

Section 17: Create New O-25 Overlay Zone (Makers' Row).

Overlay Zone 25 (O-25) is hereby adopted to read as follows:

**OVERLAY ZONE 25 (O-25) – MAKERS' ROW****Part 1: Purpose and Intent**

The O-25 Overlay Zone is intended to implement the goals and policies of the North Downtown Specific Plan, which calls for the creation of a special district known as "Makers' Row". This district is intended to provide a variety of flexible industrial artisan spaces that can be used for design and production, as well as accessory retail sales or display. The district is also envisioned to have a focus on local, unique small business and the opportunity for collaborative work spaces, workshops, or co-working space. Ancillary residential uses are allowed in Makers' Row as a way to activate the space, provide housing for artisan or workers in the area, and potentially make future adaptive re-use of existing buildings or new development in Makers' Row more financially feasible.

**Part 2: Applicability of Zoning Ordinance and Sign Regulations**

The provisions of Title 10, Chapter 2 of the Walnut Creek Municipal Code (Zoning Ordinance) and Title 10, Chapter 8 of the Walnut Creek Municipal Code (Sign Regulations) shall apply to the regulations contained within this Overlay Zone, unless expressly indicated otherwise.

**Part 3: Conflict with Municipal Code**

If any provisions of this Overlay Zone conflict with any provisions of the Walnut Creek Municipal Code, with the exception of Title 10, Chapter 2 (Zoning Ordinance) and Title 10, Chapter 8 (Sign Regulations), the stricter regulations shall apply.

**Part 4: Definitions**

The following words and phrases shall be defined as follows:

a. **Mixed-Use Dwelling Unit:** A dwelling unit located within a building which is primarily used by a Commercial Use Classification.

c. **Specialty Food Production:** Establishments primarily engaged in on-site production of food or drink products meant for human consumption, by hand manufacturing involving the use of hand tools, power tools, and small-scale equipment, entirely within an enclosed building. This includes micro-breweries and micro-distilleries, and may also include as an accessory use the direct wholesale or retail sale of those food or drink products produced on-site.

**Part 5: Mixed-Use Dwelling Units**

Notwithstanding the provisions of the AS-CM, Automobile Sales/Service and Custom Manufacturing District, Mixed Use Dwelling Units shall be a permitted use, subject to the following development standards and requirements:

a. Ratio: The combined gross floor area of all mixed-use dwelling units on a lot shall not exceed fifty (50) percent of the combined gross floor area of all Commercial Land Use Classifications on the same lot. The combined gross floor area of all mixed-use dwelling units in a building shall not exceed the combined gross floor area of all Commercial Land Use Classifications in the same building.

b. Size: The maximum gross floor area for each mixed-use dwelling unit shall be 1,200 square feet.

c. Location: If located on the ground floor of a building, a mixed-use dwelling unit must be located at least forty (40) feet from the street line. Notwithstanding the forgoing, a single ground floor entrance area to each mixed use dwelling unit, not more than six (6) feet in width, may be located within forty (40) feet of the street line.

### **Part 6: Specialty Food Production**

Notwithstanding the provisions of the AS-CM, Automobile Sales/Service and Custom Manufacturing District, Specialty Food Production shall be a permitted use, except as provided below, and shall be subject to the following development standards and requirements:

a. Alcoholic beverages: Uses which include the on-site service of alcoholic beverages ending at or before 11:00 p.m. shall only be permitted upon approval of an Administrative Use Permit, pursuant to Part III, Article 12 of the Zoning Ordinance. Uses which include the on-site service of alcoholic beverages ending after 11:00 p.m. shall only be permitted upon approval of a Conditional Use Permit, pursuant to Part III, Article 12 of the Zoning Ordinance.

b. Live animals: Uses which include the on-site storage or slaughter of live animals are not permitted.

c. Odor-causing products: Uses which include the production of highly pungent, odor-causing items, such as vinegar and yeast, shall only be permitted upon approval of a Conditional Use Permit. In approving a Conditional Use Permit, the Planning Commission shall find that the nature of the use and the design of the facility will adequately mitigate the impact of objectionable odors on the surrounding area.

### **Part 7: Additional Permitted Uses**

Notwithstanding the provisions of the AS-CM, Automobile Sales/Service and Custom Manufacturing District, the following use classifications shall be permitted uses:

a. Artist Studios

b. Maintenance and Repair Services/Small Equipment

c. Offices, Business and Professional, when limited to uses primarily involving product, architectural, or interior design.

d. Retail Sales/Rentals, when accessory to a Custom Manufacturing or Specialty Food Production use.

**Part 8: Parking and Loading**

Notwithstanding the provisions of Section 10-2.3.206 (Table A) of the Walnut Creek Zoning Ordinance (Parking Regulations), off-street parking and loading spaces for the following uses shall be provided as follows. When specified, the required loading space dimensions are as outlined for Group I use classifications in Section 10-2.3.206 (Table B) of the Walnut Creek Zoning Ordinance.

LAND USE CLASSIFICATION	OFF STREET PARKING REQUIREMENTS	LOADING SPACES REQUIRED
Mixed Use Dwelling Units	0.5 per unit	n/a
Artist Studios	1 per 900 sq. ft. of GFA	n/a
Custom Manufacturing	1 per 900 sq. ft. of GFA	Group I
Maintenance and Repair Services/Small Equipment	1 per 800 sq. ft. of GFA	n/a
Offices, Business and Professional	3.3 per 1,000 sq. ft. of RFA	Group I
Retail Sales/Rentals	1 per 500 sq. ft. of RFA	Group I
Specialty Food Production	1 per 900 sq. ft. of GFA	Group I

**Part 9: Signs**

Notwithstanding the provisions Title 10, Chapter 8 of the Walnut Creek Municipal Code (Sign Regulations), neon signs, animated signs, and flashing signs shall be permitted subject to the following development standards and requirements:

a. Neon signs: Neon signs may be approved by staff, rather than requiring Design Review Commission approval. In approving a Sign Permit, staff shall find that the sign exhibits a high quality design that is compatible with the intended character of Makers’ Row, and that the sign will not be a visual distraction to the surrounding area.

b. Animated and flashing signs: Animated signs and flashing signs may be permitted upon approval of a Sign Permit by the Design Review Commission. In approving a Sign Permit, the Design Review Commission shall find that the sign exhibits a high quality design that is compatible with the intended character of Makers’ Row, and that the sign will not be a visual distraction to the surrounding area.

Section 18. Rezoning to Add Properties to the O-25 Overlay Zone (Makers' Row).

The properties located within the area labeled as "MAKERS' ROW" in Figure 3.3 (Special Districts) of the North Downtown Specific Plan are hereby added to Overlay Zone 25 (O-25), and the Community & Economic Development Director is hereby directed to make the changes on the Land Use Zone Map and Building Height Zone Map of the City of Walnut Creek to reflect this rezoning. The underlying Base District zoning shall remain unchanged except as specifically modified by Section 2 of this Ordinance.