

SECTION 25.22 COMMERCIAL ZONING DISTRICTS

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25.22.1 Description of Commercial Zoning Districts

This Section provides regulations applicable to development and new land uses in the Commercial zoning districts established by Section 25.12.2 (Zoning Districts Established). The purpose of the individual commercial zoning districts is as follows:

- A. CN (Neighborhood Commercial) District.** The CN zoning district provides areas for convenient neighborhood access to daily goods and services. Typical uses include grocery stores, banks, dry cleaners, and restaurants. Residential land uses may be appropriate, particularly as part of a mixed-use development. The CN zoning district is consistent with the Neighborhood Commercial land use category of the General Plan.
- B. CC (Community Commercial) District.** The CC zoning district applies to commercial areas of the City where retail goods and services are available to serve neighborhood and community-wide needs. Typical land uses include larger shopping centers, specialty shopping centers, and other retail establishments that serve the community at large. Residential land uses may be appropriate, particularly as part of a mixed-use development. The CC zoning district is consistent with the Highway and Regional Commercial, and Community Commercial land use categories of the General Plan.
- C. CT (Thoroughfare Commercial) District.** The CT zoning district applies to portions of West Texas Street, North Texas Street, and Parker Road characterized by a mixture of small, individual multi-tenant commercial buildings, shopping centers, automobile services and sales, and fast-food restaurants. Residential land uses may be appropriate, particularly as part of a mixed-use development. The CT zoning district is consistent with the Community Commercial land use category of the General Plan.
- D. CS (Service Commercial) District.** The CS district provides areas for commercial service and light industrial uses that may have impacts not suitable for other commercial districts. Uses in the CS zone are primarily of a non-retail character, some of which require outdoor storage or activity areas. Retail and office uses are allowed to the extent that they are compatible with the service commercial uses. Typical uses include small-scale light assembly operations, motor vehicle repair and body shops, equipment rental and storage yards, small-scale warehousing and distribution, and “workshop” type commercial land uses (e.g., welding and cabinet shops). The CS zoning district is consistent with the Service Commercial land use category of the General Plan.
- E. CD/CDC (Downtown Commercial, Downtown Commercial Core) Districts.** The CD and CDC zoning districts are intended to stabilize, maintain, and enhance the unique commercial character of Downtown Fairfield as an attractive, lively main street environment, a character based on a mix of specialty retail, cultural, entertainment, office, service, and restaurant uses. Residential land uses may be an appropriate land use in the CD Zoning district as part of a

mixed-use project. Specifically, the CDC provides for land uses downtown that have a strong pedestrian-oriented character, with a mixture and concentration of specialty shopping, personal service, restaurant, cultural, and entertainment uses.

The CDC District applies only to ground-level land uses within the district boundaries. All land uses above ground level are regulated by the land uses allowed in the CD district. The CD district applies to remaining downtown blocks of Texas Street as well as major cross streets and parallel streets. Uses that do not compliment and enhance the desired downtown character as described in the policies of the Downtown Fairfield Urban Design Plan are not allowed in either district.

F. CM (Mixed Commercial) District. The CM zoning district applies to the transitional areas surrounding Downtown Fairfield and areas identified by the General Plan as Mixed Use. In the case of the latter, permitted uses shall be consistent with the General Plan description for each property. For areas surrounding Downtown, uses in the CM zone will provide a compatible mixture of commercial and residential uses that serves as a transition between Downtown and adjacent residential areas.

G. CO (Office Commercial) District. The CO zoning district is applied to areas intended for office uses and related services. Land uses include professional offices, medical offices and related services, administrative offices, banks and other financial institutions, and related business support services. Personal services and small-scale commercial and retail establishments may be permitted as supporting land uses. Residential land uses are appropriate as part of a mixed-use project. The CO zoning district is consistent with the Office Commercial land use category of the General Plan.

H. CR (Regional Commercial) District. The CR zoning district applies to areas appropriate for highway oriented retail and service uses and regional shopping centers that serve a market beyond the Fairfield/Suisun area. The CR district is generally applied to properties with direct frontage on Interstate 80 or 680, or State Highway 12. The CR zoning district is consistent with the Highway and Regional Commercial land use category of the General Plan.

25.22.2 Allowed Uses and Permit Requirements

A. Permitted land uses. The land uses allowed by this Zoning Ordinance in commercial zoning districts are identified in the following tables as:

1. **"Permitted"** land uses are indicated by a "P" on Table 25-9. Permitted lands uses are allowed on a property without discretion by the City, subject to compliance with all applicable provisions of this Ordinance.
2. **"Conditionally Permitted"** land uses are indicated by a "C" on the tables and are allowed only with the approval of a Conditional Use Permit (Section 25.40.5). These uses are subject to all applicable provisions of this Ordinance as are permitted uses. However, the City has discretion to approve, approve with conditions, or deny a Conditional Use Permit application. The decision on a Conditional Use Permit is based upon the circumstances of an individual case and the criteria in Section 25.40.5.

B. Uses not permitted or not listed. Land uses not permitted are those indicated by a "-" on the table. Land uses not listed on the tables are not allowed, except as provided in Section 25.10.6 (Exemptions from Zoning Ordinance Requirements).

C. Regulations for specific uses. Where a column in the following tables includes a reference

to a section number or footnote, the regulations in the referenced section or footnote apply to the use. However, provisions in other sections of this Zoning Ordinance or City Code may also apply.

D. Ancillary Uses. Ancillary uses are those secondary activities associated with a primary land use directly associated with and supporting said primary permitted or conditionally permitted land use. Ancillary uses and activities typically require a minor portion of the square footage or space in a business premises, impose no additional impacts on land use patterns, building design, parking requirements, or outdoor storage. Examples of ancillary uses include, but are not limited to, small factory stores associated with an active manufacturing plant, on-site childcare facilities, etc.

							P	Use Permitted			
Table 25-9: Commercial District Land Use Regulations							C	Conditional Use Permit			
							-	Not permitted			
							Zoning District				
Use	CD	CDC	CN	CO	CS	CT	CC	CR	CM	Additional Regulations	

General Retail

New merchandise sales-less than 80,000 square feet	P	P	P	-	C	P	P	P	C	Note 1,11
New merchandise sales-greater than 80,000 square feet					C	C	C	C		
Antique and collectibles shop	P	P	P	-	-	P	P	P	-	
Building and landscape material sales	-	-	-	-	P	C	C	C	-	
Furniture, fixtures, and appliance sales	P	P	-	-	P	P	P	P	-	Note 11
Market, convenience	C	-	P	-	C	P	P	C	-	Note 2
Market, grocery or supermarket	P	P	P	-	-	P	P	C	-	
Market, specialty food and beverage	P	P	P	-	-	P	P	P	C	
Pawn shop	-	-	-	-	-	P	P	-	-	
Plant nursery - landscape	P	-	C	-	P	P	P	C	-	
Tobacco Sales (Specialty) and Smoke Shops	C	C	P	C		P	P	P	C	
Used merchandise sales	C	C	-	-	-	P	P	C	-	

Education and Training

Child daycare center	C	-	P	C	-	P	P	C	C	
Museum, library, or gallery	C	C	-	P	-	P	P	C	C	
Personal instruction studio	P	C	P	-	C	P	P	-	C	
Reading room	-	-	P	-	-	P	P	-	C	
School, business	P	-	-	P	P	P	P	C	C	
School, college or university (private)	-	-	-	C	-	C	C	C	-	
School, elementary and secondary (private)	C	-	C	C	-	C	C	-	C	
School, Personal and Social Development				P	P	P	P	C	C	
School, vocational	C	-	-	-	P	P	C	C	-	

Entertainment and Recreation Related

Adult entertainment business	-	-	-	-	P	P	-	-	-	Section 25.32.2
Athletic club	P	P	P	C	-	P	P	C	-	
Campground	-	-	-	-	C	-	-	C	-	
Commercial recreation	C	C	C	-	C	P	P	C	-	
Stadium or arena	-	-	-	-	C	C	C	C	-	
Theater (indoor)	P	P	-	-	-	P	P	P	-	
Theater (outdoor)	-	-	-	-	C	C	C	C	-	

Food Service

Bar	C	C	-	C	-	C	C	C	-	
Catering services	-	-	-	-	P	P	P	-	C	
Food and beverage sales	P	P	P	P	P	P	P	P	C	
Restaurant, counter service	P	P	P	P	P	P	P	P	C	
Restaurant, table service	P	P	P	P	P	P	P	P	C	
Drive-through sales (with any food service)	-	-	C	-	-	C	C	C	-	Section 25.22.4.1
Entertainment (with any food service)	C	C	-	C	-	C	C	C	-	

Health and Veterinary Services

Ambulance service	-	-	C	-	P	P	P	-	-	
Animal clinic or grooming	C	-	P	C	P	P	P	-	-	
Animal hospital	C	-	C	C	P	P	P	C	-	

Animal kennel	-	-	C	-	P	C	C	C	-	
Emergency medical care	-	-	P	P	C	P	P	C	-	
Hospital	-	-	-	C	C	P	P	C	C	
Nursing home	-	-	C	P	-	C	C	-	P	

General Services

Auction (indoor)	-	-	-	-	P	P	P	C	-	
Auction (outdoor)	-	-	-	-	P	C	C	C	-	
Bed and breakfast inn	C	-	C	-	-	C	C	-	-	
Business support services	P	C	-	C	P	P	P	P	-	
Equipment rental (indoor)	P	-	C	-	P	P	P	-	-	
Equipment rental (outdoor)	-	-	-	-	P	C	C	-	-	
Funeral and internment services	-	-	-	C	-	P	P	-	C	
Hotel/motel	C	-	-	C	-	-	C	C	-	Section 25.22.4.2
Hotel/motel, Extended Stay	C	-	-	C	-	-	C	C	-	Section 25.22.4.2
Maintenance & repair, machinery & small engine	C	-	-	-	P	P	C	-	-	
Maintenance & repair, personal and household items	P	P	P	-	P	P	P	-	-	
Mini-warehouse	-	-	C	-	P	C	C	-	-	
Personal care and domestic services	P	P	P	P	C	P	P	P	C	
Personal care and domestic services - Limited	C	C	P	P	C	P	P	P	C	Sect. 25.32.16
Recycling collection facility - small	-	-	C	-	P	C	C	-	-	
Spa and massage therapy	P	-	-	C	-	P	P	-	-	Chapter 10A

Offices and Financial Services

Banks	P	P	P	P	-	P	P	P	P	
Bail bond service	C	-	-	P	C	P	P	-	P	
Check cashing service	-	P	P	-	-	P	P	-	-	
Offices, Administrative, business, and professional	P	P	P	P	P	P	P	P	P	Note 10, Sec. 25.22.4.5

Offices, Government	C	-	-	P	P	P	P	C	C	Sec. 25.22.4.5
Offices, Medical and dental	P	P	P	P	P	P	P	P	P	Note 10

Industry

Aquaculture	-	-	-	C	-	-	-	-	-	Sec. 25.32.15
Contractor's yard	-	-	-	-	P	-	-	-	-	
Handicraft shop	C	C	C	-	P	P	P	-	C	
Industrial services	-	-	-	-	P	P	-	-	-	
Laboratory, processing	-	-	-	P	P	P	P	-	C	
Manufacturing and assembly - light	-	-	-	-	C	-	-	-	-	
Wholesale, distribution, and storage - light	-	-	-	-	P	-	-	-	-	

Public, Quasi-public, and Assembly (see Note 5)

Auditorium or exhibition hall, public	-	-	C	C	P	P	P	-	C	
Church or other place of worship	P	-	P	P	P	P	P	-	P	Note 3, Table 25-17
Club, lodge, or meeting hall	P	-	C	C	-	P	P	-	C	
Community Center/Banquet Hall	C	C	C	C	-	C	C	C	C	
Homeless shelter	-	-	-	-	C	C	C	-	C	
Public safety facility	P	-	P	P	P	P	P	P	P	
Utilities, Public or quasi- public - major	C	C	C	C	C	C	C	C	C	Note 4
Utilities, Public or quasi- public - minor	P	P	P	P	P	P	P	P	P	Note 4

Residential

Boarding house	C	-	-	-	-	-	-	-	P	
Adult Day Care Facility	C	-	-	-	-	C	C	-	P	
Congregate Care Facility	C	-		C		C	C	-	-	
Duplex	-	-	C	C	-	C	C	-	P	Note 5
Duet	-		C			C	C		P	Note 5
Dwelling, multi-family	C	-	C	-	-	C	C	-	P	Section 25.22.4.3, Note 5

Dwelling, single family detached	C	-	C	C	-	C	C	-	P	Note 5 §25.46.2(A)
Family day care, Large and Small	-	-	-	-	-	-	-	-	P	
Community Care Facility - Residential	C	-	-	C	-	C	C	-	P	
Transitional housing	-	-	-	-	-	-	-	-	P	

Temporary and Other Uses

Temporary uses and events	See Section 25.32.8								
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Transportation and Communication

Antenna or communication facility	-	-	C	C	C	C	C	C	-	
Helipad	-	-	C	C	C	C	C	C	-	
Heliport	-	-	-	-	C	-	-	-	-	
Moving and Drayage Services					C					
Transit station or terminal	-	-	P	P	P	P	P	C	-	
Parking facility, non-residential	P	-	C	P	P	P	P	P	C	
Private transportation service	C	-	-	-	P	P	P	-	-	
Truck stop	-	-	-	-	-	-	-	-	-	

Vehicle Sales and Service

Automobile and truck rental	-	-	-	-	P	P	P	C	-	Note 6
Automobile and vehicle major repair	-	-	-	-	P	C	C	-	-	Note 7, Note 12
Automobile maintenance and minor repair	C	-	C	-	P	P	P	C	-	Note 12
Large truck and machinery - sales and leasing	-	-	-	-	P	C	-	C	-	
Recreational vehicle, boats, trailer sales	-	-	-	-	P	P	C	P	-	
Service station	-	-	C	-	P	P	C	C	-	Note 8
Vehicle, accessory equipment sales	C	-	-	-	P	P	P	C	-	
Vehicle sales - antique and collector	C	-	-	-	P	P	P	P	-	Note 6, Note 9

Vehicle sales (greater than one acre)	-	-	-	-	-	P	P	P	-	Note 6, Note 9
Vehicle sales (less than one acre)	-	-	-	-	-	P	C	C	-	Note 6, Note 9
Vehicle storage or impound yard	-	-	-	-	P	C	-	-	-	

Notes:

(1) In the CS zone district, a Conditional Use Permit (CUP) is required for retail sales when the sale of products is a primary use. A CUP is not required for retail sales that occur as an ancillary or accessory use, such as the sale of items associated with a repair or service business, or the sale of products produced, repaired, or refurbished on-site.

(2) A Conditional Use Permit shall be required for any convenience market located within 1,000 feet of any elementary or secondary school or any publicly owned park or open space (this requirement shall be measured from property line of convenience market to property line of school, park, or open space) or any convenience market in which the sale of alcoholic beverages, i.e., beer, wine, or distilled spirits, is proposed.

(3) Churches in the CD zone are not permitted on any parcel fronting Texas Street, Madison Street, or Jefferson Street south of Texas Street.

(4) City regulations, standards, and design guidelines shall apply to Public and quasi-public utility facilities only to the extent that the City is not preempted by Federal and State law and the State Public Utilities Commission.

(5) Except in the CD zone, residential land uses shall only be allowed in conjunction with a commercial land use on the same property.

(6) Conditional Use Permit approval shall be required for any automobile or vehicle sales or leasing in any multitenant building.

(7) Major repair use is also permitted as an ancillary use to vehicle sales dealerships which occupy sites of greater than one acre.

(8) A Conditional Use Permit shall be required for any service station in which the sale of alcoholic beverages, i.e., beer, wine, or distilled spirits, is proposed as part of the convenience market associated with the service station use.

(9) No vehicle may be stored or displayed on any vacant site or at any vacant commercial/industrial location except when approved as part of an auto dealership.

(10) Within the CDC Zoning District, only office uses open to foot traffic and with regular walk-in customers shall be permitted. Upper floors are regulated under the CD Zoning district.

(11) Within the CDC Zoning District, business spaces shall incorporate more than 70% of the floor area for retail display with no more than 30% of the area devoted to warehousing or storage of merchandise. The business shall be open to foot traffic during periods of typical business hours.

(12) All auto repair shall be conducted within an enclosed building or in a rear or side yard behind a solid masonry wall. No work shall occur in parking lots or driveways.

(13) Spa and massage therapy facilities shall comply with Chapter 10A.

(Ord. No. 2008-08, § 2; Ord. No. 2009-06, § 2; Ord. No. 2009-15, § 2; Ord. 2009-17, § 2; Ord. No. 2010-03, § 2.)

25.22.3 General Development Regulations

A. General Development Regulations. All new development, subdivisions, establishment of new land uses, and alterations to existing land uses, structures and site improvements, shall be designed and constructed in compliance with the regulations in the following Tables, except those activities and land uses specified in Section 25.10.6 (Exemptions from Zoning Ordinance Requirements). Additional Zoning Ordinance regulations may apply as referenced in the tables, as well as other City Code regulations City Standards, Specifications and Details, or regulations of another local agency, special district, and State or Federal agency.

Table 25-10: Commercial District Development Regulations									
Regulations	Zoning District								
(all figures are minimums measured from property lines and in linear feet, unless otherwise indicated)	CD & CDC	CM	CN	CO	CS	CT	CC	CR	Applicable Sections and Footnotes

Site Planning

Floor Area Ratio (max. % of net lot area)	1.5	0.7	0.4	1.0	0.5	0.5	0.5	1.0	Note 1
Lot Area (in sq.ft., for new subdivisions only)	6,000	6,000	20,000	20,000	20,000	10,000	20,000	40,000	Notes 2 and 3
Lot Dimensions (for new subdivisions only)									
Width	60	60	100	100	100	80	100	200	
Depth	100	100	150	150	150	120	150	200	
Landscaping									
Depth @ street frontage (incl. hwy or fwy)	0	10	15	15	10	10	15	15	Notes 4, 5, 8
Depth @ interior property lines:									

Minimum	0	5	5	5	0	5	5	5	
Adjacent to Residential zone or use	0	5	10	5	10	5	5	10	Note 6
Street tree spacing (one tree for each ...)	30 feet of street frontage								

Buildings

Setbacks									
Front:	0	15	25	20	15	10	15	25	Note 7, 13
Street side yard (min. abutting arterial)	0	10	20	15 (20)	10 (15)	10	15	20	Note 8, 13
Interior side yard:									
... minimum	0	5	10	10	0	0	10	10	
... abutting residential zone or use	0	5	10', plus 1' for each 1' of bldg height over 20', up to 30'						
Rear yard									Note 9
... minimum (min. abutting arterial road)	10	5 (10)	10 (20)	10 (20)	0 (15)	0 (10)	10 (20)	10 (20)	
... abutting residential zone or use	10	10	15', plus 1' for each 1' of bldg height over 20', up to 40'						
Adjacent to creek	See Article VIII (Creekside Protection)								Note 10
Building Height Limit	45	35	35	45	35	35	45	55	Note 11

Notes:

- (1) An increase in the Floor Area Ratio is allowed with approval of a Conditional Use Permit (see Section 25.40.5).
- (2) Individual parcels within a shopping center or master planned development may vary from the minimum lot size, dimensions, and setbacks so long as the project as a whole complies with the development requirements of this Table. Reciprocal easements shall be recorded to guarantee common maintenance of all parking and landscape areas.
- (3) The Director shall have the ability to waive the minimum lot size and dimension regulations for any non-residential subdivision, including any property that is residential/commercial mixed-use, within the CD and CDC zoning districts.
- (4) In the CD and CDC zoning districts, five feet of street frontage landscaping is required

along that portion of the frontage adjacent to parking or where a building is setback 10 feet or more from the property line.

(5) On North Texas Street, the required 10 feet of streetscape landscaping may occur within the public right-of-way when planned street improvements will not be impacted.

(6) In the CS, CT, CC, and CR zoning districts, an additional five feet of interior property line landscaping is required for buffering adjacent residential property when a drive aisle or loading area used by delivery trucks is within 20 feet of the common property line (not separated by perpendicular parking or a structure).

(7) Special Plan Line setbacks apply along North Texas Street, Dover Avenue, and East Tabor Avenue which are generally greater than that listed in this Table (see Section 25.30.5). On North Texas Street, the Plan Line Setback may be used as the front setback and street side yard setback.

(8) Where an increased setback is required adjacent to an arterial road, the increased setback shall also apply adjacent to a higher capacity road, such as a highway or freeway. The increased setback shall be fully landscaped.

(9) In the CD, CDC, and CM zoning districts, the minimum rear yard setback to an alley is five feet.

(10) Article VIII (Creekside Protection) requires a stream environment zone to be dedicated to the City (up to 200 feet in width) along all or a portion of Jameson Canyon, American Canyon, Green Valley, Suisun, Ledge wood, Dan Wilson, and Laural Creeks. Refer to that section for the specific requirements.

(11) An increase in building height is allowed with approval of a Conditional Use Permit (see Section 25.40.5).

(12) Where the building setback is greater than the landscape requirement, the additional building setback shall be fully landscaped.

(13) The Zoning Administrator may reduce the front and street side yard setbacks in the CM Zone to reflect abutting character.

(Ord. No. 2008-08 § 2.)

25.22.4 Specific Regulations

25.22.4.1 Drive-Through Facilities

Any establishment with a drive-through lane(s) shall comply with the following regulations:

A. Drive-through Lanes.

1. Stacking. All drive through lanes shall provide vehicle stacking for a minimum of six to eight vehicles, as determined necessary by the City during the Development Review process. The actual amount of vehicle stacking required shall be based on the estimated traffic volume to the site, peak use of the drive through lane, and the on-site circulation pattern. The overall circulation plan for a site shall not cause traffic congestion on surrounding streets.

2. Location. Wherever feasible, drive-through lanes shall be accessed from the rear of a site, and run along the interior side property line or building elevation. In addition, the location of a drive-through lane shall minimize potential nuisances to nearby residential property caused by vehicles and use of the order board.

3. Setbacks and Screening. Where a drive-through lane will be located between a building and a roadway, a minimum 15-foot setback shall be required from the roadway right-of-way to the drive-through lane. The lane shall be screened by a combination of shrub planting, berming, and/or low retaining walls at least three feet in height. The menu and order board signs shall also be screened from the street by landscaping.

B. Building Design. The proposed architecture (including that of a franchise business) shall be complimentary to the design of surrounding buildings. Freestanding buildings within shopping centers shall include common design elements with the principal structures in the center.

C. Operation. Specific design and operational conditions may be imposed with approval of a Conditional Use Permit, such as regulating the hours of operation and requiring security lighting, to ensure a safe environment for patrons and reduce potential impacts on surrounding properties. Restaurants shall be required to provide sufficient outdoor trash receptacles and implement regular clean-up procedures to reduce potential litter. A property maintenance agreement shall be required in accordance with Section 25.42.4 (Performance Guarantees).

25.22.4.2 Hotels and Motels

A. Occupancy Restriction. The length of stay at any Hotel/Motel shall not exceed 30 days within any 90-day period. The length of stay at any Hotel/Motel - Extended Stay shall not exceed 180 consecutive days. In-room kitchen facilities shall be permitted only in and as defined by Hotel/Motel - Extended Stay.

B. Market Study Required. The applicant shall prepare a market study for review and approval by the City. The market study, at the minimum, shall address the following:

1. Whether the proposed project will be financially feasible by meeting an unfilled need for hotel/motel rooms in the City.
2. Whether the proposed project will primarily focus on drawing guests from existing hotels and motels in the City.
3. Whether the proposed project will have potential adverse impacts on the financial viability of existing hotels and motels in the City.
4. Whether the proposed project will have an adverse impact on the financial viability of hotels and motels either under construction or in planning review in the City.
5. The market study also shall include projections of anticipated daily occupancy levels for transient guests, room rates, and anticipated changes in the local hotel/motel market.

C. Required Findings. An application for a Hotel/Motel or Hotel/Motel-Extended Stay shall not be approved unless the following findings are made in addition to the standard findings required for a Conditional Use Permit:

1. The proposed project will not create urban decay due to the significant loss of business at existing hotel/motel projects or at proposed hotel/motel projects either under

construction or in planning review.

2. The proposed project is located in an area with substantial unmet demand for a Hotel/Motel or a Hotel/Motel-Extended Stay, such as within sight of a freeway, in a major business, industrial or office park, or in the downtown of the City.

D. Operation and Design. The following specific design and operational conditions shall be imposed with approval of a Conditional Use Permit, such as:

1. **Long-Term Housing.** The Hotel/Motel property shall not be used for long-term housing, defined as occupancy for more than thirty days, unless the hotel/motel meets all the requirements for an Extended Stay facility. The property owner shall not enter into a contract with any public agency to provide housing for longer than thirty days unless a state of emergency has been declared by specific action of the City Council, County Board of Supervisors, Governor or the President of the United States.

2. **Covenant.** A covenant, deed restriction, or other appropriate legal document, as determined by and subject to the approval of the City Attorney, shall be recorded guaranteeing operation of the hotel/motel property in compliance with all of the requirements of this Chapter. This covenant will be in addition to the City's standard Property Maintenance Agreement required in accordance with Section 25.42.4 (Performance Guarantees).

3. **Public Safety and Police Services.** Hotel/Motel and Hotel/Motel - Extended Stay projects shall demonstrate that they will not create an unreasonable or excessive demand for police services.

i. Applicants shall submit a management plan that addresses how the motel will address potential criminal activities at the site.

ii. Applicants shall submit a lighting plan and demonstrate that the proposed lighting will illuminate the site to the extent necessary for a police officer to adequately observe the entire property from a patrol car.

iii. The site plan shall be designed to allow for visibility from the public right-of-way for police officers in patrol vehicles.

iv. Hotel/Motel and Hotel/Motel - Extended Stay operators shall provide the Fairfield Police and Fire Departments one point of contact for addressing law enforcement, public health and safety problems at the site. An inspection shall be required when the Hotel/Motel or Hotel/Motel - Extended Stay property undergoes a change in ownership.

25.22.4.3 Residential Development Regulations in the Downtown Commercial (CD) Zone
Where permitted in Table 25-9: Commercial Land Use Regulations, residential development projects proposed in the Downtown Commercial (CD) zone not in conjunction with a commercial shall comply with the following regulations and permitted densities:

A. Single-family attached dwellings (up to two attached dwelling units on any single property) and single-family detached dwellings shall comply with the development regulations specified in Table 25-4: RLM and RM Small Lot Development Regulations.

B. Projects with three or more dwelling units on any single property and multifamily

developments projects shall comply with the development regulations specified in Table 25-6: Alternative Multifamily Development Regulations.

25.22.4.4 Mixed-Use Residential Development Regulations

This Section establishes allowable density and provides development regulations for mixed-use development projects in the Downtown Commercial (CD), Community Commercial (CC), CM (Mixed Commercial), and Commercial Thoroughfare (CT) zoning districts. For the purpose of this Section, mixed-use development shall be defined as development of a site or building with two or more different land uses, including a combination of residential, office, retail, or entertainment in a single or physically integrated group of structures. When the director has determined that a project meets this definition, the following standards shall apply:

A. Density and intensity. The maximum permitted residential density for any mixed-use development project shall be 32 dwelling units per acre. To achieve this density, the maximum allowable floor area ratio in the CD, CC, CM, and CT zoning districts shall be increased to .85. However, the amount of ground floor area devoted to any residential use in a mixed-use project shall not exceed 50 percent of the ground floor area in any building fronting on the public street.

B. Development regulations. Projects that have been identified by the City to meet definition of Mixed-Use identified above shall comply with the development regulations identified for the respective commercial zone in which they are located, as identified in Table 25-10: Commercial District Development Regulations and any other regulations in this Ordinance that would apply to a commercial project on the site (e.g., provision of trash enclosures, bicycle storage, etc.). The following exceptions shall however apply:

1. Open Space. A minimum of 200 square feet of common open space shall be provided for each dwelling unit (e.g., outdoor garden, atrium, or indoor recreational area separate from the floor area internal to any dwelling unit). The Planning Commission shall have the ability to reduce or waive the requirement for common space in any project where the Commission determines that commercial activity integrated into the mixed use project would effectively serve as common open space.

2. Parking. The residential portion of any mixed-use development project shall provide one space per unit, irrespective of the number of bedrooms within individual units, in addition to the parking that the City would normally require for commercial portion of the project:

3. Projects with residential and commercial buildings not physically connected. The residential portion of any mixed-use development project in which the proposed commercial building is physically separated from the proposed residential building shall comply with the development regulations contained in Table 25-6: Alternative Multifamily Development Regulations, with the exception of the minimum lot area and parking requirements identified by Table 25-6. Instead, the minimum lot area specified in Table 25-10 for the respective zone in which the project is proposed shall apply and the parking regulations identified in the Parking section above shall apply.

25.22.4.5 Office and Retail Uses in the Core Downtown Commercial (CDC) Zone

Only office and retail uses open to the public and primarily serving walk-in or by-appointment patrons shall be permitted in the Core Downtown Commercial (CDC) zone. Back-office uses, such as Internet sales or call centers, may be permitted on the upper floors. (The upper floors of properties in the CDC zone area are zoned Downtown Commercial (CD)).

25.22.4.6 Medical Marijuana Dispensaries Prohibited

A medical marijuana dispensary is not an allowable use anywhere in the City.

This page of the Fairfield Municipal Code is current through Ordinance 2010-03, passed April 20, 2010.

Disclaimer: The City Clerk's Office has the official version of the Fairfield Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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