

10.0 Definitions

This Section the Downtown Specific Plan and Code provides definitions of terms and phrases used in the Specific Plan and Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this chapter conflict with definitions in the Soledad Municipal Code (SMC), these definitions shall control for all property and rights-of-way subject to the Downtown Code. If a word is not defined in this Section, or in other provisions of the SMC, the Director shall determine the correct definition through a written interpretation per provisions of the SMC.

- 1. Terms and phrases.** As used in the Downtown Code, each of the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise.
- 2. Land use type classifications.** The land use types listed in each zone shall be defined as provided in the Zoning Ordinance, except for use types that are defined in this Section which are identified as “land use types.”

A

Abandon: to cease or suspend from developing or maintaining a structure or use for a stated period of time.

Accessory Dwelling: an apartment not greater than 500 square feet sharing ownership and utility connections with a principal building. An accessory dwelling may or may not be within an outbuilding.

Accessory Structure: a detached building, part of a building, which is incidental or subordinate to the main building or use on the same parcel, without cooking facilities (e.g., storage shed, garage, gazebo).

Adult Entertainment (land use type): See Soledad Municipal Code.

Agriculture (land use type): the science or practice of farming, including cultivation of the soil for the growing of crops and the rearing of animals to provide food, wool, and other products.

Alcohol Sales (off-site consumption) (land use type): sales activity associated with alcoholic beverages being purchased for off-site consumption such as occurs at a liquor store or grocery store. A liquor store is distinct from a grocery store as the liquor store

primarily sells wine, beer, and/or spirits and may also sell convenience merchandise including food products.

Alcohol Sales (on-site consumption): Sales activity associated with alcoholic beverages being purchased for on-site consumption such as occurs at a restaurant, pub/bar, wine tasting/brew pub.

Allee: a row of trees planted along a Thoroughfare or Pedestrian Walkway.

Alley: a low capacity thoroughfare with one, shared lane and no parking lanes, designed and intended for service and/or secondary access purposes.

Alteration: a change, addition, or modification in construction or occupancy of an existing structure.

Apartment: a dwelling sharing a building and a lot with other dwellings and/or uses. Apartments may be for rent or for sale as condominiums.

Art Gallery / Exhibition (land use type): an establishment focused on the display, exhibition and sale of visual art.

Artisan / Craft Manufacturing (land use type): manufacturing activity associated with artisanal products and crafts such as but not limited to saddles, footwear, and jewelry.

B

Bail Bonds / Check Cashing (land use type): establishments focused on providing bail services or check cashing or pay-day loan services to the general public.

Bakery (wholesale) (land use type): an establishment that produces baked goods for purchase by retailers or to the general public by invitation.

Bicycle Lane: an identified area, usually by white lines, that is part of the vehicular roadway that allows bicycle use.

Bicycle Path: a dedicated area, paved in a variety of materials (e.g., asphalt to decomposed granite) that is non-traversable by vehicles and is often shared with pedestrians.

Block: the aggregate of private lots, passages, common drives and, lanes, circumscribed by thoroughfares.

Block Face: the combined building facades on one side of a block providing the context for establishing architectural harmony.

Broadcasting / Recording Studio (land use type): A facility where information or programming is broadcast or recorded for usage by customers by radio, television, or internet.

Buildable Area: the horizontal area on the parcel that results from identifying the required building setbacks and on-site open space.

Building: a structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or property of any kind. Also see "Structure".

Building Access: the manner in which people enter a building of which there are two:

- **Walk-up access ('direct' access):** direct pedestrian access to the entrance of a suite or dwelling from the street, paseo or a shared open space.
- **Point Access ('elevator' or 'lobby' access):** indirect pedestrian access to the entrance of a suite or dwelling from the street, paseo or a shared open space. Depending upon the building, either or both the elevator and lobby access may be present.

Building Dimensions: for the ground floor, the overall length and width of a building horizontally along the foundation. For upper floors, the overall length of individual volumes along the base of each floor.

Building Function: the land use type(s) accommodated by a building and its lot, as allowed by the zone standards.

Building Height: as specified by the zone, the vertical extent of a building measured from the average grade of the adjacent public street or open space to the eave or plate of the highest story, not including a raised basement or a habitable attic. Unless specified otherwise, height limits do not apply to masts, belfries, clock towers, chimney flues, and similar structures.

Building Placement: the maximum horizontal envelope available for placing a building on a lot as identified in the zone standards.

Build-to-Layer: the required location of a building facade or facades in the case of a corner lot, as identified in the zone standards.

Building Site: the area identified by the zone and applicable building type necessary to accommodate one building.

Building Size: the specified length, depth, and height of any individual and combined volumes as specified in the zone standards and as further specified by the building type in Section 4.0.

Building Type: the increment of development on individual sites. Each building type is described below in the order that it appears in the Downtown Code:

Lined Building: a combined building that consists of two basic components: an exterior building that conceals an interior, large scale building such as a parking garage, movie theater, or "big box" store. The exterior building is designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. The interior building may also be designed for those uses or for a single use.

Flex Building: a building designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. Upper floor units may be directly accessed from the street through a stair or through a street level lobby. The building may also be configured for 'work-live' occupancy in which case, the primary use is the non-residential space on the ground floor and the secondary use is the upper story dwelling. Each use has its own entry from the sidewalk with the combination of work space and dwelling typically being owned or leased by the same person(s).

Shed Building: a building designed for occupancy primarily by light manufacturing, workshop, and warehouse uses. Shed buildings may also accommodate residential uses in compliance with Uniform Fire Code requirements and further provided that ground floor residential uses do not exceed 20 percent of the total ground floor area. Shed buildings also accommodate the large loading and/or staging area requirements that light manufacturing and warehouse uses might need as well as support areas and parking to be

located either to the side or the rear of the building in order to ensure that buildings front the sidewalk and street.

Rowhouse 1 Building: a building comprised of five or more attached dwelling units arranged side by side, with the ground floor raised above grade in order to provide privacy for ground floor rooms. The building is located at the front of the property, with the garage at the rear, separated from the primary building by a rear yard.

Rowhouse 2 Building: A building comprised of up to four attached dwelling units arranged side by side, with the ground floor raised above grade in order to provide privacy for ground floor rooms. The building is located at the front of the property, with the garage at the rear, separated from the primary building by a rear yard.

Courtyard Building: a group of attached dwelling units arranged to share one or more common courtyards with pedestrian access to the building's entrances from the courtyard and/or fronting street. The courtyard is intended to be a semi-public outdoor room that is an extension of the public realm. Courtyard buildings may accommodate ground floor commercial/flex uses in either a live-work configuration or as solely commercial/retail space facing the primary street as allowed by the zone.

Bungalow Court Building: a grouping of four or more detached buildings or dwelling units arranged around a shared courtyard with pedestrian access to the building entrances from the courtyard and/or fronting street. The courtyard is wholly open to the street and parking is placed in the rear of the lot or behind each unit. Bungalow Courts may accommodate ground floor commercial/flex uses in either a live-work configuration or as solely commercial/retail space facing the primary street as allowed by the zone.

Mansion Apartment Building: a building with the appearance of a large house, containing up to eight dwelling units surrounded on all four sides by setbacks. The building has a central lobby that provides access to individual units. On-site open space is provided by a rear yard that serves all the dwellings. The building may accommodate ground floor commercial/flex uses in either a live-work configuration or as solely commercial/retail space facing the primary street as allowed by the zone

Duplex/Triplex/Quadplex Building: duplexes, triplexes, and quadplexes are buildings with two, three, or four dwellings, respectively, surrounded on all four sides by setbacks (front yard, side yard, rear yard) and may contain dwelling units and/or commercial uses as allowed by the zone. On-site open space is provided through a rear yard that serves all the dwellings or through individual yards for each dwelling.

House Building: a building that is surrounded on all four sides by setbacks (front yard, side yards, rear yard) and contains no more than one dwelling unit and/or commercial uses as allowed by the zone. On-site open space is provided through a rear yard.

Bulkhead: a low partition located between the sidewalk adjacent to a building and the building's glazed opening(s).

C

Car Wash (land use type): A facility that provides washing service for vehicles. Such facilities may be an independent business on a site or part of the services provided by a Gas Station.

Carriage House (also referred to as 'accessory dwelling'): an attached or detached walk-up access dwelling which provides complete independent living facilities for one or more persons and which is located or established on or adjacent to the garage of the same lot on which a single-family house is located. Such a dwelling may contain permanent provisions for living, sleeping, eating, cooking and sanitation. This definition includes 'granny flats'.

Change of use: a discontinuance of a use and the substitution of a different use.

Cinema (land use type): An establishment showing film productions within an enclosed building.

City: the City of Soledad, located in Monterey County, California.

City Engineer: the City Engineer of the City of Soledad, or authorized designee(s).

City Manager: the City Manager of the City of Soledad or authorized designee(s).

Civic: the term defining not-for-profit organizations dedicated to the arts, culture, education, government, transit and municipal parking facilities.

Civic Building(s): a structure operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for other such use approved by the City Council.

Civic Space: an open area dedicated for public use, typically for community gatherings, physically defined by the intended use(s), size, landscape and by the buildings that align the space.

Colonnade: a series of columns similar to an arcade but spanned by straight lintels rather than arches, linked together, usually as an element of a building.

Commercial Frontage: the non-residential, ground floor frontage of a building. Non-residential activities subject to City approval, are allowed within this space which must be at least 30 feet in depth as measured from the adjacent public sidewalk or public space.

Commission: the Planning Commission of the City of Soledad, referred to in this Downtown Code as the "Commission".

Communications Tower / Facility (land use type): A facility in support of a tower containing communications equipment such as radio antennae and usually contains an associated building to house equipment serving the tower.

Compatibility: the characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. Elements affecting compatibility include: intensity of occupancy, pedestrian or vehicular traffic generated, volume of goods handled, and environmental effects (e.g. air pollution, glare, hazardous materials, noise, vibration, etc.).

Conditional Use Permit (CUP): a type of discretionary use permit that, if approved, would allow a use that requires a special degree of control because of characteristics peculiar to it, or because of size, technological processes or types of equipment, or because of the proposed site location with respect to surroundings, streets and existing improvements or demands upon public facilities, in compliance with the allowed list of uses.

Context: the particular combination of elements that create a specific physical environment. A zone in the Downtown Code is similar to the land-use zones in the Zoning Ordinance, except that in addition to specifying the allowed height, required setbacks and building uses, all the relevant elements and characteristics of

the intended physical environment are identified and integrated into the regulations.

Council: the City Council of the City of Soledad, referred to in this Downtown Code as the "Council".

Curb: the edge of the vehicular pavement detailed as a raised curb or a swale.

D

Day: unless otherwise specified, a calendar day.

Day Care (land use type): A home that regularly provides, as an accessory use of a residentially zoned and occupied property, for the care, protection and supervision of fourteen or fewer children, in the provider's own home, for periods of less than 24 hours/day, while the parents or guardians of the children are away and is either a small family day care home or a large family day care home.

Department: the Community Development Department of the City of Soledad, referred to in this Downtown Code as the "Department".

Design Speed: the velocity at which a street can be comfortably driven without the constraints of signage or enforcement. For the purposes of design speed, there are four general ranges of speed: Very Low: below 20mph, Low: 20-25mph, Moderate: 25-35mph and High: above 35mph. Design speed determines the character and context for a particular segment of the street network.

Developable Area: those areas of a site that are not required as building setbacks, driveway access or open space.

Director: the Community Development Director of the City of Soledad, or authorized designee(s), referred to in this Downtown Code as the "Director".

Downtown Code: the Downtown Code of the City of Soledad, intended to implement the Soledad Downtown Specific Plan.

Drive-Through (land use type): the component of an establishment that caters exclusively to customers while in their vehicles.

Driveway: a vehicular lane within a lot, usually leading to a garage.

Dwelling: a structure or portion of a structure designed for residential purposes, including single-family and multi-family dwellings.

Dwelling, Multi-Family: a building designed for occupancy with two or more dwellings. See 'Building Types' for Duplex/Triplex/Quadplex, Mansion Apartment, Rowhouse 1, Rowhouse 2, and Courtyard Building. Buildings that also include non-residential uses are identified as 'mixed-use' buildings.

Dwelling Unit Types: the individual dwelling configuration(s) within a building:

Flat: A single-story unit.

Loft: A double-story height unit with a mezzanine.

Townhouse: A two to three-story unit.

Apartment: A rental or ownership version of a Flat, Loft, or Townhouse.

E

Elevation (Building): the exterior walls of a building not along a frontage. Also referred to as 'Facade' when the elevation is along a frontage line.

Emergency Shelter (land use type): housing with minimal supportive services for homeless persons limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay (Government Health and Safety Code 50801).

Encroachment Area: the area within a building site where portions of the building such as eaves, balconies, porches, and landings may extend into required building setbacks.

Enfront: the placement of an element such as a building facade.

Entrance (Principal): the principal point of pedestrian access to a building. The principal entrance is typically along the building's primary frontage, a public streetscape or open space. In the case of a paseo which may be private, the principal entry may occur off such a space provided that the space is in compliance with Section 5.0.

Entrance (Secondary): point(s) of pedestrian access to a building in addition to the principal entrance. Such entrances typically occur anywhere along a building's exterior when in compliance with all applicable requirements.

F

Fabric Building: a building which is not civic or is otherwise typical of buildings in the overall context and which contributes to the forming of public space by being contextual to emphasize civic and community buildings.

Facade: the exterior wall of a building that is set along a frontage line. Facades support the public realm and are subject to frontage requirements additional to those required of elevations which are not set along frontage lines.

Fence: a structure, solid or otherwise, that is a barrier and used as a boundary or means of protection, confinement, or concealment. Does not include hedges, shrubs, trees, or other natural growth.

Forecourt: see 'Frontage Types'

Forced Podium Hardscape: a built condition which can occur when the "podium" created by the protruding roof of a sub-grade is minimally landscaped and not provided with design elements such as seating areas, fountains and gardens, to soften an otherwise featureless concrete appearance.

Frontage Line (Streetscape): those lot lines that coincide with a right-of-way or a private easement for a street, paseo or open space. One frontage line shall be designated as the Primary Frontage Line. Facades along Frontage Lines define the public streetscape or adjacent open space and are therefore more highly regulated than the elevations that coincide with other lot lines.

Frontage Type: exclusive of style, the architectural element of a building between the public right-of-way and the private property associated with the building. Frontage Types combined with the public realm create the perceptible streetscape. The frontage types used in the Downtown Code are described below in the order that they appear in the Code:

Gallery 2-story: two-story gallery frontages consist of the building facade being aligned on the front property line, and including an attached two-story cantilevered shed or a roof or deck supported by a colonnade overlapping the sidewalk. The upper portion of the Gallery may be used for open loggias or decks. Railing on top of the gallery is only required if the gallery roof is accessible as a deck. Galleries contain ground-floor storefronts, making them ideal for retail use.

Gallery 1-story: one-story gallery frontages consist of the building facade being aligned on the front property line, and including an attached cantilevered shed or a roof or deck supported by a colonnade overlapping the sidewalk. Galleries contain ground floor storefronts, making them ideal for retail use. Railing on top of the gallery is only required if the gallery roof is accessible as a deck.

Shopfront: the frontage type for buildings with ground floor commercial/retail uses. The frontage is made by insertion of large openings filled with transparent windows at the ground level facades. Depending on the zone, most of all of the facade is located near or at the property line. The building entrance is at the grade of the sidewalk, and provides direct access to the commercial/retail uses on the ground floor.

The basic architectural elements comprising the storefront are large windows, doors with glass, clerestory glass, and a solid base (bulkhead). Optional elements include awnings, cantilevered shed roof or canopy, signage, lighting, and cornices. As allowed by the zone, awnings, shed roofs, or canopies may encroach into the public right-of-way and cover the sidewalk within a few feet of the curb.

Forecourt: a frontage with open or semi-enclosed areas adjacent to the sidewalk made by setting back a portion of the building facade from the front property line. Typically the setback portion is the middle section, which creates a small entry court.

Door Yard: a frontage in which the primary building facade is set back from the front property line, and the setback contains an elevated garden or terrace. Door Yards are enclosed by a low wall at or near the property line with a stair or ramp from the sidewalk up onto the terrace.

Walled Yard: Walled Yard frontages consist of decorative and thematic walls at or near the frontage line for the purpose of enclosing an open space near the frontage or for enclosing service areas along the rear of a lot near a frontage. Typically, a building or entry associated with this frontage is joined with the wall to visually extend the architecture of the building and to demarcate the property boundary while positively shaping the adjacent streetscape.

Stoop: exterior stairs with landings which provide access to buildings located near or at their front property lines. The ground floor of the building is raised to provide some privacy for the rooms facing the public street and passersby. This frontage is ideal for ground floor housing that is near the street.

Porch: Porches are a frontage that consists of a building with a front set back from the property line, and a porch attached to it, and an optional low fence or wall at or near the property line. This frontage is a non-enclosed area of the building that encroaches into the front setback and accommodates residential as well as non-residential land uses as allowed.

Front Yard: Front Yard frontages consist of the building facade being set back from the front property line in a dimension large enough to create a front yard which is visually continuous with neighboring yards. These yards are typically unfenced and thus create a visually continuous landscape.

Parking Court: Parking court frontages consist of the primary building facade being set back from the front property line with a small parking lot within the setback. The parking lot is enclosed by a low wall or hedge at or near the property line for visual compatibility with the adjacent streetscape. The wall or hedge includes pedestrian entrances from the sidewalk and vehicular driveways from either the primary or secondary street(s).

Front(s) and Back(s): a term referring to the requirement for a building to have a clearly identifiable front facade along the lot's primary frontage, containing the primary pedestrian entrance and a clearly identifiable back facade in relation to the lot's rear property line. This term is also used to identify situations where it is not acceptable to have the front of a building adjacent to the back of another building.

Funeral Home (land use type): an establishment where the dead are prepared for burial or cremation.

G

Gallery: see 'Frontage Types'

Garage: a structure or portion of a structure, completely enclosed by walls or doors on all sides, that is designed or used to shelter one or more parking spaces. Does not include a carport.

Gas Station (commercial vehicles) (land use type):

A facility selling gasoline to the general public for vehicles such as trucks, buses and heavy equipment which may include an on-site store selling a variety of food-related items and beverages.

Gas Station (non-commercial vehicles) (land use type):

a facility selling gasoline to the general public for motorcycles, passenger vehicles, and recreational vehicles which often includes an on-site store selling a variety of food-related items and beverages.

Government (land use type): office activity that is in direct support of government agencies such as the City of Soledad, the County, the State or the Federal Government.

Grade, finished: the surface of the ground or pavement at a stated location as it exists after completion of a project.

Grade, natural: the unaltered natural surface of the ground at a stated location.

Grading: excavating, filling, or smoothing earth.

Ground Floor (land use type): dwelling(s) located on the first floor of a building's street-facing façade(s).

Ground Floor / Footprint: the horizontal area resulting from the application of building placement requirements and as further articulated by particular building design.

Ground Floor Height: the vertical distance from the adjacent sidewalk to the top plate of the ground floor.

Ground Floor Level: the building storey associated with the building entry which is accessed directly from the sidewalk.

Group Home (land use type): any building, facility, premises, house, structure, dwelling unit, multiple dwelling, apartment house, or portion thereof, at which persons reside in a group occupancy setting, but not including a hotel, motel, fraternity, sorority, rooming and/or boarding house, rest home or family. This facility is generally characterized by the provision of a pre-arranged or organized household structure or program. Residents of a facility may also receive medical treatment in addition to any non-medical supportive services in a residential or congregate care setting, as opposed to a hospital.

H

Health Fitness (land use type): A land use that provides health training and equipment that may include on-site shower facilities, food and beverages.

Height: the vertical distance from the finished grade to the highest point of a structure.

Hotel / Motel (land use type): a lodging establishment providing individual rooms to be rented for no less than a day.

House-Form: the form, massing and size of buildings which is compatible with the size of typical houses. This size ranges from as little as 25 feet up to 80 feet.

I

Improvement: any building, structure, bridge, work of art, area, parking facility, public facility, fence, gate, wall landscaping, or other object constituting a physical addition to real property, or any part of the addition.

Incompatible Adjacency: at the City's determination, the result when a land use, site, building, or portion of a building exceeds or may exceed the physical or operational limits that reduce compatibility with neighboring properties.

Indoor / Outdoor Recreation (land use type): an establishment providing indoor amusement and entertainment services for a fee or admission charge, including any of the following as primary uses:

- bowling alleys
- card rooms
- coin-operated amusement arcades
- dance halls, clubs and ballrooms
- electronic game arcades (video games, pinball, etc.)
- ice skating and roller skating
- pool and billiard rooms

Four or more electronic games or coin-operated amusements in any establishment, or a premises where 50 percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above; three or fewer machines are not considered a land use separate from the primary use of the site. This use does not include adult businesses which are regulated under the provisions of the SMC.

Infill Development: a site developed within the existing small town-scale fabric, balancing or completing the surrounding areas with the intended physical character and land use activity.

Inn (Bed and Breakfast) (land use type): A lodging establishment of no more than 25 rooms providing individual rooms to be rented for no less than a day and that includes breakfast service.

Internet Café (land use type): An establishment that provides computers with internet access to the general public that may or may not include food and beverages.

Inside Turning Radius: the curved edge of a thoroughfare at an intersection, measured at the inside edge of vehicular tracking. The smaller the turning radius, the smaller the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn. Control of the curb radius is an important variable in the fostering of a pedestrian-friendly environment.

J (reserved)

K

Kitchen: any room or space within a structure, all or part of which is designed or used for cooking, preparation, refrigeration and storage of food and which includes any of the following: stove, oven, range top, dishwasher, kitchen sink, microwave oven, and refrigerator/freezer.

L

Land Use: the purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

Laundromat (land use type): an establishment with coin-operated washing machines and dryers for public use.

Library (land use type): an establishment containing collections of books, periodicals, including films and recorded music for people to read, borrow, or refer to.

Live / Amplified Music (land use type): a land use focused primarily on live music performances which may or may not include the use of amplifiers.

Lot (parcel): a separately platted subdivision of land held privately, usually intended for the purposes of building. Within a lot and depending on the size of the lot, one or more building sites may occur. Each building site results in an identifiable area of land that accommodates a building(s) as allowed by the zone.

For example, a lot may be of such size that multiple building sites may be required in order to comply with the Building Standards in Section 4.0. Using the example of a lot that measures 200 feet in width, that lot may be developed with four buildings on building sites of 50 feet in width. The site could still remain as one lot (parcel) or it could be divided for sale into four parcels. In either case, the objective of maintaining/generating small town-scaled buildings was achieved.

Lot Line ('parcel' line): the boundary that legally and geometrically demarcates a lot. Such lines appear graphically on a Tract Map or project site plan.

Lot Width: the frontage of a parcel which is used to identify the parcel for street address purposes, and the physical dimension necessary for an allowed building.

Lot Depth: the parcel's dimension as measured along the interior lot lines and the physical dimension necessary for an allowed building.

M

Manufacturing (perishable) (land use type): the making of products intended for purchase and use in the short term such as food and condiments using machinery.

Manufacturing (non-perishable) (land use type): the making of products that are non-perishable using machinery.

Medical Services (land use type): A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. These facilities may also include incidental medical laboratories.

Meeting Facility (place of public assembly, place of religious worship, club, lodge) (land use type): a facility that is available for public assembly such as a conference hall, club hall or lodge, or for religious worship such as a church, temple or mosque.

Minor Use Permit (MUP): a type of administrative discretionary permit that, if approved, would allow a use that requires a special degree of control because of characteristics peculiar to it, or because of size, technological processes or type of equipment, or because of the proposed site location with respect to

surroundings, streets and existing improvements or demands upon public facilities, in compliance with the allowed list of uses.

Minor Variance: an administrative discretionary entitlement that, if approved, would allow the relaxation of specified, but very limited, development standards of this Downtown Code.

Mobile Home Park (land use type): an area containing house trailers that are parked in one particular place and used as a permanent living accommodation.

Motor Vehicle Sales (land use type): activity focused on the sale of new or used motor vehicles that involves the display of inventory.

Motor Vehicle Rentals (land use type): activity focused on the rental of motor vehicles with the inventory being readily available either on-site or in a remote site.

Multi-Family (land use type): a building occupied by multiple households in multiple dwellings.

Municipal Code: the Municipal Code of the City of Soledad, as amended.

N

Nightclub (land use type): A land use associated with an establishment focused primarily on dancing, that may or may not include alcoholic beverages and typically is open later than most restaurants.

Nonconforming parcel: a parcel that was legally created before the effective date of the Downtown Specific Plan or amendment, and does not comply with the minimum area, depth, width, or other applicable requirements of the Downtown Specific Plan.

Nonconforming site improvements: a site improvement (e.g., fences, landscaping, parking, walls, etc.) that conformed to the requirements of the previous Zoning Ordinance that lawfully existed before the effective date of the Downtown Specific Plan or amendment, and does not conform to the present requirements of the zone in which it is located.

Nonconforming structure: a structure that lawfully existed before the effective date of the Downtown Specific Plan or amendment, and does not conform to the present requirements of the zone in which it is located.

Nonconforming use: a use of land and/or a structure (either conforming or nonconforming) that lawfully existed before the effective date of the Downtown Specific Plan or amendment, but which is no longer allowed in the zone in which it is located.

O

Off-Site: located outside the lot or parcel lines of the principal use.

Office or Civic, General (land use type): Business and professional services as well as civic activities such as museums or visitor centers. Examples of these uses include accounting services, insurance agent offices, real estate offices, travel agencies, counseling services, news services, telemarketing, museums, utility company offices, elected official satellite offices, etc.

On-Site: located within the lot or parcel lines of the principal use.

Open Space: within a parcel, land that is exclusive of required front and side building setbacks. Within a block, land that is not within a building site, typically in the form of a plaza or park.

Ordinary Maintenance and Repair: work for which a Building Permit is not required, the purpose and effect of which is to correct deterioration of, or damage to a structure, and to restore the structure to its condition before the deterioration or damage.

Outbuilding: an ancillary building (e.g., garage, storage area, crafts space, etc.), usually located towards the rear of the same lot as the principal building. It is sometimes connected to the principal building and sometimes occurs as a separate building (also known as an 'Accessory Structure').

P

"Park-Once" ('Shared Parking'): an approach to parking for non-residential parking needs that establishes the maximum needs for an identifiable area and then strategically distributes shared parking lots and parking garages and as much on-street parking as possible, for the convenience of customers and to relieve individual properties of providing potentially duplicative parking. This approach is based on an accounting for parking spaces that are available to more than one function that varies according to multiple functions in close proximity unlikely to require the spaces at the same time.

Park or Plaza (land use type): Open space for a variety of activities that range from less urban to more urban depending upon their location and role in the Downtown. See 'Parks'.

Paseo (also referred to as 'passage', 'promenade'): a public or private path designed for walking typically connecting a parking area with the public streetscape.

Pedestrian First: the practice of addressing the needs of people, once out of their automobiles, through a series of interdependent urban design and streetscape principles such as traffic-calming, wide sidewalks, street trees and shade, on-street parking, outdoor dining, inviting storefronts, the feeling of being in an 'outdoor room', short crosswalk distances, interconnected and short blocks.

Performing Arts (land use type): activity focused on live performances of dance, music, and other similar artistic activity that is performed live before an audience.

Personal Services (land use type): Establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

- barber and beauty shops
- clothing rental
- dry cleaning pick-up stores with limited equipment
- home electronics and small appliance repair
- locksmiths
- pet grooming with no boarding
- hair and beauty salons
- shoe repair shops
- tailors

These uses may also include accessory retail sales of products related to the services provided.

Personal Services, Restricted (land use type): Personal services that may tend to have a blighting and/or deteriorating effect upon surrounding areas and which may need to be dispersed to minimize their adverse impacts. Examples of these uses include:

- fortune tellers, psychics, and palm and card readers

- massage (licensed, therapeutic, non-sexual)
- pawnshops
- spas and hot tubs for hourly rental
- tattoo and body piercing services
- tanning salons

Planter (on-site): an at-grade or raised container or area which accommodates landscaping.

Planter (streetscape): the portion of the streetscape which accommodates street trees. Planters may be continuous or individual according to the particular thoroughfare and location.

Podium Garage: an at-grade parking facility that is completely within a structure that supports an upper floor(s) of a building.

Police Chief: the Police Chief of the City of Soledad, or authorized designee(s).

Porch: see 'Frontage Types'

Power / Electrical Substation (land use type): A facility providing electrical power and distribution to customers. Such facilities include high voltage equipment and supporting infrastructure.

Principal Building: the main building on a lot, always located within the required 'build-to-layer' for the zone.

Printing / Photocopying (land use type): The printing and photocopying of materials such as letters, documents, and posters for the general public which usually includes on-site printing and photocopying equipment for use by the general public.

Private Frontage: the privately held layer between the frontage line and the principal building facade which includes the depth of the setback and the combination of architectural elements such as front yards, fences, stoops, porches, forecourts, shopfronts and galleries.

Property Line: one of multiple boundaries which define the property ownership of a parcel.

Pub / Bar (land use type): An establishment focused on alcoholic beverage sales that includes food and may include dancing but does not include a night club.

Public Frontage (also referred to as 'streetscape'): the area between the frontage line and the edge of the

curb of the vehicular lanes, a public open space or paseo. The public frontage includes the type and dimension of curbs, walks, planters, street trees and streetlights.

Public Parking ("park-once" facility): a parking lot, parking garage or on-street parking which is part of a shared system to provides the public with parking spaces for commercial, service and office uses.

Public Realm ('streetscape'): the combination of building facades, public and private frontages, signage, landscape, trees, sidewalks, streets and the activity within these areas that generates the physical character as viewed within the public right-of-way.

Public View: along a public street, alley or open space, all that is visible as viewed by a pedestrian or motorist.

Q (reserved)

R

Recess Line: a horizontal line, the full width of a facade, above which the facade sets back a specified distance from the facade below.

Recycling Center (land use type): A facility that receives and processes a wide variety of materials to be recycled such as batteries, tires, metal, paper, cans, glass, and plastic. Such facilities usually have large areas within a building or outside to temporarily store materials while they are processed or shipped off-site.

Repair (motor vehicles) (land use type): Activity focused on the repair and maintenance of motor vehicles that is performed on a site allowed to have such activity.

Repair (non-vehicular) (land use type): activity focused on the repair and maintenance of non-vehicular items such as vacuum cleaners, clocks, and other hardware with the repair activity usually occurring on-site.

Residential: premises available for dwelling.

Restaurant (land use type): an establishment focused on food sales that may or may not include alcoholic beverages as well as dancing but does not include a night club.

Retail: premises available for the sale of merchandise and food service.

Retail (land use type): the sale of general merchandise to the public such as but not limited to bakery items, food catering, dry cleaning, hardware, pet supplies and pharmaceutical items. Examples of these stores and lines of merchandise include:

- art galleries, retail
- art supplies, including framing services
- bicycles
- books, magazines, and newspapers
- cameras and photographic supplies
- clothing, shoes, and accessories
- department stores
- drug stores and pharmacies
- dry goods
- fabrics and sewing supplies
- florists and houseplant stores (indoor sales only outdoor sales are "Building and Landscape Materials Sales")
- hobby materials
- groceries
- jewelry
- luggage and leather goods
- musical instruments, parts and accessories
- orthopedic supplies
- small wares, specialty shops
- sporting goods and equipment
- stationery
- toys and games
- variety stores
- videos, DVDs, records, CDs, including rental stores

Reverse Vending Machine (land use type): A vending machine that dispenses cash in exchange for items such as cans to be recycled.

S

School, Private (land use type): an establishment that provides educational courses and training to the general public. Includes dance, music, and trade schools, as well as community college campuses.

Secondhand Store (land use type): a retail store principally selling previously owned items (e.g., clothing) as distinct from an antique or collectible store which sells antiques, curios, gifts and souvenirs, and collectible items including sports cards and comic books.

Setback (building): the area of a lot measured from a lot line to a building facade that must be maintained clear of permanent structures excepting frontages that align with the first floor level which are permitted to encroach into the required setback.

- **Front:** the area along the primary frontage of a parcel between the sidewalk and the front of the building in which frontage and streetscape occur.
- **Rear:** the area along the property boundary directly opposite the front of the property between the rear of the building and the adjacent property or alley.
- **Side:** the area along an interior property boundary between the side of a building and the adjacent property.
- **Side Street:** the area along the secondary frontage for a parcel between the sidewalk and the secondary facade of the building in which frontage and streetscape occur.

Setback (parking): the area of a lot measured from a lot line to parking facilities and/or spaces that must be maintained clear of parking facilities and/or spaces.

Sidewalk: the paved portion of the streetscape dedicated exclusively to pedestrian activity.

Sidewalk Dining (land use type): Restaurant activity (breakfast, lunch, dinner) associated with a restaurant that occurs outside of the building typically along the street-facing façade of the building and within the public right-of-way on the sidewalk.

Signage Type: a method and/or structure defined by the combination of configuration, placement and function along the frontage of buildings. The signage types relevant to the Downtown Code are described

below in the order that they appear in this code:

- **Wall:** a sign painted or applied directly to the wall, typically above the storefront or more creatively as approved by the City. This type consists of a single externally illuminated panel or individual letters and/or logo and does not include cabinet signs. This type of sign is intended for viewing from across the street and along the sidewalk.
- **Window:** a sign painted or applied directly to the storefront window(s) and/or door(s). This type consists of individual letters that may include a logo with allowances for some contrasting background. This type of sign is intended for viewing from across the street and at close range.
- **Sidewalk:** a two-sided, non-illuminated, portable sign placed outside of the storefront on the adjacent sidewalk for viewing at close range. The sidewalk sign is intended for use by restaurants, cafes, other food-oriented businesses, theaters and other such activities
- **Projecting:** a two-sided sign that projects over a public right-of-way such as a sidewalk, public open space or private street. This type of sign is intended for viewing at close range.
- **Awning/Canopy:** a sign integral to the awning or canopy above a storefront. This type of sign can be located on the valence face, on the main panel, or in the case of a canopy, on top of and along the front edge of the canopy. This type of sign is intended for viewing at close range.
- **Yard/Porch:** a two-sided sign located on a post within frontages where the building is setback from the sidewalk to be viewed along the sidewalk at close range. Porch - A sign that is hung from the porch entry to the building to be viewed from the sidewalk at close range.
- **Monument:** a sign located within frontages where the building or a portion of the building is setback from the sidewalk and the sign is to be viewed from a distance along the street. This type of sign typically occurs as part of site-defining landscape, in the form of a low wall that encloses outdoor dining or open space areas. This type of sign may occur as a freestanding sign for fueling stations subject to location and size limitations aimed at scale and compatibility with pedestrian frontages.

- **Roof:** a sign located on the roof intended to help emphasize the identity and presence of the downtown as a whole and therefore, the signage is allowed to be more inventive.
- **Marquee:** a large, vertically-oriented two-sided sign that projects from the facade over a private street, sidewalk, or public right-of-way and may project above the building's parapet to be viewable along the sidewalk and down the street from the adjacent block.
- **Pole:** a vertically-oriented two-sided sign that is detached from the main building, located along the primary frontage, consisting of a single structural support with the sign mounted at the top. This type of sign is intended for viewing from a distance to identify a business set back and not readily visible from the street.

Single-Family (land use type): a building occupied by no more than one household for a total of one dwelling.

Single-Room Occupancy (SRO) (land use type): A multiple tenant building that houses one or two people in individual rooms. Tenants usually share bathrooms and/or kitchens, while some SRO rooms may include kitchenettes, bathrooms, or half-baths.

Site Plan: a drawing of a lot, drawn to scale, showing the actual measurements, the size and location of existing structures or structures to be erected, the location of the lot in relation to abutting streets, and other information.

Site Plan and Design Review: a type of discretionary permit that provides a process for the appropriate review of development projects (i.e., site layout and structural development).

Small Collection Facility (land use type): A facility open to the general public that receives and processes limited materials to be recycled such as paper, cans, glass, and plastic. Such facilities range from self-contained processing units that are temporarily located in a parking lot up to permanent facilities with area within a building or outside to temporarily store materials while they are processed or shipped off-site.

Small Town-Scale Standards: the standards of the Downtown Code are directed for the purpose of implementing the small town-scale environment envisioned in the Downtown Soledad Specific Plan. In the context of Downtown Soledad, Small Town scale and character" shall mean:

1. Buildings placed near to, facing and defining Downtown Soledad's streets as identified in Figure 5.2.1;
2. Buildings fronting the streets with visually balanced and detailed facades, and entries, frontages and signage that are oriented to the pedestrian;
3. Buildings that are composed of volumes similar in scale to the railroad-era, wood and brick buildings of Soledad characterized as;
 - a. Buildings that are larger than houses and intended for non-neighborhood types of environments. These buildings shall be identified as 'block-form' buildings;
 - b. Buildings that are the size of houses ranging from an individual house to buildings that are attached or detached dwellings the size of large houses; and
 - c. Buildings that are generally two stories in height, with some one and three story buildings – or portions of buildings – which are varied in their massing; and
 - d. On house-form buildings, upper story building masses that are no more than 80 feet wide – along the street frontage – nor more than 65 feet in depth perpendicular to the street frontage, except as otherwise allowed for public buildings.

Stoop: see 'Frontage Types'

Story: a habitable level within a building from finished floor to finished ceiling. Raised basements and unoccupied attics are not considered a story for the purposes of determining building height. Occupied attics are considered a half-story which are expressed in this code as a fractional portion of a story such as '2.5'. This definition does not include mansard roofs.

Street: a vehicular way incorporating moving lanes and parking lanes (except alleys/lanes which have no parking lanes) within a right-of-way or private easement.

Street Types: the variety of types of streets that comprise an interconnected, varied and hierarchical network, as specified in Section 8.0.

Streetscape: the combination of building facades, building frontage(s), signage, street furnishings and equipment, sidewalk, and landscape. Streetscapes vary in response to their intended physical character and context.

Streetwall: a term referring to the vertical mass of an individual building or the combination of several buildings that shape the streetscape. The streetwall varies in its height and continuity according to the intended physical character of the zone.

Streetscreen: as allowed by the zone, a hedge or an opaque, freestanding wall built along the frontage line, or coplanar with the facade, often for the purpose of masking a parking lot or service area from public view. Streetscreens are constructed of a materials matching the adjacent building facade. Streetscreens may have openings no larger than necessary to allow automobile and pedestrian access.

Structure: anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

T

Temporary Use (land use type): short-term activities that are not allowed on a permanent basis but because of their temporary, non-permanent or seasonal nature, are acceptable. such uses include but are not limited to farmer's markets, festivals, parades, and construction activity.

Terminated Vista: an important view at the end of a street / paseo or across an open space that provides additional visual interest. A terminated vista can be as simple as an enhanced area of the building facade at an intersection, a view down a streetscape of surrounding hillsides, or as complex as modulated building heights and detailing in response to the vista being terminated.

Traffic-Calming: a set of techniques which serves to reduce the speed of traffic such as lane-narrowing, on-street parking, chicanes, yield points, sidewalk bulge-outs, speed bumps, surface variations, mid-block deflections, and visual clues. Traffic calming is a retrofit technique unnecessary when thoroughfares are correctly designed for the appropriate speed at initial construction.

Transit Station (land use type): a facility that provides the general public the opportunity to board transit ranging from taxi cabs and shuttles to buses and trains.

Transit-Oriented Development: mixed-use nodes limited in extent by walking distance to the transit stop and characterized by building types that offer a variety of housing choices that are not based on the conventional vehicular needs of suburban housing choices.

Transition Line: a horizontal line, the full width of a facade expressed by a material change or by a continuous horizontal articulation such as a cornice or a balcony.

Type (Thoroughfare/Street, Building, Frontage, Sign): a form determined by function and its configuration.

U

Upper Floors (land use type): dwelling(s) located on floors above the ground floor of a building.

Upper Story Height: the vertical distance from the top plate of the story being measured.

Urban: the most intense of the three general types of human settlement (rural, suburban, urban) of which there is an overall range of urbanity as evidenced by Soledad's historic downtown which is at the lower end of urban intensity. Within Soledad, the Downtown is the most intense of urban places.

Use: the purpose for which land or a structure is arranged, designed, or intended, or for which either land or structure is or may be occupied or maintained.

Accessory Use: a use incidental to, and customarily associated with, a specific principal use, located on the same parcel.

Allowed Use: a use that may be located, maintained, or operated subject to a planning permit as a requirement in Section 1.0.

Permitted Use: a use allowed in a zone without the need of a discretionary use permit. The use is subject to any development standards applicable to that zone.

Principal Use: the primary or predominant use of an parcel or structure.

V

Variance: a discretionary entitlement that, if approved, allows the waiver or relaxation of specified development standards of this Downtown Code.

Veterinary Clinic / Animal Boarding and Day Care

(land use type): A medical establishment for animals with on-site staff and facilities that serves animal patients with a variety of medical services ranging from diagnoses to surgery and includes boarding.

Vernacular: the common language of a region, particularly in reference to architectural tectonics. Through time and use, the vernacular has intrinsically resolved the architectural response to climate, construction technique, and to some extent, social mores.

W

Walkable: a term referring to the pedestrian-orientation of the block and street network and the frequency of intersections where people can cross a street, favoring shorter blocks over longer blocks to allow for shorter routes to be used by pedestrians and motorists and, to balance the needs of pedestrians with those of motorists.

Wine Tasting / Brew Pub (land use type): An establishment focused on the production and sale of alcoholic beverage sales that includes food and may include dancing but does not include a night club.

X (reserved)**Y**

Yard: open space other than a courtyard or paseo on a lot, unoccupied and unobstructed from the ground upward.

Yard, Front: an area extending across the full width of the lot and lying between the front lot line and a line parallel thereto, and having a distance between them equal to the required front yard depth. This definition is in addition to and support of the Front Yard frontage type in Section 5.0.

Z

Zaguan: a pedestrian passage of one to two rooms in depth and one story in height between a public street / open space and a courtyard or other open space.