordinance)
4.F. Design Review	
Renumber to 4.E.	(Reflected in both redline attachment and Draft Ordinance)
Davis Municipal Code references	<p>Update references to Section 29 with references to current Chapter 40 sections.</p> <p>(Reflected in Draft Ordinance only)</p>
4.G. Parking	
Repeal Parking section in its entirety	(Reflected in both redline attachment and Draft Ordinance)

Economic Development Strategy

The timing of this request from Regency and the arrival of the Economic Development Director was fortuitous. Community Development had identified that modifying use and use size restrictions would be beneficial to the City as a whole. Besides reducing the number of uses that require staff to process conditional use permits, it became apparent that Regency and other shopping center owners would be better positioned to bring high quality retailers and commercial tenants to the Davis community through the elimination of regulatory barriers such as those proposed to be modified by this Amendment. Thus, Economic Development and Community Development staff are in the preliminary stages of preparing an “omnibus” City-wide zoning ordinance

amendment that will include certain commercial planned development areas. Staff is currently researching which centers to target—likely those with a higher number of vacancies or other attributes that make them prime candidates to have the uses and size limitations modified to better align with current market demands and bring successful businesses to Davis.

Currently, Davis has a higher proportion of commercial vacancies than the average for the region. More flexibility in appealing to high quality tenants will make Davis more competitive within the region. Less leakage of retail spending into nearby cities will increase sales tax revenue, as will higher quality tenants and reduced vacancies in commercial centers throughout the City.

Summary

Staff believes that the requested modifications to update Section 4 of the existing Planned Development will better align with market conditions and support Council Goals relative to the City's economic development strategy and fiscal resiliency and will help facilitate the ability to attract quality tenants in the Oakshade Town Center in support of the surrounding neighborhood and the City as a whole.

As an example, the recommended revisions would allow the existing Safeway to expand their footprint and incorporate a pharmacy into the store. With the exit of Rite Aid from the center, having a pharmacy back within the center to serve the nearby residents would be beneficial. Representatives from Regency will attend the Council meeting to provide an update on their leasing efforts in the Center.

Staff recommends the City Council approve the Oakshade Town Center PD Amendment, as proposed by the applicant and staff.

Environmental Determination

The proposed Planned Development Amendment/Rezone has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA) and the State and local CEQA Guidelines. Based on that assessment, it has been determined that the Planned Development Amendment/Rezone is Categorical Exempt from review pursuant to State CEQA Guidelines, Section 15061(3) (California Public Resources Code Section 21000, et seq.), relative to the General Rule that CEQA applies only to projects that have the potential to have a significant effect on the environment and Section 15301 relative to existing facilities.

Public Notice and Outreach

The hearing for the project was publicly noticed in the Davis Enterprise in accordance with City noticing requirements. No comments were received at the time this staff report was prepared.

Attachments

1. Underline and Strikeout version of Section 4 of Planned Development #05-95
2. Ordinance Amending Ordinance 1997 Planned Development #05-95

(Introduction and other Sections have no changes)

SECTION 4. NEIGHBORHOOD COMMERCIAL AREA.

The purpose of the neighborhood commercial area is to provide a neighborhood center for convenience shopping and services. The center should be of a size and design which will not substantially impair the General Plan objective that the major concentration of commercial development shall be located in the city's core area.

- A. Permitted uses. The principal permitted uses of land in the neighborhood commercial area shall be as established in Section 29-81 (C-N Combining District, Permitted Uses), and as may be hereafter be amended, except as modified herein.
- ~~(1) Restaurants. All premises serving food shall allow public access to restrooms.~~
 - ~~(2) Outdoor seating areas for food establishments. These areas do not count for calculating maximum square footage of the center.~~
 - ~~(3) Financial services, including banks, credit unions.~~
 - ~~(4) Neighborhood retail services including sales of linens, fabric, toy, hobby, crafts, books, pet supply, auto parts, home goods sales and similar retail goods, apparel, shoes and accessories, and recreational/sporting goods.~~
 - ~~(5) Pharmacies or drugstores, including a drive-through facility.~~
 - ~~(6) Food stores.~~
 - ~~(7) Recreation and entertainment uses, such as bowling, pickleball, escape room, basketball, trampoline, etc. that operate entirely within a wholly enclosed building.~~
 - ~~(8) Fitness centers, including exercise studios or classes, yoga studios, martial arts studios, dance studios, etc.~~
 - ~~(9) Neighborhood personal services.~~
 - ~~(10) Professional and administrative offices.~~
 - ~~(11) Medical services.~~
 - ~~(12) Animal care. Uses typically include, but are not limited to, animal clinics, large and small animal hospitals, and kennels that operate entirely within a wholly enclosed building.~~
- ~~(1) — A maximum of four (4) restaurants with full table service or lunch/dinner service not exceeding 8,000 square feet, individually or in aggregate, in the neighborhood commercial areas. This restaurant restriction shall not apply to other retail shops which are oriented to neighborhood convenience and typically sell a primary food item such as pizza, coffee, bagels, ice cream, etc. All premises serving food shall allow public access to restrooms.~~
 - ~~(2) — Financial services are permitted; provided that a bank or savings and loan institution shall be a satellite of an existing facility in the core area.~~
 - ~~(3) — Linens, fabric, toy, hobby, or crafts stores are permitted not exceeding 8,000 square feet.~~
 - ~~(4) — Day care centers are permitted, not exceeding 8,000 square feet.~~
 - ~~(5) — Outdoor seating area for food establishments are permitted and do not count for calculating maximum square footage of the center or specific uses. There shall be sufficient outdoor seating areas at all locations that food is served.~~
 - ~~(6) — A drive-through facility for a pharmacy or drugstore is permitted.~~
 - ~~(7) — The two “additional building or portions thereof” of Subsection E(3) may be used for any neighborhood retail services or neighborhood personal service, including apparel.~~
- B. Accessory uses. The allowed accessory uses in the Neighborhood Commercial area shall be as established in Section 29-82 (C-N Combining District, Accessory Uses), and as may hereafter be amended, except as modified herein. The sign area limitations of Section 29-164 shall be based on the frontage of the premises for each storefront or use according to the approved sign program. There shall be a total of 1,000 square feet of signage for the center to be used for all signs facing the parking lot. Sign areas may be aggregated or redistributed to individual tenant throughout the center pursuant to an approved sign program. Each tenant with 20 or more feet of frontage of Cowell Boulevard and Pole Line Road shall have business identification signs with 18” brass letters facing the street in addition to parking lot signs. The sign area of signs facing the street shall be determined as part of the sign program and shall not be counted in the overall sign square footage for the center. Notwithstanding the provisions of Section 29-164(e)3, the allowed low profile identification signs may identify no more than two tenants of the Center. In addition, a decorative sign with copy limited to the name of the center, consisting of brass

letters and mounted on the low wall at the Cowell/Lillard. Pole Line corner of the site, is permitted subject to review and approval by the Planning and Building Director.

C. Conditional uses. The allowed conditional uses in the Neighborhood Commercial area shall be as established in Section 29-83 (C-N Combining District, Conditional Uses), and as may hereafter be amended, except as modified herein.

~~(1) Day care centers.~~

~~(2) Not more than one gas station or automobile service station, such as oil change.~~

~~(3) Residential or office uses on upper stories above neighborhood retail or personal services.~~

~~(1) Recreation and entertainment uses, such as theaters or video arcades are not permitted.~~

~~(2) Residential or office uses on upper stories above neighborhood retail or personal services are permitted.~~

~~(3) Auto parts over 5,000 square feet are permitted, to a maximum of 15,000 square feet. (Auto parts stores 5,000 square feet or smaller are a permitted retail use.)~~

~~(4) Medical offices over 5,000 square feet are permitted, to a maximum of 15,000 square feet.~~

~~(5) Fitness centers over 5,000 square feet are permitted, to a maximum of 15,000 square feet.~~

~~(6) Neighborhood retail or personal services exceeding 5,000 square feet are permitted, to a maximum of 10,000 square feet.~~

~~(7) Day care centers over 8,000 square feet are permitted.~~

~~(8) Not more than one gas station or automobile service station, such as oil change, is permitted.~~

~~(9) The size of the additional buildings or spaces of subsection E(3) of this Section may be established in accordance with Section 29-85(b)(4) through a Conditional Use Permit upon specific determination by the Planning Commission that the size is desirable in order to meet neighborhood service needs; and that the store will otherwise carry out the purpose of the area as established in subsection A; and that the size is consistent with the goals and policies of the General Plan. No space over 15,000 square feet may be used for apparel or department store uses.~~

D. Height and yard requirements. Height and yard standards shall be specified as part of the final planned development, provided that the requirements of Section 29-84 and 85 of the Davis Municipal Code as they related to the C-N district shall be used as requirements in the absence of specific language in the Final Planned Development.

~~E. Area requirements. Area requirements shall be observed as established in Section 29-85 of the Davis Municipal Code as they relate to the C-N combining district, as it is now and as it may be amended in the future, with the following exceptions:~~

~~(1) Maximum gross area for all uses in the neighborhood commercial area shall be 104,000 square feet.~~

~~(2) There may be two of the "additional building or portions thereof" spaces, as established in Section 29-85(b)(2). The size of the buildings may be increased through the provisions of Section 29-85(b)(4), upon issuance of a conditional use permit, except that a drugstore use not exceeding 20,000 square feet shall not require approval of a subsequent use permit.~~

~~(3) The building or use size limitation of Section 29-85(b)(3) may be increased for the specific exemptions listed in Section D and F of this Ordinance.~~

E. Design Review. Site plan and architectural approval shall be required for all uses, as provided 29-231 to 29-238 of the Municipal Code.

~~F. Parking. Off-street parking shall be required for all uses, as provided in Sections 29-86(c) and 29-152 and 29-162 of the Municipal Code. The required reserve parking may be developed concurrently with the development of the rest of the center.~~

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAVIS
AMENDING SECTION 4. NEIGHBORHOOD COMMERCIAL AREA OF ORDINANCE
1842 (AS AMENDED BY ORDINANCE 1867, 1891, AND 1997) PLANNED
DEVELOPMENT #5-95, COWELL/LILLARD/VALDORA AND MAKING A
DETERMINATION OF EXEMPTION UNDER CEQA**

WHEREAS, in 1999 the City Council adopted Ordinance No. 1997 approving amendments to Planned Development #5-95, Cowell/Lillard/Valdora, establishing various zones, permitted and conditional uses, and specific development standards to provide a location and appropriate site for the development of a neighborhood center for convenience shopping and services and a village center for multi-family residential, limited neighborhood-serving retail, office and public/semi-public uses; and

WHEREAS, the proposed Planned Development/Rezone has been determined to be Categorically Exempt from review under the California Environmental Quality Act. (CEQA) (California Public Resources Code Section 21000, et seq.), pursuant to State CEQA Regulation Section 15061(3) relative to the General Rule that CEQA applies only to projects that have the potential to have a significant effect on the environment and 15301 as existing facilities; and

WHEREAS, the proposed Planned Development Amendment/Rezone conforms to the City of Davis' General Plan; and

WHEREAS, the purpose of this Planned Development Amendment/Rezone is to stabilize and protect the characteristics of the Neighborhood Commercial district and surrounding neighborhoods within the Cowell/Lillard/Valdora planned development area, and

WHEREAS, the purpose of this Planned Development Amendment/Rezone is also to further the City's economic development strategy in support of reducing regulatory barriers that hinder the attraction of new business and in addressing the disproportionate number of commercial vacancies in the City, and

WHEREAS, this Planned Development Amendment/Rezone creates opportunities for sales tax revenue generation through the attraction of highly desirable commercial and retail tenants, and

WHEREAS, public necessity, convenience and general welfare require the adoption of the proposed amendment, given that the proposed revisions to allowed and conditional uses and the removal of size restrictions will promote and encourage a more viable commercial environment, and

WHEREAS, the City Council finds that there is a need to update from time to time, those provisions which have been found to ineffectively promote the general welfare of the city and hamper general economic development; and

WHEREAS, the City Council therefore finds that this amendment to the Ordinance is necessary for the maintenance and preservation of the health, safety and welfare of the City; and

WHEREAS, on July 10, 2024, the Planning Commission of the City of Davis conducted a duly noticed public hearing on Ordinance No. _____. At the hearing, all interested persons were given the opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence and testimony presented in connection with this Ordinance. Following the close of the public hearing, the Planning Commission recommended approval of Ordinance No. _____ to the City Council; and

WHEREAS, on August 27, 2024, the City Council of the City of Davis conducted a duly noticed public hearing on Ordinance No. _____. At the hearing, all interested persons were given the opportunity to be heard. The City Council received and considered the staff report, the Planning Commission's recommendation, and all the oral and written information, evidence, comments, and testimony presented in connection with this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1.

Section 4. Neighborhood Commercial Area of PD #05-95 is hereby replaced in its entirety by the following:

SECTION 4. NEIGHBORHOOD COMMERCIAL AREA.

The purpose of the neighborhood commercial area is to provide a neighborhood center for convenience shopping and services. The center should be of a size and design which will not substantially impair the General Plan objective that the major concentration of commercial development shall be located in the city's core area.

- A. Permitted uses. The principal permitted uses of land in the neighborhood commercial area shall be as established in Section 40.12.020 (Commercial Neighborhood (C-N) Combining District, Permitted Uses), and as may be hereafter be amended, except as modified herein.
- (1) Restaurants. All premises serving food shall allow public access to restrooms.
 - (2) Outdoor seating areas for food establishments. These areas do not count for calculating maximum square footage of the center.
 - (3) Financial services, including banks, credit unions.
 - (4) Neighborhood retail services including sales of linens, fabric, toy, hobby, crafts, books, pet supply, auto parts, home goods sales and similar retail goods, apparel, shoes and accessories, and recreational/sporting goods.
 - (5) Pharmacies or drugstores, including a drive-through facility.
 - (6) Food stores.

- (7) Recreation and entertainment uses, such as bowling, pickleball, escape room, basketball, trampoline, etc. that operate entirely within a wholly enclosed building.
- (8) Fitness centers, including exercise studios or classes, yoga studios, martial arts studios, dance studios, etc.
- (9) Neighborhood personal services.
- (10) Professional and administrative offices.
- (11) Medical services.
- (12) Animal care. Uses typically include, but are not limited to, animal clinics, large and small animal hospitals, and kennels that operate entirely within a wholly enclosed building.

B. Accessory uses. The allowed accessory uses in the Neighborhood Commercial area shall be as established in Section 40.12.030 (Commercial Neighborhood (C-N) Combining District, Accessory Uses), and as may hereafter be amended, except as modified herein. The sign area limitations of Section 40.26.020 of the Davis Municipal Code shall be based on the frontage of the premises for each storefront or use according to the approved sign program. There shall be a total of 1,000 square feet of signage for the center to be used for all signs facing the parking lot. Sign areas may be aggregated or redistributed to individual tenant throughout the center pursuant to an approved sign program. Each tenant with 20 or more feet of frontage of Cowell Boulevard and Pole Line Road shall have business identification signs with 18" brass letters facing the street in addition to parking lot signs. The sign area of signs facing the street shall be determined as part of the sign program and shall not be counted in the overall sign square footage for the center. Notwithstanding the provisions of Section 40.26.020(e)3, the allowed low profile identification signs may identify no more than two tenants of the Center. In addition, a decorative sign with copy limited to the name of the center, consisting of brass letters and mounted on the low wall at the Cowell/Lillard. Pole Line corner of the site, is permitted subject to review and approval by the Community Development Director.

C. Conditional uses. The allowed conditional uses in the Neighborhood Commercial area shall be as established in Section 40.12.040 (Commercial Neighborhood (C-N) Combining District, Conditional Uses), and as may hereafter be amended, except as modified herein.

- (1) Day care centers.
- (2) Not more than one gas station or automobile service station, such as oil change, is permitted.
- (3) Residential or office uses on upper stories above neighborhood retail or personal services.

D. Height and yard requirements. Height and yard standards shall be specified as part of the final planned development, provided that the requirements of Section 40.02.050 and 40.02.060 of the Davis Municipal Code as they relate to the C-N district shall be used as requirements in the absence of specific language in the Final Planned Development.

- E. Design Review. Site plan and architectural approval shall be required for all uses, as provided in Section 40.31 of the Davis Municipal Code.

SECTION 2.

The Ordinance shall become effective on and after the thirtieth (30) day following adoption.

INTRODUCED on the 27th day of August, 2024, and PASSED AND ADOPTED by the City Council of the City of Davis on this XX day of XX, 2024 by the following vote:

AYES:

NOES:

Josh Chapman
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk