

*NOTE: Unchanged Downtown Specific Plan, General Plan and Development Code text and uncodified text are in plain font. Additions to the Downtown Specific Plan, General Plan and the Development Code are single-underline plain font. Deletions to the Downtown Specific Plan and the General Plan are struck through.*

Be it ordained by the People of the City of Livermore:

Section 1. This initiative shall be known and may be cited as the "Central Park Plan."

Section 2. The People of the City of Livermore hereby declare their findings, purposes and intent in enacting the Central Park Plan to be as follows:

- (a) The Central Park Plan permits voters to create the opportunity to turn 8.2 acres that the City of Livermore owns in Livermore's Downtown Core into a centerpiece for the region. It creates solutions to issues that the City of Livermore and its residents have struggled with for many years.
- (b) The Central Park Plan amends the City of Livermore's Downtown Specific Plan and creates cultural, retail, restaurant and hospitality destinations around a central park extending from the Bankhead Park Plaza to L Street, with the Central Park and the Stockmen's Park as the focal points. This extensive park celebrates Livermore's history and its citizens' values. In the past, Livermore voters fought successfully for Urban Growth Boundary initiatives to protect Livermore's surrounding open space by blocking urban sprawl thereby preserving vineyards, olive groves, ranchlands and natural ridge lands that encircle the City.
- (c) The Central Park Plan creates a Central Park, which is seamlessly connected to Stockmen's Park, and acts as a grand centerpiece for economic development. This open space will transform the character of Downtown Livermore by facilitating access to commercial, cultural, hospitality, residential and parking facilities.
- (d) To achieve that transformation, the Central Park Plan establishes the Central Park Plan Area and sets forth the goals and objectives for each special condition sub-district within that Area to:
  - 1. Create a signature Central Park, with wandering paths, art panels, game areas, children's playground and shaded seating where family and friends can gather;

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**City of Livermore**

2. Retain Stockmen's Park, which honors Livermore's ranching history and the service of Livermore's veterans;
  3. Promote the construction of new parking structures and surface parking to offer convenient parking where it is most needed;
  4. Provide for development of two cultural facilities – a Black Box Theater and a Center for Science, Culture & Education;
  5. Address the need for housing in an appropriate location;
  6. Enable the development of a uniquely designed and relaxing wine country hotel;
  7. Allow for the development of retail establishments and restaurants along Livermore Avenue, creating a connection with existing First Street businesses; and,
  8. Facilitate improved traffic flow.
- (e) The following development of open space, commercial and cultural facilities, residential units, and critical parking and circulation infrastructure will be possible under the Central Park Plan:
1. Open Space. The Central Park and Stockmen's Park create over three (3) acres of open space in the Central Park Plan Area. They will be part of a continuous expanse of greenery, which will stretch from the Bankhead Park Plaza, across Livermore Avenue to L Street. This open space will connect surrounding facilities that enhance the downtown experience.
  2. Parking and Circulation. The Central Park Plan promotes the creation of critical infrastructure to support the cultural, entertainment, retail and dining establishments that are already located in downtown Livermore and that can be built within the Central Park Plan Area. An Eastside Garage will accommodate up to two hundred sixty-eight (268) vehicles located east of Livermore Avenue. An L Street Garage will accommodate up to two hundred eighty-four (284) vehicles located on the west side of the Central Park Plan Area. Up to eighty (80) surface parking spaces will be built in two locations near the L Street Garage. A new street, Veterans Way, which will connect Livermore Avenue and L Street, and improvements to Railroad Avenue, are incorporated consistently with the facility and open space elements of the Central Park Plan.
  3. Retail and restaurant. The Central Park Plan facilitates development of retail and restaurant venues on both sides of Livermore Avenue.

4. Wine Country Hotel. The Central Park Plan envisages a resort hotel along the north side of the Central Park. The hotel, with up to one hundred sixty (160) rooms, will become a destination emblematic of the quality Livermore Valley wineries in the Livermore region.
  5. A Black Box Theater. The Central Park Plan permits construction of a theater of up to thirty thousand (30,000) square feet to be positioned next to the Hotel. The Central Park Plan envisages a Black Box Theater with flexible seating to accommodate performance, education and cultural events.
  6. A Center for Science, Culture & Education. The Central Park Plan permits construction of a facility of up to thirty thousand (30,000) square feet dedicated to educational programs, lectures, classes, performances, and rotating science, art and history displays that will attract both youth and adults.
  7. Housing. The Central Park Plan provides for eighty-four (84) multifamily housing units adjacent to the Central Park to help meet the City's and its residents' housing needs.
- (f) To meet specific goals of the Central Park Plan, the City Council may:
1. Permit construction of the Black Box Theater and the Center for Science, Culture & Education in several different locations within the Central Park Plan Area to facilitate commercial and non-profit investment in facilities; and
  2. Provide for an array of parking options to ease traffic circulation, meet the needs of residents, attract visitors and achieve the goals of the Central Park Plan. These options include flexibility: at the Eastside Garage; at the L Street Garage, including the opportunity to purchase privately-held land; on surface parking sites; and at the wine country hotel or residential buildings.
- (g) The Central Park Plan amends the Downtown Specific Plan, the General Plan and the Livermore Development Code to create an integrated, internally consistent and compatible planning policy. The Downtown Specific Plan is updated to incorporate the Central Park Plan and include the goals and objectives and development standards for each special condition sub-district within the Central Park Plan Area. The Land Use Element and the Housing Element of the General Plan are updated to reflect the Central Park Plan and to allow for affordable housing on the Pacific Avenue Affordable Site.

### Section 3. Definitions.

For purposes of the Central Park Plan, the following words have the following meanings:

- (a) "Black Box Theater" means a building with a principal land use as a "black box" or other performing arts theater with moveable seating, and which may include as ancillary uses meeting rooms and conference room space, restaurant, retail, office, educational or other cultural uses.
- (b) "Center for Science, Culture & Education" means a building with its principal land use dedicated to cultural activities, such as a science center and museum, art museum, history museum, or other cultural or education uses, with uses that include, for example, permanent and rotating displays featuring science, art or history, lectures or classes, meetings or performances, or visual or culinary arts programs, and which may include as ancillary uses meeting rooms and conference room space, restaurant, retail, office, educational or other cultural uses.
- (c) "Central Park Plan Area" means Subarea 4 as set forth in the section of Chapter 5 of the Downtown Specific Plan entitled "Downtown Core Plan Area" and includes both the Lucky's Site and the western portion of the Livermore Valley Center.
- (d) "Downtown Core" means the area defined in Figure 5-1A and including Subarea 1, Subarea 2, Subarea 3 and Subarea 4 as set forth in the section of Chapter 5 of the Downtown Specific Plan entitled "Downtown Core Plan Area."
- (e) "Pacific Avenue Affordable Site" means the 3.6 acre area depicted in Maps 5-A, 5-B, 7-A, and 7-B of this initiative.

### Section 4. Amendment of the Downtown Specific Plan

(a) Page 2 of Chapter 1 of the City of Livermore Downtown Specific Plan is hereby amended as follows:

~~Open spaces abound as one walks through t~~The Downtown Core will celebrate Livermore's surrounding open space. Over the years, Livermore's residents have worked to block sprawling development from covering our vineyards, olive groves, ranchlands and scenic hills with the City of Livermore and Alameda County Urban

Growth Boundary initiatives. Under the Central Park Plan, Stockmen's Park and the Central Park will become part of a continuous central park from across Livermore Avenue at the Bankhead Park Plaza to L Street that honors Livermore's history and its residents' values. Along First Street, small pocket parks provide places for rest or conversation. Stockmen's Park will be preserved while adding a new large Central Park to the Downtown Core. The new Central Park will be framed with active retail, restaurants, a black box theater, a hotel, a science and society eCenter for Science, Culture & Education, a Black Box Theater, and downtown workforce multifamily housing, conveniently located parking, and upgraded circulation. characterizes the area north of First Street, providing a meeting ground for the residents from surrounding homes and the community as a whole. Stockmen's Park, the black box theater, and science and society center provide settings for artworks and performance events. A glimpse of a greenway invites an exploration down the linear park of the Iron Horse Trail, north of Downtown adjacent to the railroad tracks. This trail links a series of small public greens to be discovered between blocks of homes, providing spaces for doing anything from throwing a Frisbee to pulling out a lawn chair and catching some sun or watching residents doing so. This new, highly active open space will connect all of the uses in the Central Park Plan Area, including:

- Retail and restaurants,
- Black Box Theater,
- Center for Science, Culture & Education,
- Wine country hotel,
- Multifamily housing, and
- Parking garages and surface parking.

Under the Central Park Plan, Stockmen's Park will complement the Central Park. Stockmen's flat, grassy, open area provides space for audiences to watch performances on the outdoor stage. The Central Park will become a gathering place to stroll along winding paths bordered with bushes and flowers, to sit with families and friends at tables and chairs under trees, and lay back on the benches to experience the peace and joy of our natural environment. Children will run to the playgrounds. Those wanting a game of Frisbee or croquet will find open areas to test their skills. Art, history and science lovers will be able to check out the rotating panels and interactive kiosks dispersed throughout the area. Outdoor group events will be served by the nearby restaurants, as well as wine and beer tasting rooms.

(b) Pages 7 and 8 of Chapter 1 of the City of Livermore Downtown Specific Plan are hereby amended as follows:

## **Central Park Plan Area**

~~On January 29, 2018, at the conclusion of an extensive public engagement process, the City Council~~ In 2020, the voters of the City of Livermore approved the Central Park Plan, a plan for redeveloping the Downtown Core. The Central Park Plan Area comprises site (the former Lucky's Site) and the Livermore Valley Center west of the Bankhead Theater by creating Subarea 4 within the Downtown Core. An improved streetscape, a large central park, including both Stockmen's Park and the Central Park, and new parking will provide downtown visitors with a pleasant pedestrian experience and retail, cultural and recreation options. The public outreach effort started in April 2017 with the City Council appointment of a Downtown Steering Committee to develop a public engagement program for redevelopment of City-owned sites in the Downtown Core. The City implemented the program with a robust community outreach program between August and November 2017, to gather feedback on Downtown priorities and recommended improvements. The Council considered this feedback and approved a Downtown plan that reflects the community's input and key learnings of the Downtown Steering Committee. The adopted plan includes a large, Central public park, (Stockmen's Park), construction of additional New commercial retail buildings adjacent to Blacksmith Square and across Livermore Avenue, a wine country hotel, a Black Box Theater, the Center for Science, Culture & Education a science and society center, multifamily workforce housing, a public two parking garages, new surface parking, and a new public streets and pedestrian paseos will result from the Central Park Plan. In order to facilitate commercial and non-profit investment in facilities, the Central Park Plan permits the City Council to exercise flexibility to authorize construction of the Black Box Theater and Center for Science, Culture & Education in several different locations in the Central Park Plan Area. The Central Park Plan also permits the City Council to exercise flexibility with respect to parking in the Central Park Plan Area to ease traffic circulation, meet the needs of residents, attract visitors and achieve the City's parking goals.

~~The commercial component will~~ In the Central Park Plan Area, the Central Park Plan includes up to approximately 8,500 thirty thousand (30,000) square feet of new retail and restaurant space on the eastern edge of Stockmen's Park, both the east and west sides of Livermore Avenue allowing for the growth of retail uses that generate pedestrian activity. expanding Blacksmith Square (the existing development at the southwest corner of Railroad Avenue and South Livermore Avenue) and closing the gap between Blacksmith Square and the existing buildings at 39 South Livermore Avenue to the south. The new retail and

restaurant uses will help activate the new Central Park and Stockmen's Park and provide a place for residents and visitors to enjoy shopping and dining build an enhanced shopping and dining experience for residents and visitors to enjoy.

Under the Central Park Plan, Tthe science and society eCenter for Science, Culture & Education, consisting of up to thirty thousand (30,000) square feet, would will have the potential to inspire an interest in explore science and offer opportunities to learn how science influences decisions that affect daily lives, both for individuals and across society. Uses will include education related to science, the arts and history. Topics such as local agriculture, transportation systems, climate and weather will be presented through interactive and static displays, speakers, discussion groups, and children's activities. Meeting space will allow for lectures, social service programs, performances and other uses. Art and history galleries would enhance the lobby and halls. Ancillary uses include restaurants, wine, beer and spirits tastings, and complementary commercial uses such as roof gardens, and offices. This facility offers an opportunity for rotating displays on themes related to issues such as local agriculture, transportation systems, climate and weather through interactive and static displays, speakers, discussion groups, and children's activities.

Under the Central Park Plan, Tthe bBlack bBox tTheater will be an affordable and flexible spaceperformance area, consisting of up to thirty thousand (30,000) square feet, with seating for small and mid-sized groupsseating up to 200 people, for small and mid-sized groups to produce exploratory works on important human themes. Black box theaters are typically simple indoor performance spaces with plain black walls, designed to provide flexibility in the configuration of the stage and audience seating. The building would also support cultural and wine country events, outdoor concerts, and speakers presented by the science and society center. The theater lobby would open to an outdoor patio area that would face Stockmen's Park and accommodate a stage for live music, outdoor performances, and/or enable an outdoor extension of the lobby. It will have flexible configuration stage and audience seating. In addition to exploratory works on important human themes, it will provide traditional theater, dance and music programs, performances on the outdoor stage viewed from Stockmen's Park, educational classes, speakers, book readings, movie screenings, social service programs, meeting venues and community events, wine, beer and spirits tastings, and food. Art and history galleries will enhance the lobby and halls. Ancillary uses include restaurants, and complementary commercial uses such as roof gardens, and offices.

~~Stockmen's Park will be approximately 1.5 acres in size and includes walkways, plazas, organizing green spaces, and a relatively flat, half an acre of open grassy area bordered with trees. Overall, the Downtown Core redevelopment plan will provide over 3.5 acres of public open space, including large linear green space running from South Livermore Avenue to South L Street, creating a safe and comfortable place for events, passive respite, and strolling between downtown destinations.~~

The Central Park and Stockmen's Park will provide over three (3) acres of open space running from the Bankhead Theater's Park Plaza on the east across Livermore Avenue to L Street on the west. It will offer a safe, comfortable place for strolling along winding paths, game areas for adults and a playground for children, gathering places for friends and families at tables and benches under trees, history and art panels to activate walkways, and flowers everywhere. It will connect all the amenities clustered around it in the Central Park Plan Area, so that each use benefits the other and those in the Downtown Core.

With its one-and-a-half (1.5) acres of relatively flat open space in the shape of a horseshoe, Stockmen's Park will provide an open lawn bordered by trees for the public to enjoy performances on the outdoor stage. An arched metal gateway to the park will echo the nearby entrance to historic Blacksmith Square. In the plaza, a sculpture honoring veterans and ranchers will highlight the Park's theme.

On the west side of Livermore Avenue, a wine country resort hotel will be constructed along the Central Park. With space for one hundred sixty (160) rooms, and an upscale restaurant, bar and spa, the hotel will become a major attraction, a destination. From its windows, guests will view the Central Park and surrounding hills. It will take advantage of meeting space in the Black Box Theater or Center for Science, Culture & Education. Looking for entertainment, guests will wander through the park, attend nearby performance venues, and shop and dine at convenient Livermore Avenue and First Street stores and restaurants. The quality of the three (3)-story hotel and its brand will be seen as emblematic of the Livermore Valley wineries, a marketing benefit for the region.

The residential component of the redevelopment willthe Central Park Plan will provide130 84 rental apartmentsdwelling units. Sizes will range from studios up to two-bedroom units. The apartments This will provide much needed multifamily housing to residents who enjoy the dynamic downtown lifestyle.will be affordable to a variety of incomes, serving the Livermore workforce. The residential units and associated open space will occupy western portion of the development site.



Residents will look out on the Central Park and Stockmen's Park from their balconies and a roof garden.

~~A five level parking structure will occupy the southwest corner of the development site. The structure will provide approximately 500 parking spaces. Additional surface parking will be constructed east of the garage, along a new east-west road the traverses the site.~~

The Eastside Garage between Livermore Avenue and the Bankhead Theater will feature a restaurant on the ground floor. There will be retail, for instance an artisan market, in a separate structure just south of the parking structure. The garage itself, providing up to two hundred sixty-eight (268) parking spaces in its three-story structure with rooftop parking, will serve downtown entertainment facilities. This concentration of performance and movie facilities includes the Bankhead Theater and Livermore Cinema on the east, and Blacksmith Square, Black Box Theater and outdoor stage off Stockmen's Park on the west. The cluster of nearby restaurants and shops will reap the benefits of the much needed, convenient parking as well.

On the southwest side of the Downtown Core, an L Street Garage will have up to two hundred eighty-four (284) spaces. Up to seventy (70) surface parking spaces will be built near the L Street Garage and up to ten (10) additional parking spaces will be on a new street – Veterans Way, which will connect Livermore Avenue and L Street.

(c) Page 7 of Chapter 2 of the City of Livermore Downtown Specific Plan is hereby amended as follows:

~~The Livermore Valley Center (LVC) a mixed-use development with a local performing arts theater~~the Bankhead Theater, hotel, multi-screen cinema, and retail, is planned for the triangular site between Livermore Avenue, Maple Street, Railroad Avenue, and First Street. The portion of the LVC that is west of the Bankhead Theater is included in the Central Park Plan Area. Pursuant to the Central Park Plan, no hotel shall be permitted on the LVC site.

(d) Page 6 of Chapter 3 of the City of Livermore Downtown Specific Plan is hereby amended as follows:

- c. ~~Catalyst Project #2: The former Lucky's Site~~ The Central Park Plan Area, (bounded by L Street, Railroad and South Livermore Avenues) Work with

developers of commercial and non-profit uses to create a mixed-use projects, including a wine country hotel, new retail and restaurants, a contiguous public park, including the Central Park and Stockmen's Park, ~~the a science and society e~~Center for Science, Culture & Education, a ~~b~~Black ~~b~~Box ~~t~~Theater, a two (2) public parking structures, surface parking, a workforce multifamily housing development, and supportive infrastructure including a new streets and a pedestrian network.

(e) Page 8 of Chapter 3 of the City of Livermore Downtown Specific Plan is hereby amended as follows:

7. *Place high priority on the design, financing and construction of a continuous central public park and related open space amenities, two (2) public parking structures, surface parking, roads, pedestrian and traffic circulation, and related open space amenities to catalyze private investment in Catalyst Project #2 restaurant, retail, office, mixed use, educational, cultural, entertainment, hotel, and residential uses. Investment will be a policy priority for the City of Livermore in the Downtown Core consistent with the Central Park Plan.*

- a. Reserve sufficient land for each component of the Council-approved Downtown Core redevelopment plan Central Park Plan.
- b. Partner with Encourage private non-profit and commercial developers to facilitate development of the retail, restaurants, the science and society eCenter for Science, Culture & Education, a ~~b~~Black ~~b~~Box ~~t~~Theater, hotel and multifamily housing components of the redevelopment project.
- c. ~~Orient the public and private development to activate the open space and create a vibrant and active streetscape~~ Work with public and private developers to activate both the Central Park and Stockmen's Park; in turn, design those parks so that they create a vibrant and active downtown center.

(f) Page 1 of Chapter 4 of the City of Livermore Downtown Specific Plan is hereby amended as follows:

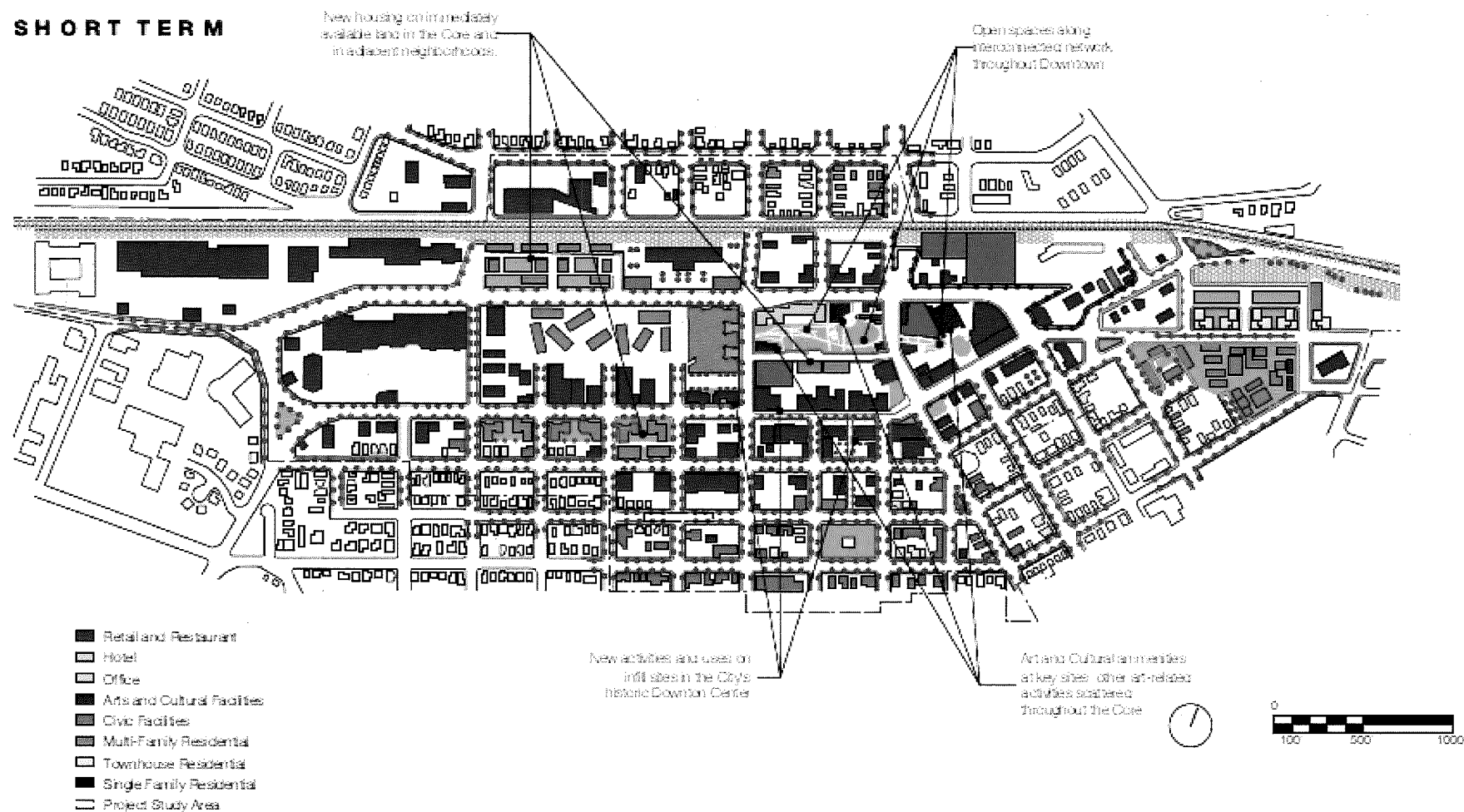
~~As part of t~~The revitalization strategy, will include new public open space, retail, office, mixed-use, and entertainment, cultural, educational, restaurant, hotel, residential and parking uses and investment will be focused primarily in the Downtown Core of the Specific Plan. As the center of the Specific Plan area and

historic Downtown, it is envisioned that ~~this area~~ the Central Park Plan Area will be the most intensely developed and vibrant retail/mixed-use area. Except as modified by the Central Park Plan, Anticipated maximum development potential in the Downtown Specific Plan area is as follows: Commercial-1,000,000 square feet; Office- 356,000 square feet; Entertainment- 700 performance art seats and up to 15 movie theater screens; Cultural: up to 20,000 square feet for a science and society center; Lodging- 300 rooms; and Residential- 3,600 units. In the Central Park Plan Area the maximum development potential is: Residential: eighty-four (84) dwelling units; Commercial: thirty thousand (30,000) square feet; Black Box Theater: thirty thousand (30,000) square feet; Center for Science, Culture & Education: thirty thousand (30,000) square feet; Lodging: one hundred sixty (160) rooms. After approval of 1,400 new residential units, the City Council shall review the progress of implementation of the Downtown Specific Plan. Unless there is a compelling reason not to at that time, the City Council shall consider increasing the maximum number of new dwelling units from the 2004 base number to 3,259 to allow maximum development capacity analyzed in the Final Environmental Impact Report (FEIR) certified in 2003 and the subsequent FEIR certified in 2009 for the General Plan and Downtown Specific Plan.

(g) Figures 4-3 on page 7 and Figure 4-4 on page 8 in Chapter 4 of the City of Livermore Downtown Specific Plan as attached hereto in Exhibit A and incorporated herein are hereby deleted in their entirety.

(h) Figure 4-3A on and Figure 4-4A on replace Figures 4-3 and 4-4 in Chapter 4 of the City of Livermore Downtown Specific Plan, and are incorporated herein and hereby added as follows:

## SHORT TERM

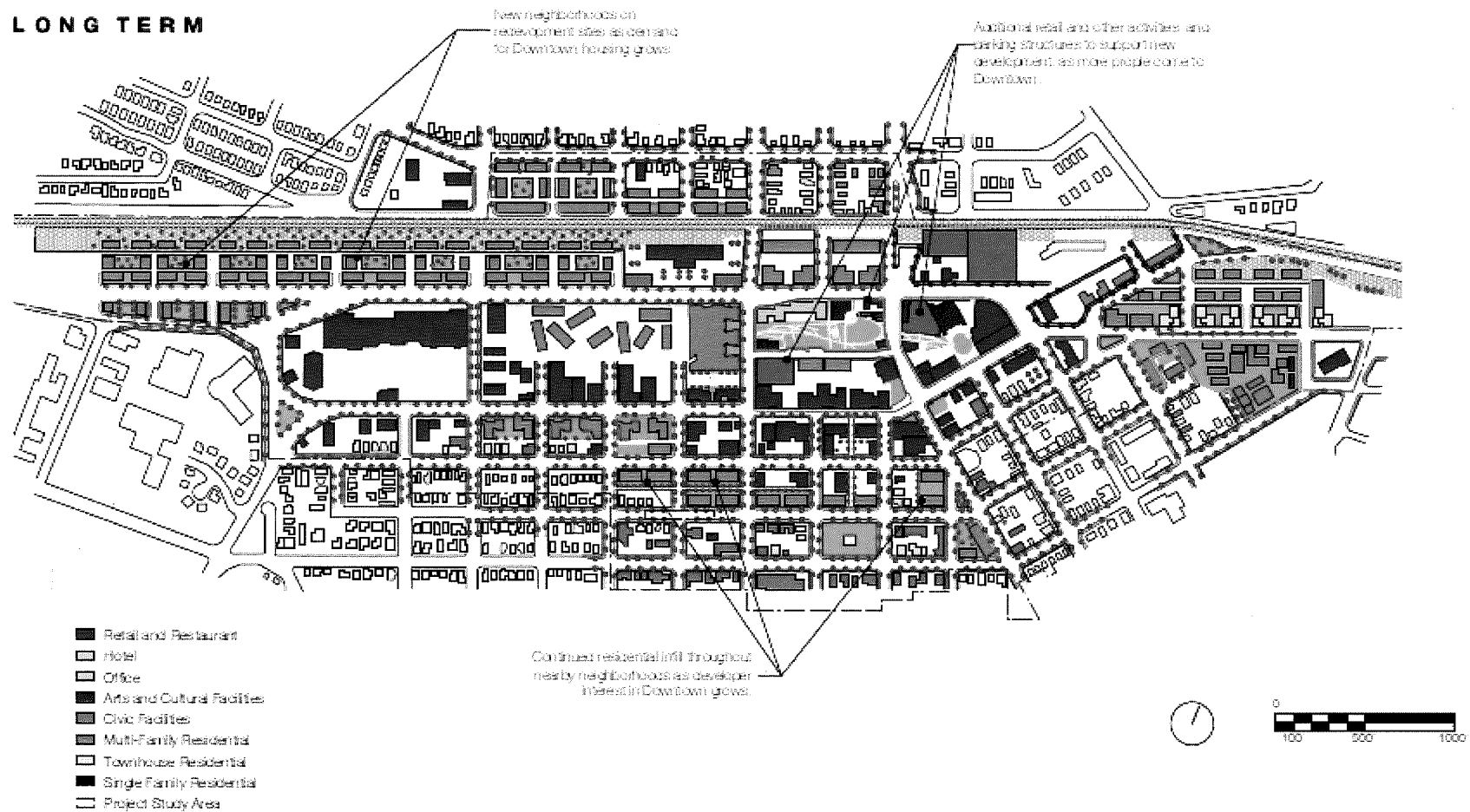


**FIGURE 4-3A: URBAN DESIGN ILLUSTRATIVE-ENVISIONED PLAN**

## Livermore Downtown Specific Plan

Added by the Central Park Plan

## LONG TERM



**FIGURE 4-4A: URBAN DESIGN ILLUSTRATIVE-ENVISIONED PLAN**

## Livermore Downtown Specific Plan

Added by the Central Park Plan

(i) Figure 4-6 on page 13 and Figure 4-7 on page 14 of Chapter 4 of the City of Livermore Downtown Specific Plan, which are attached hereto as Exhibit B and incorporated herein, are hereby deleted in their entirety.

(j) Figures 4-6A and 4-6B shall replace Figure 4-6 in Chapter 4 of the City of Livermore Downtown Specific Plan and Figures 4-7A and 4-7B shall replace Figure 4-7 in Chapter 4 of the City of Livermore Downtown Specific Plan, and they are incorporated herein and hereby added as follows:



Project Study Area

Art and Cultural Amenities



**FIGURE 4-6A: ART AND CULTURAL AMENITIES**

## Livermore Downtown Specific Plan

Added by the Central Park Plan

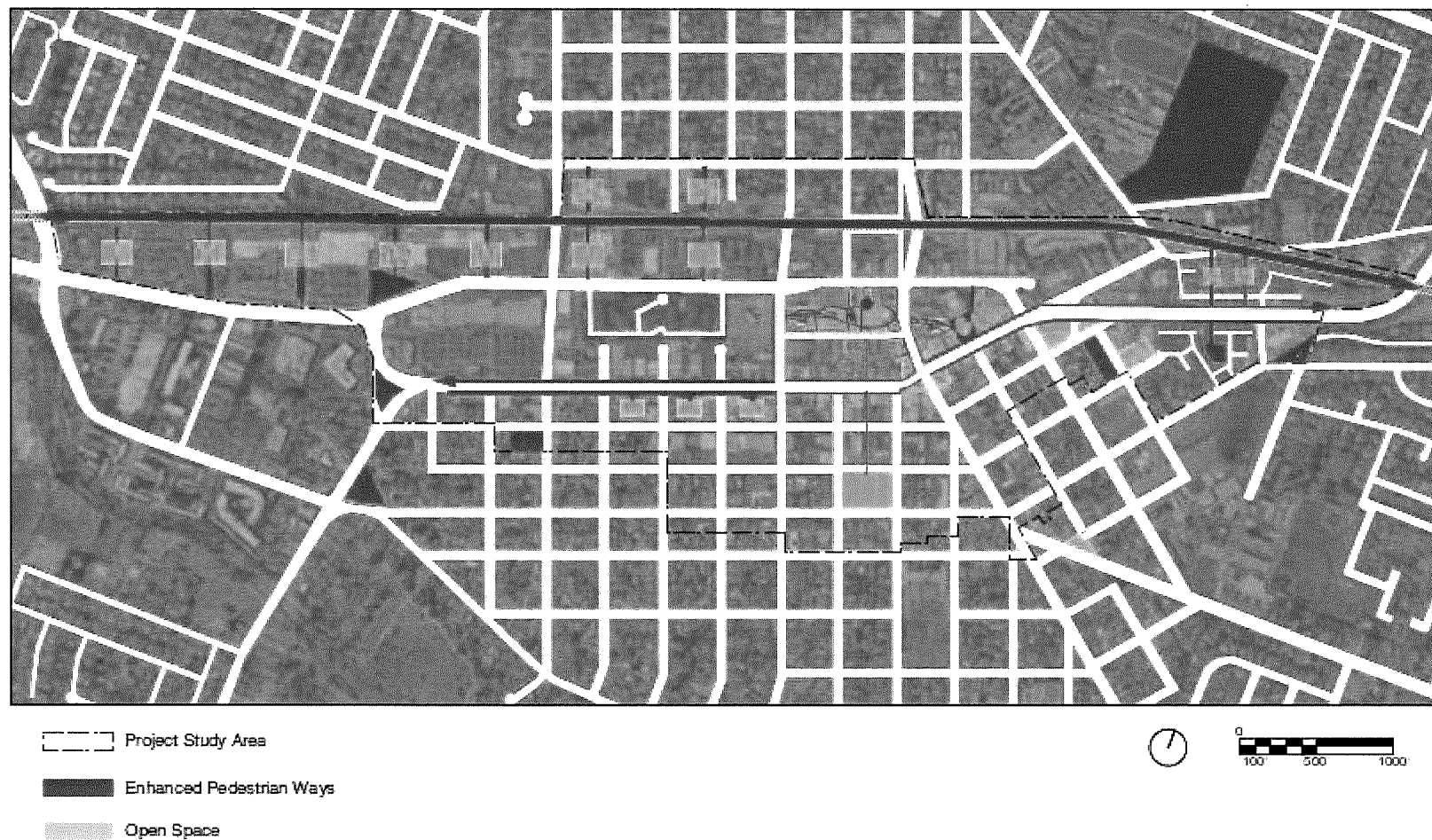


**FIGURE 4-6B: ART AND CULTURAL AMENITIES OF THE DOWNTOWN CORE**

## Livermore Downtown Specific Plan

Added by the Central Park Plan

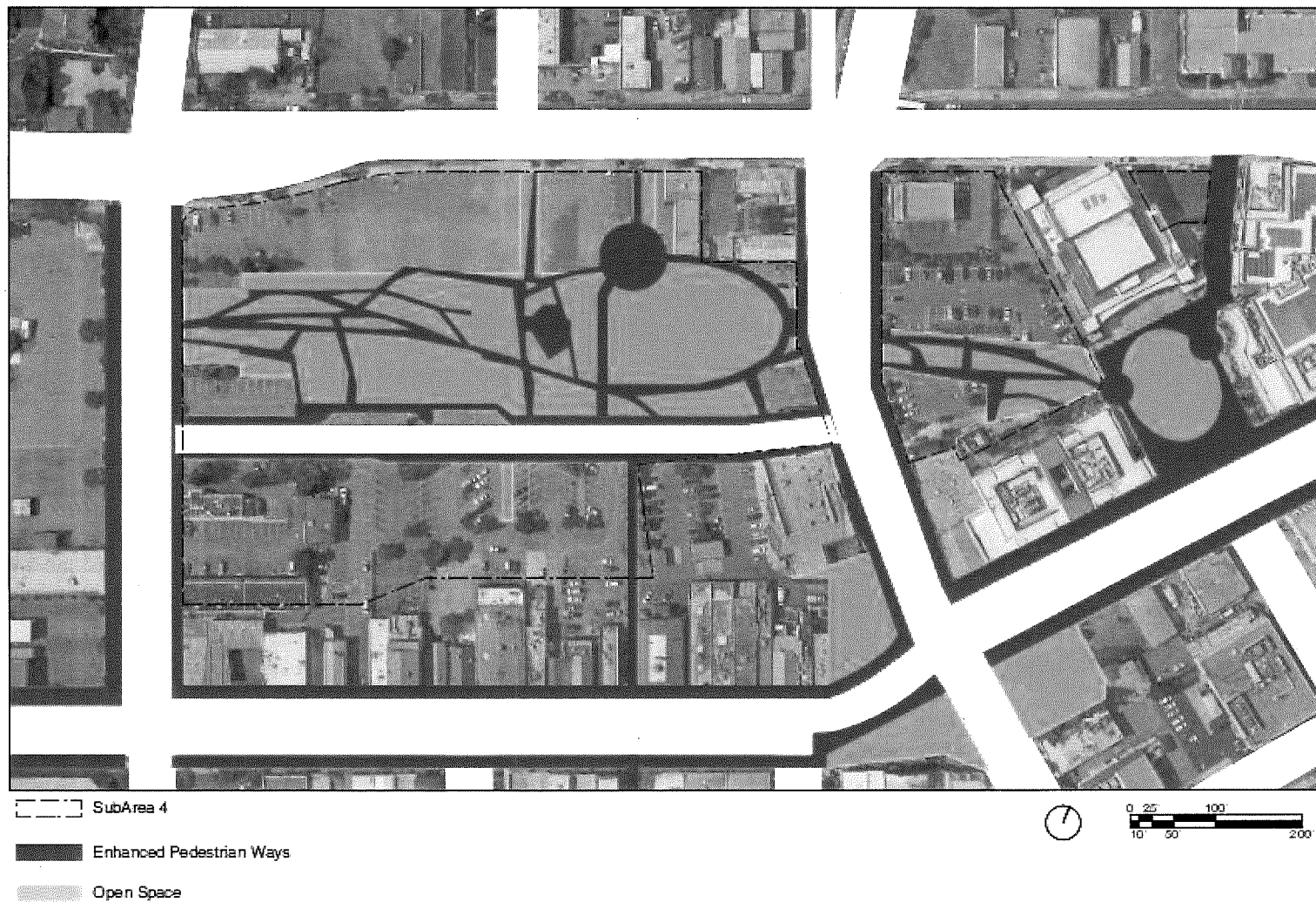




**FIGURE 4-7A: OPEN SPACE AND ACCESS**

## Livermore Downtown Specific Plan

Added by the Central Park Plan



**FIGURE 4-7B: OPEN SPACE AND ACCESS OF THE DOWNTOWN CORE**

## Livermore Downtown Specific Plan

Added by the Central Park Plan

(k) Page 12 of Chapter 4 of the City of Livermore Downtown Specific Plan is hereby amended as follows:

**4. Open Space is interlaced through the Downtown, providing a wide variety of continuous public spaces.**

Public access and open space are critical elements of Downtown. The entire Downtown area is intended as a public amenity for its community. A central focus of the Downtown Specific Plan is not only to expand the caliber and quantity of open space in the Downtown, but also to provide an overall network that links these spaces together.

The open space network for the Downtown will work together with existing and newly created spaces to create an interconnected web of parks and public pathways. The central intersection plaza at the Heart of Downtown, the LVC plaza, the park within the Downtown Core Redevelopment Site, and other downtown open spaces will provide places for people to meet and gather. ~~New pathways through the Lucky's site will provide a connection from First Street to development north of the Core; Under the Central Park Plan, a large expanse of continuous open space comprised of the Central Park and Stockmen's Park improvements along L Street will serve to provide areas for recreation, concerts and special events and a more enjoyable walk from neighborhoods north of the railroad tracks, and tree-lined streets This will offer a variety of interesting places for people of all ages to gather and create~~ serve to provide pleasant pedestrian experiences throughout the District Central Park Plan Area. In addition, the proposed Iron Horse multi-use trail will allow residents to traverse the length of the greater Downtown by means of a greenway environment along the railroad tracks, and provide a connection to the ACE/LAVTA station. This network is shown on the Open Space and Access diagram on page 14.

New private development must also do its part to build its portion of the public realm by providing new public spaces and linking them to existing ones. The provision of open space is an important component of any new development that will occur in the study area. Development standards throughout the study area mandate the residential units in all multi-use buildings be organized around common usable outdoor spaces, and that additional private outdoor deck or patio space is also provided. Retail and office development are also required to provide usable public open spaces in the form of plazas, greens and widened sidewalks. As provided in the Central Park Plan, in lieu fees may be paid where new development is within reasonable walking distance of open space.

In order to avoid “super block” development patterns and increase access to various destination points within downtown, new developments are required to follow the City’s existing small block pattern and subdivide large blocks where possible, unless the provisions of the Central Park Plan support larger block sizes in the Central Park Plan Area. In addition, development of substantial size may be required to provide specific spaces that are part of the overall vision for downtown. These include:

- The grand open space envisioned as a centerpiece for redevelopment at in the Central Park Plan Area the former Lucky’s site, bounded by First and L Streets and Railroad and Livermore Avenues.
- Public open spaces within a short walking distance adjacent to workforce multifamily housing.

(l) Page 17 of Chapter 4 of the City of Livermore Downtown Specific Plan is hereby amended as follows:

### **Maximum Development Capacity**

Except as modified by the Central Park Plan for the Central Park Plan Area, T~~the~~ anticipated maximum development capacity for the Downtown Specific Plan area is as follows: Residential: 3,600 dwelling units; Commercial: 1,000,000 square feet; Office: 356,000 square feet; Entertainment: 700 performing arts seats and up to fifteen (15) movie theater screens; Lodging: 300 rooms; Cultural: up to 20,000 square feet for a science and society center. In addition to uses existing as of the effective date of the Central Park Plan, the maximum development capacity for the Central Park Plan Area consistent with the Central Park Plan is as follows: Residential: eighty-four (84) dwelling units; Commercial: thirty thousand (30,000) square feet; Black Box Theater: thirty thousand (30,000) square feet; Center for Science, Culture & Education: thirty thousand (30,000) square feet; Lodging: one hundred sixty (160) rooms. Thi~~se~~ anticipated maximum development capacity for the Downtown area illustrates the maximum development possible under the policies contained within this Specific Plan, including the permitted uses and intensities allowed in each Plan Area and described in the chapters that follow as well as existing development anticipated to remain. Plan recommendations for capital improvements, streets and infrastructure development are based on this maximum development capacity.

The initial maximum residential development potential within the Downtown Specific Plan area shall be 2,000 new units as of February 2004. After approval of 1,400 new residential units, the City Council shall review the progress of the implementation of the

Specific Plan. The City Council shall consider increasing the maximum number of new dwelling units to 3,259 from the February 2004 base number, for a build-out total of 3,600 residential units, unless there is a compelling reason not to implement the build-out scenario analyzed in the FEIR certified in 2003 and the subsequent FEIR certified in 2009 for the General Plan and Downtown Specific Plan.

Once the amounts of anticipated maximum development described above are reached, some of the projections upon which the Plan is based may no longer apply, and the City will need to revise the strategies and the policies contained within the Plan and conduct additional environmental analysis for any modifications to the maximum development capacity.

(m) Figure 5-1 which appears before the text of Chapter 5 "Development Standards: Downtown Core Plan Area" and which is attached hereto as Exhibit C and is incorporated herein, is hereby deleted in its entirety.

(n) Figures 5-1A, 5-1B and 5-1C set forth herein are added and incorporated hereby and shall appear before the text of Chapter 5 "Development Standards: Downtown Core Plan Area" beginning in subsection (o) of The Central Park Plan as follows:

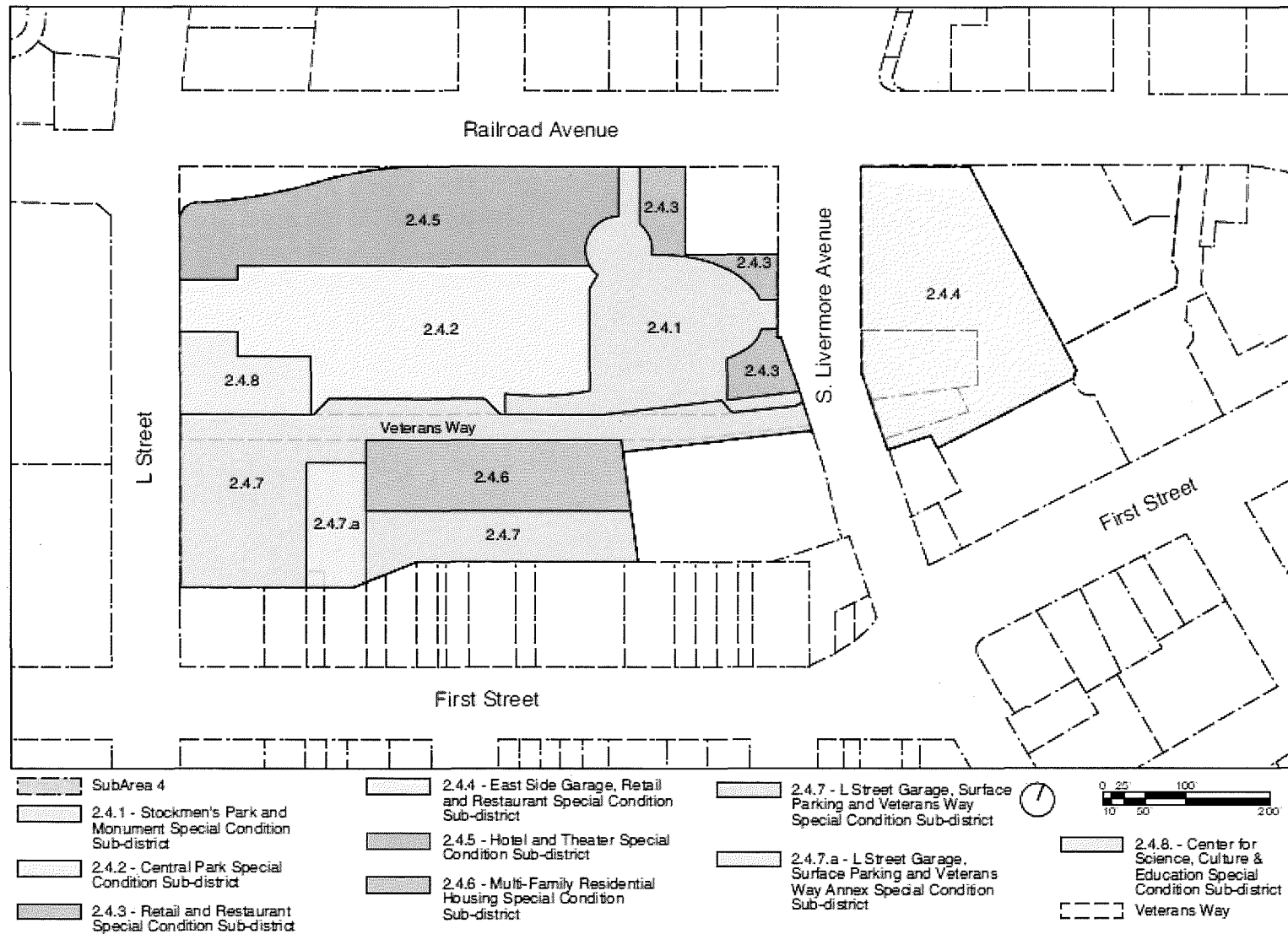


**FIGURE 5-1A: LAND USE PLAN AREA: THE DOWNTOWN CORE**

## Livermore Downtown Specific Plan

\* See Figure 5-1B for detailed Special Condition Sub-Districts within Subarea 4.

Added by the Central Park Plan

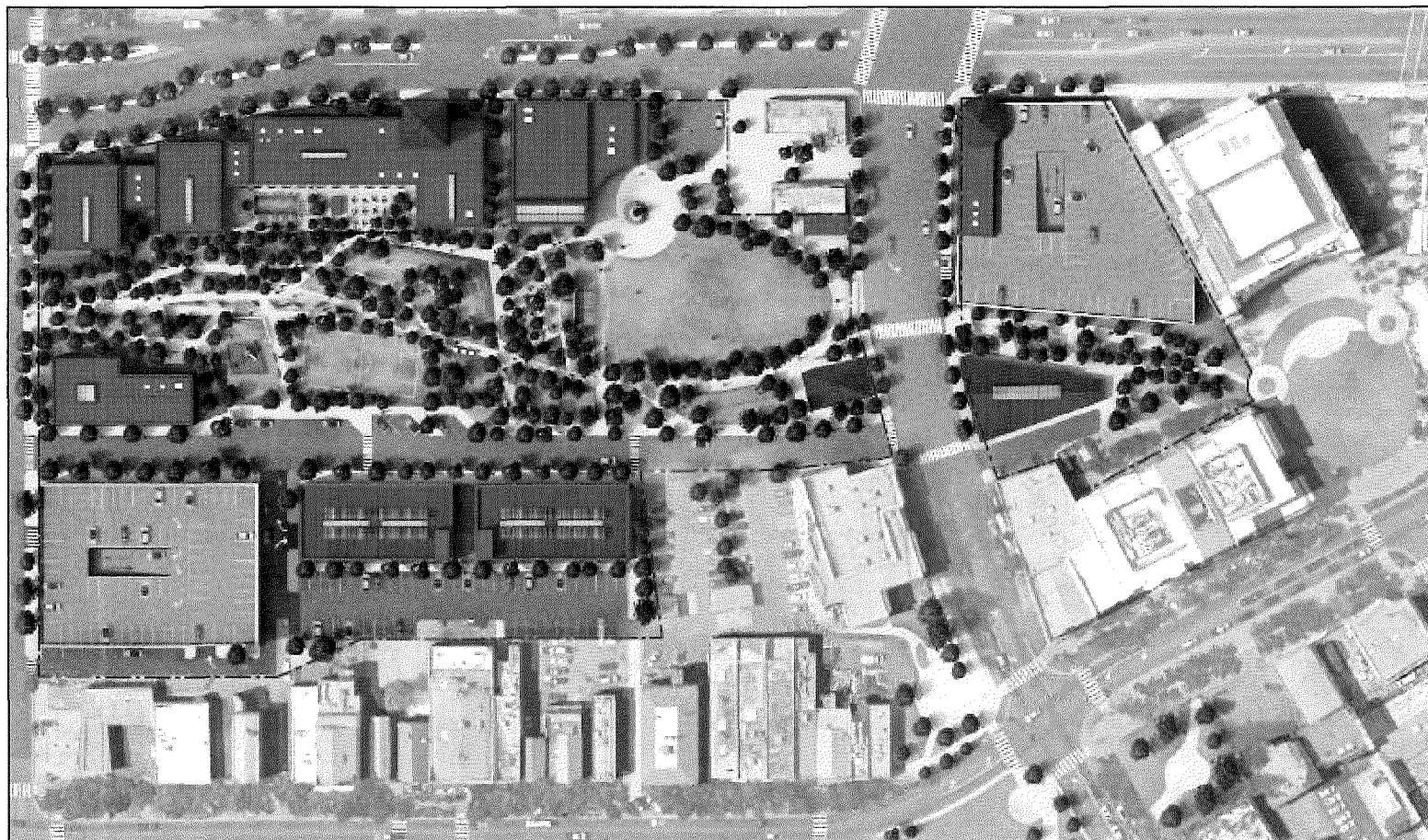


**FIGURE 5-1B: LAND USE PLAN AREA: SUBAREA 4 OF THE DOWNTOWN CORE**

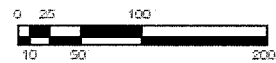
## Livermore Downtown Specific Plan

Added by the Central Park Plan





SubArea 4 - Central Park Plan Area



**FIGURE 5-1C: LAND USE PLAN AREA: DOWNTOWN CORE CONCEPTUAL PLAN FOR SUBAREA 4**

## Livermore Downtown Specific Plan

Added by the Central Park Plan



(o) Chapter 5, "Development Standards: Downtown Core Plan Area," of the City of Livermore Downtown Specific Plan is hereby amended as follows:

## **Development Standards: Downtown Core Plan Area**

### **1. Purpose**

The purpose of the Downtown Core is to revitalize the City's historic core area as the center of the City of Livermore. The primary intent of this Plan Area Specific Plan is to promote the continued development and revitalization of the City's pedestrian-oriented Downtown district ~~that serves as the center of the Livermore Community, its most unique shopping district, and as a neighborhood hub for the residences within and surrounding it. Its shopping areas will provide high quality specialty sales and services that are in keeping with the distinctive character of Downtown; discount stores are not intended for this district.~~ Development Standards for the Downtown Core are targeted towards re-establishing Downtown's identity as a compelling place for shoppers, diners, investors, residents and visitors, requiring development that is in line with Downtown's traditions and preserves its historic heritage. ~~They require a~~ A mix of parks, restaurants, stores, a Black Box Theater, the Center for Science, Culture & Education, a wine country hotel and new parking are intended to draw people downtown ~~during throughout the day, and evenings and on weekends, an.~~ An improved streetscape and new parking are intended to provide downtown visitors with a pleasant pedestrian experience, and a series of public spaces to provide places for citizens to come together downtown easy access to the retail, dining, cultural and recreational options.

The Central Park Plan amends the Downtown Specific Plan. Figure 5-1A identifies subareas within the Downtown Core. Figure 5-1B shows the special condition sub-districts within Subarea 4, also known as the Central Park Plan Area, which are subject to regulations set forth in this Chapter. Figure 5-1C provides a conceptual, illustrative vision of a potential build-out scenario of Subarea 4 that is consistent with land use regulations in this part of Chapter 5.

The Central Park Plan creates a series of public spaces, including the Central Park and Stockmen's Park, which will provide new places for citizens and visitors to come together. Development Standards for the Central Park Plan Area are targeted towards re-establishing Downtown's identity as a compelling place for those seeking recreation in Livermore's urban open space, shoppers, diners, cultural patrons, hotel guests, residents, visitors and investors. Development in the Central Park Plan Area is in line with Livermore's traditions, history and

values. A destination, resort hotel with a restaurant and other amenities will be emblematic of the quality of our wineries, helping to grow their reputation and attract more visitors. An improved streetscape, new parking garages and surface stalls and improved circulation will provide downtown visitors with easy access to the recreational, cultural and retail options.

This part of Chapter 5 sets forth specific land use regulations for the Downtown Core Plan Area, including Permitted and Conditionally Permitted Uses, Development Intensity, Height, Setbacks, Site Development, Noise, and Historic Structures. Within the subareas and special condition sub-districts shown on Figure 5-1A and Figure 5-1B, land, buildings and other improvements shall be erected, constructed, enlarged, altered, occupied or used in accordance with this part of Chapter 5 and other provisions of this Downtown Specific Plan. In order to achieve the intent of the Central Park Plan, to the extent that there is any conflict between the more specific provisions of this part of Chapter 5 that apply to any subarea or to any special condition sub-district and any provisions of this Downtown Specific Plan, the most specific provisions of this part of Chapter 5 shall control. Thus, to achieve the intent of the Central Park Plan, the more specific land use regulations applicable to subareas and special condition sub-districts identified in Section 2 of this Chapter and the exemptions in Section 3, 4 and 6 of this Chapter shall govern and control over the general provisions of the sections devoted to Development Intensity, Height, Setbacks, Site Development, Noise, and Historic Structures in the Downtown Core Plan Area.

## **2. Permitted Uses**

The Downtown Core Plan Area is divided into four Subareas as depicted on Figure 5-1A, with Special Condition Sub-districts depicted in Figures 5-1A and 5-1B. All Permitted uses include those permitted or conditionally permitted in the Downtown Core shall contribute to the vibrancy of the Plan Area that comply with the use and conditional use provisions set forth for each sub-area and the special condition sub-district in this Section. Restaurants, services and retail uses shall help promote the Core as a “specialty” retail and activity center, providing high-end, unique yet quality goods and services. As a “specialty” retail and activity center, the Core is not appropriate for discount retail uses. Prohibited uses include those uses not listed as permitted or conditionally permitted.

In order to ensure that Downtown is the most densely developed part of the City, and in order to sustain a high level of pedestrian and retail activity, mixed-use buildings are required for all parcels fronting First Street, and encouraged throughout the Downtown Core. All uses permitted in the Downtown Core shall

be required to comply with the City's Right to Downtown Operations Ordinance (Chapter 10 – Implementation and Livermore Municipal Code Chapter 8.19). In addition, all noise generating uses shall be required to comply with the noise level standards, and all new residential uses shall be required to utilize construction methods necessary to comply with the interior noise thresholds, established for the Downtown Core in Section 7 of this Chapter.

New single-story buildings shall not be allowed.

The Central Park Plan divides Subarea 4 into special condition sub-districts. Within the special condition sub-districts, permitted uses are specified to include:

- Stockmen's Park;
- The Central Park;
- New retail and restaurant space in several special condition sub-districts;
- A mixed-use parking structure, the Eastside Garage;
- The wine country hotel;
- A Black Box Theater;
- The Center for Science, Culture & Education;
- A new parking structure, the L Street Garage, and surface parking on the westside;
- Residential dwelling units; and,
- A new street, Veterans Way.

The Central Park Plan also provides flexibility to:

- Permit the Black Box Theater and/or the Center for Science, Culture & Education in several special condition sub-districts within the Central Park Plan Area to facilitate commercial and non-profit investment; and
- Provide for an array of parking options at the Eastside Garage, the L Street Garage, the wine country hotel and residential buildings to ease circulation and attract visitors.

## **2.1. Subarea 1**

### **2.1.1. Permitted Ground Floor Uses**

Mixed Use Buildings are required on First Street: All buildings fronting First Street in Downtown Core are required to be "mixed-use" (except as provided for in sections 2.1.D, 2.2 and 2.3 below), defined for this Plan Area as the vertical combining of ground-floor retail sales and service uses or eating and drinking

establishments, with permitted upper floor uses such as residential or office in the same building.

A. Retail Sales and Services including the following:

1. Specialty Food Retail, including the following and similar specialty foods: Groceries/Specialty Market/Market Hall (separate retail food uses (e.g. meat, fish, bakery, deli, produce, etc.) that combine to create a market)/Drug Stores; Chocolate/candy; General gourmet; Ice cream; Pastry/desserts; Yogurt/dairy; Doughnuts/bakery; Wine Shops and wine tasting; and similar specialty foods.
2. Specialty Goods Retail, including the following and similar specialty goods uses: Cooking supplies/culinary; General house wares; Decorator/arts and design centers (including tile, floor and wall coverings); Specialty hardware; Antique stores selling high-quality used goods (this category excludes thrift and second-hand stores); Party supplies; Lamps/lighting; Household accessories; Books/magazines/stationery; Music/instruments.
3. Quality Goods Retail, including the following, and similar uses: Small crafts; Specialty furniture; Clothing (including consignment stores that sell both gently used and new clothing and accessories)/shoe stores; Stereo/video or computers; Cameras/photography; Sporting goods; Bicycle shops; Outdoor/sports clothing and supplies; Toys/games; Cards/gifts; Jewelry; Watches/clocks; Beauty/cosmetics; Plants/flowers. Thrift stores, donation centers, and similar retail uses are not permitted.
4. Business Services, excluding sales and storage of heavy equipment - businesses that generate a significant amount of foot traffic, such as Computer and Office Supply, Photocopy Shops, Photo Finishers, and Print Shops.
5. State Licensed Banks and Financial Institutions, excluding check cashing stores.
6. Permitted and fully-conforming retail uses that occupy a ground-floor retail storefront may have an outdoor display area within the public right-of-way (sidewalk area only) and upon outdoor private property between a storefront and the public right-of-way consistent with the Master Design Program and Outdoor Display Permit application procedures specific to outdoor merchant display uses contained within Chapters 6 and 10 of the Downtown Specific Plan.

B. Eating and Drinking Establishments including the following uses:

1. Restaurants, including those serving alcoholic beverages or providing entertainment, provided this activity is clearly ancillary to food service.
2. Establishments serving wine and/or beer and providing ancillary food service are permitted. Ancillary entertainment is also permitted with this

type of use.

3. Drive-up or drive-in restaurants are not permitted.
  4. Outdoor dining uses may be permitted within the public right-of-way (sidewalk and/or flexible zone areas) consistent with the Master Design Program and Outdoor Dining Permit application procedures specific to outdoor dining uses contained within Chapter 6 and 10 of the Downtown Specific Plan; however, the number of parking spaces converted to outdoor dining use shall be limited to 25 percent of all parking spaces on First Street between M Street and Maple Street. In addition, the City reserves the right to limit the number of parking spaces that may be converted to outdoor dining use based on the cumulative effect of the loss of parking spaces on a block by block basis.
- C. Publicly Owned Parking Facilities.
  - D. Performing Arts, Civic & Cultural Facilities, including libraries, public recreation facilities, museums, art galleries, movie theaters and auditoriums (these uses are exempt from the mixed-use requirement for newly constructed buildings on First Street).
  - E. Accessory Uses and Structures: Including signage, parking facilities, trash and utility enclosures, and enclosed storage.
  - F. Public and quasi-public uses and public utilities are permitted within the block bounded by First Street, Second Street, McLeod Street and South Livermore Avenue.
  - G. Additional Uses Permitted: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

#### **2.1.2. Subarea 1 - Permitted Upper Floor Uses**

Upper floor uses are encouraged to provide more residential and small office uses.

- A. Multi-Family and Attached Single Family Residential.
- B. Retail Sales and Service uses (as defined in Section 2.1.A above) are permitted on upper-floors if internally connected to and operated in conjunction with the ground-floor use.
- C. Eating and Drinking Establishments, including those serving alcoholic beverages or providing entertainment, provided this activity is clearly ancillary to food service.
- D. Business, Professional, and Government Offices.
- E. Medical and Dental Offices.
- F. Health and Exercise Clubs.
- G. Lodging or other establishments engaged in the provision of temporary or

travel accommodation on a less than monthly basis, including bed and breakfasts, hostels, hotel, motel and inns, single unit rentals, and temporary housing facilities.

- H. Other business services that do not generate significant foot traffic, such as travel agencies, & small appliance repair.
- I. Publicly Owned Parking Facilities.
- J. Personal Services, including the following uses: Photographer, Hair and Nail Salons, Shoe Repair, Day Spa, and Full Service Salon (Tattoo, Piercing, Psychic, Tarot Card Reading, Palm Reading, and Massage Parlors are prohibited).
- K. Instructional facilities, tutoring, learning centers and schools for music, art, cosmetology, dance, and martial arts.
- L. Additional Uses Permitted: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

#### **2.1.3. Subarea 1 – Conditionally Permitted Uses**

Findings for Conditional Uses along First Street must document the potential for the use to contribute to pedestrian activity and to provide interesting displays or views into the business. Conditional Uses must also be appropriate to the area and compatible with nearby uses.

The following uses are permitted on the ground level, upon granting of a Conditional Use Permit:

- A. Bars and Nightclubs, including establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages (other than beer and wine) not clearly ancillary to food service.
- B. Public Halls, Clubs, Lodges, Community Recreational Centers, and Meeting Facilities.
- C. Additional Uses Permitted with a Conditional Use Permit: Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.

The following uses are permitted on upper stories, upon granting of a Conditional Use Permit:

- D. Stand-alone Retail Sales and Service Uses (as defined in 2.1.A above), that are not associated with and connected to a ground floor use.
- E. Bars and Nightclubs, including establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not clearly ancillary to food service.

- F. Public Halls, Clubs, Lodges, Community Recreational Centers, and Meeting Facilities.
- G. Additional Uses Permitted with a Conditional Use Permit: Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.

## **2.2. Subarea 2**

### **2.2.1. Permitted Ground Floor and Upper Floor Uses**

The following uses are permitted on all floors:

- A. Multi-Family and Attached Single Family Residential.
- B. Live-Work – residential living spaces may include an integrated work space, provided the work space has a ground-floor storefront expression and upper-floor workspaces are internally connected to and operated in conjunction with the ground-floor, principally used by one or more of the residents. Work activity is limited to business (primarily office), the making of arts and crafts, including painting, graphic production, photography, print, ceramics, and sculpture, and other activities compatible with residential use. Activities that require hazardous assembly, including fabrication, manufacturing, repair or processing operations such as welding and woodworking (with more than three fixed pieces of equipment) shall not be permitted. The maximum number of employees not including the owner/occupant is limited to two. Permitted work activities shall be classified as a business and shall be subject to all applicable City, County, and State Regulations.
- C. Business, Professional, and Government Offices, provided that ground floor offices have a storefront expression; i.e. with large street-fronting windows permitting visibility into the establishment.
- D. Medical and Dental Offices, provided that ground floor offices have a storefront expression; i.e. with large street-fronting windows permitting visibility into the establishment.
- E. Health and Exercise Clubs.
- F. Lodging or other establishments engaged in the provision of temporary or travel accommodation on a less than monthly basis, including bed and breakfasts, hostels, hotel, motel and inns, single unit rentals, and temporary housing facilities.
- G. Other business services that do not generate significant foot traffic, such as travel agencies, & small appliance repair.
- H. Publicly Owned Parking Facilities.
- I. Public Utilities, Performing Arts, Civic and Cultural Facilities.
- J. Groceries, Specialty Market, Market Halls (separate retail food uses (e.g. meat, fish, bakery, deli, produce, etc.) that combine to create a market) and

Drug Stores are permitted on the ground-floor, and are permitted on upper-floors if internally connected to and operated in conjunction with the ground-floor use.

- K. Neighborhood Serving Uses – small shops that serve the convenience needs of nearby residential, limited to full service deli, dry cleaner, laundromat, tailoring, watch repair and postal annex are permitted on the ground-floor only (Liquor stores, Cigarette stores, and similar uses are prohibited).
- L. Personal Services, including the following uses: Photographer, Hair and Nail Salons, Shoe Repair, Day Spa and Full Service Salon (Tattoo, Piercing, Psychic, Tarot Card Reading, Palm Reading, and Massage Parlors are prohibited).
- M. Instructional facilities, tutoring, learning centers and schools for music, art, cosmetology, dance, and martial arts.
- N. Additional Uses Permitted: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

#### **2.2.2. Subarea 2 – Conditionally Permitted Ground Floor and Upper Floor Uses**

Findings for Conditional Uses must document the potential for the use to contribute to pedestrian activity and to provide interesting displays or views into the business. Conditional Uses must also be appropriate to the area and compatible with nearby uses.

The following uses are permitted upon granting of a Conditional Use Permit:

- A. Public and quasi-public buildings, including uses of an educational, religious, or public service nature (i.e. schools, adult training facilities, churches, public and non-profit organizations).
- B. Day and Child Care Centers, Day Care Homes, and Residential Care Homes.
- C. Additional Uses Permitted with a Conditional Use Permit: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

#### **2.2.3. Subarea 2 – Special Condition Sub-district (North I Street)**

(Area encompassing five vacant parcels at the northwest end of North I Street and including the existing parking structure to the east.)

Following uses are permitted on the ground and upper floor levels:

- A. Publicly accessible parking facilities including structured parking.
- B. Public and quasi-public buildings including uses of a public service nature



- such as transportation related facilities including bus and train stations.
- C. Open space, pedestrian paths, multi-use trails, plazas, and public recreation facilities.
- D. Accessory uses and structures.
- E. Additional uses permitted. Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

**~~2.2.4 Subarea 2 – Special Condition Sub-district (South L Street)~~**  
~~(Two parcels east of South L Street including 50, 62, 74 and 90 South L Street)~~

~~Following uses are permitted on ground and upper levels:~~

- ~~A. Performing arts, civic, cultural, and public recreation facilities.~~
- ~~B. Publicly accessible parking facilities including structured parking~~
  - ~~a. May be wrapped with commercial or residential uses along existing street frontages to a depth of 40 feet.~~
- ~~C. Accessory uses and structures.~~
- ~~D. Additional uses permitted. Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.~~

~~Following uses are permitted on ground and upper levels upon granting of a Conditional Use Permit:~~

- ~~A. Public halls, community recreation centers, and meeting facilities~~
- ~~B. Additional uses permitted. Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.~~

**2.3. Subarea 3 –**

**2.3.1. Permitted Ground Floor Uses**

- A. Retail Sales and Services including the following:
  1. Specialty Food Retail, including the following and similar specialty foods: Groceries/Specialty Market/Market Hall (separate retail food uses (e.g. meat, fish, bakery, deli, produce, etc.) that combine to create a market)/Drug Stores; Chocolate/candy; General gourmet; Ice cream; Pastry/desserts; Yogurt/dairy; Doughnuts/bakery; Wine Shops and wine tasting; and similar specialty foods.
  2. Specialty Goods Retail, including the following and similar specialty goods uses: Cooking supplies/culinary; General house wares; Decorator/arts and design centers (including tile, floor and wall coverings); Specialty

Hardware; Antique stores selling high-quality used goods (this category excludes thrift and second-hand stores); Party supplies; Lamps/lighting; Household accessories; Books/magazines/stationery; Music/instruments.

3. Quality Goods Retail, including the following, and similar uses: Small crafts; Specialty furniture; Clothing (including consignment stores that sell both gently used and new clothing and accessories)/shoe stores; Stereo/video or computers; Cameras/photography; Sporting goods; Bicycle Shops; Outdoor/sports clothing and supplies; Toys/games; Cards/gifts; Jewelry; Watches/clocks; Beauty/cosmetics; Plants/flowers. Thrift stores, donation centers, and other similar uses are not permitted.
  4. Business Services, excluding sales and storage of heavy equipment - businesses that generate a significant amount of foot traffic, such as Computer and Office Supply, Photocopy Shops, Photo Finishers, and Print Shops.
  5. Permitted and fully-conforming retail uses that occupy a ground-floor retail storefront may have outdoor displays within the public right-of-way (sidewalk area only) and upon outdoor private property between a storefront and the public right-of-way consistent with the Master Design Program and Outdoor Display Permit application procedures specific to outdoor merchant display uses contained within Chapters 6 and 10 of the Downtown Specific Plan.
- B. Eating and Drinking Establishments including the following uses:
1. Restaurants, including those serving alcoholic beverages or providing entertainment, provided this activity is clearly ancillary to food service.
  2. Drive-up or drive-in restaurants are not permitted.
  3. Outdoor dining uses may be permitted within the public right-of-way (sidewalk area only) consistent with the Master Design Program and Outdoor Dining Permit application procedures specific to outdoor dining uses contained within Chapter 6 and 10 of the Downtown Specific Plan.
- C. Publicly Owned Parking Facilities.
- D. Cultural Facilities including performing arts theaters, museums and art galleries.
- E. Multi-Family and Attached Single Family Residential.
- F. Live-Work – residential living spaces may include an integrated work space, provided the work space has a ground-floor storefront expression, principally used by one or more of the residents. Work activity is limited to business (primarily office), the making of arts and crafts, including painting, graphic production, photography, print, ceramics, and sculpture, and other activities compatible with residential use. Activities that require hazardous assembly, including fabrication, manufacturing, repair or processing operations such as

welding and woodworking (with more than three fixed pieces of equipment) shall not be permitted. The maximum number of employees not including the owner/occupant is limited to two. Permitted work activities shall be classified as a business and shall be subject to all applicable City, County, and State Regulations.

- G. Business, Professional, and Government Offices, provided that ground floor offices have a storefront expression; i.e. with large street-fronting windows permitting visibility into the establishment.
- H. Medical and Dental Offices, provided that ground floor offices have a storefront expression; i.e. with large street-fronting windows permitting visibility into the establishment.
- I. Health and Exercise Clubs.
- J. Lodging or other establishments engaged in the provision of temporary or travel accommodation on a less than monthly basis, including bed and breakfasts, hostels, hotel, motel and inns, single unit rentals, and temporary housing facilities.
- K. State licensed Banks and Financial Institutions are permitted on Second Street only.
- L. Other business services that do not generate significant foot traffic, such as travel agencies, & small appliance repair.
- M. Neighborhood Serving Uses – small shops that serve the convenience needs of nearby residential, limited to full service deli, dry cleaner, laundromat, tailoring, watch repair and postal annex (Liquor stores, Cigarette stores, and similar uses are prohibited).
- N. Personal Services, including the following uses: Photographer, Hair and Nail Salons, Shoe Repair, Day Spa, and Full Service Salon (Tattoo, Piercing, Psychic, Tarot Card Reading, Palm Reading, and Massage Parlors are prohibited).
- O. Instructional facilities, tutoring, learning centers and schools for music, art, cosmetology, dance, and martial arts.
- P. Accessory Uses and Structures: Including signage, parking facilities, trash and utility enclosures, and enclosed storage.
- Q. Additional Uses Permitted: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

### **2.3.2. Subarea 3 - Permitted Upper Floor Uses**

- A. Multi-Family and Attached Single Family Residential.
- B. Live-Work – residential living spaces may include an integrated work space, provided the work space has a ground-floor storefront expression and upper-

floor workspaces are internally connected to and operated in conjunction with the ground-floor, principally used by one or more of the residents. Work activity is limited to business (primarily office), the making of arts and crafts, including painting, graphic production, photography, print, ceramics, and sculpture, and other activities compatible with residential use. Activities that require hazardous assembly, including fabrication, manufacturing, repair or processing operations such as welding and woodworking (with more than three fixed pieces of equipment) shall not be permitted. The maximum number of employees not including the owner/occupant is limited to two. Permitted work activities shall be classified as a business and shall be subject to all applicable City, County, and State Regulations.

- C. Retail Sales and Service uses (as defined in Section 2.6.A above) are permitted on upper-floors if internally connected to and operated in conjunction with the ground-floor use.
- D. Eating and Drinking Establishments, including those serving alcoholic beverages or providing entertainment, provided this activity is clearly ancillary to food service.
- E. Business, Professional, and Government Offices.
- F. Medical and Dental Offices.
- G. Health and Exercise Clubs.
- H. Lodging or other establishments engaged in the provision of temporary or travel accommodation on a less than monthly basis, including bed and breakfasts, hostels, hotel, motel and inns, single unit rentals, and temporary housing facilities.
- I. Other business services that do not generate significant foot traffic, such as travel agencies, & small appliance repair.
- J. Publicly Owned Parking Facilities.
- K. Personal Services, including the following uses: Photographer, Hair and Nail Salons, Shoe Repair, Day Spa, and Full Service Salon (Tattoo, Piercing, Psychic, Tarot Card Reading, Palm Reading, and Massage Parlors are prohibited).
- L. Instructional facilities, tutoring, learning centers and schools for music, art, cosmetology, dance, and martial arts.
- M. Additional Uses Permitted: Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

### **2.3.3. Subarea 3 – Conditionally Permitted Uses**

Findings for Conditional Uses must document the potential for the use to contribute to pedestrian activity and to provide interesting displays or views into

the business. Conditional Uses must also be appropriate to the area and compatible with nearby uses.

The following uses are permitted on the ground level, upon granting of a Conditional Use Permit:

- A. Bars and Nightclubs, including establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not clearly ancillary to food service.
- B. Public Halls, Clubs, Lodges, Community Recreational Centers, and Meeting Facilities.
- C. Public and quasi-public buildings, including uses of an educational, religious, or public service nature (i.e. schools, adult training facilities, churches, public and non-profit organizations).
- D. Day and Child Care Centers, Day Care Homes, and Residential Care Homes.
- E. Additional Uses Permitted with a Conditional Use Permit: Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.

The following uses are permitted on upper stories, upon granting of a Conditional Use Permit:

- F. Bars and Nightclubs, including establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not clearly ancillary to food service.
- G. Stand-alone Retail Sales and Service Uses (as defined in 2.6.A above), that are not associated with and connected to a ground floor use.
- H. Public Halls, Clubs, Lodges, Community Recreational Centers, and Meeting Facilities.
- I. Day and Child Care Centers, Day Care Homes, and Residential Care Homes.
- J. Additional Uses Permitted With a Conditional Use Permit: Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.

**~~2.3.4. Subarea 3 — Special Condition Sub-district — A~~** (~~Southeast corner of Railroad and South Livermore Avenue and generally bounded by the Bankhead Theater and plaza to the east and commercial development along First Street to the south~~):

~~The following uses are permitted on ground and upper levels:~~

- ~~A. Public owned parking facilities.~~

- ~~B. Cultural facilities including performing arts theaters~~
- ~~C. Open space, pedestrian paths, plazas, and public recreation facilities.~~
- ~~D. Boutique hotel, which may include accessory uses such as a spa, restaurant, bar, meeting facilities, and limited retail and personal service uses to serve the needs of guests.~~
- ~~E. Conference and meeting facilities~~
- ~~F. Accessory uses and structures~~
- ~~G. Additional uses permitted. Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.~~

~~The following uses are permitted on ground and upper levels, upon granting of a Conditional Use Permit:~~

- ~~A. Public halls and community recreation centers.~~
- ~~B. Additional uses permitted. Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.~~

#### **2.3.4. Subarea 3 – Special Condition Sub-district – B (South side of Railroad Avenue including Performing Arts Theatre and Plaza)**

The following uses are permitted on ground and upper levels:

- A. Cultural facilities including performing arts theaters.
- B. Open space, pedestrian paths, plazas, and public recreation facilities.
- C. Accessory uses and structures.
- D. Additional uses permitted. Other similar and compatible uses deemed by the Community Development Director to meet the purpose and intent of the Downtown Specific Plan.

The following uses are permitted on ground and upper levels, upon granting of a Conditional Use Permit:

- A. Public halls and community recreation centers;
- B. Conference and meeting facilities.
- C. Additional uses permitted. Other similar and compatible uses deemed by the Planning Commission to meet the purpose and intent of the Downtown Specific Plan.

## **2.4 Subarea 4**

The following special condition sub-districts are created within the Central Park Plan

Area as depicted on Figure 5-1B.

#### **2.4.1. Stockmen's Park and Monument Special Condition Sub-district**

2.4.1.1. Goal and Objectives: Create a park in the Downtown Core with grassy fields and public monuments honoring Livermore's ranching history and its citizens' service in the armed forces.

2.4.1.2. The following uses are permitted in Special Condition Sub-district 2.4.1:

- A. Public park, including grassy fields, trees, pedestrian paths, and plazas.
- B. Community events.
- C. Public monuments.
- D. Signage and an entrance archway to prominently identify the public park.
- E. Accessory uses and structures that support the operation and maintenance of the park.

2.4.1.3. The following conditional uses may be permitted by the Planning Commission pursuant to a grant of a Conditional Use Permit:

- A. Other compatible uses deemed by the Planning Commission to meet the Goals and Objectives for this Special Condition Sub-district.
- B. Prior to commencement of construction of facilities to enable the uses set forth above for this Special Condition Sub-district, surface parking may be permitted by the Planning Commission as a principal land use pursuant to a conditional use permit in this Special Condition Sub-district, so long as each conditional use permit is expressly limited in duration to a maximum of two years and expressly confers no vested right to continue surface parking as a principal land use beyond the term of the conditional use permit. No conditional use permit may be approved until the Planning Commission holds a duly noticed public hearing and makes the findings required by Development Code section 9.03.060B, and the following additional findings: (i) the proposed surface parking use does not conflict with any agreement to which the City is a party with respect to the subject site and (ii) the proposed surface parking use does not conflict with any development permit issued by the City with respect to the subject site.

#### **2.4.2. Central Park Special Condition Sub-district**

2.4.2.1. Goals and Objectives: Create a large Central Park in the Central Park Plan Area that is part of a continuous open space extending from L Street across Livermore Avenue to the Bankhead Park Plaza for the enjoyment of the public to act as the centerpiece of a revitalized downtown Livermore. The Central Park, along with Stockmen's Park, will connect the surrounding amenities to one large destination area.

2.4.2.2. The following uses are permitted in Special Condition Sub-district 2.4.2:

- A. Park, including pedestrian paths, trees and gardens, plazas, tables and benches, water features, interactive kiosks, art and history panels.
- B. Stage area for outdoor performances.
- C. Community events.
- D. Game and play areas, and children's playground.
- E. Accessory uses and structures that support the operation and maintenance of the park.

2.4.2.3. The following conditional uses may be permitted by the Planning Commission pursuant to a grant of a Conditional Use Permit:

- A. Other compatible uses deemed by the Planning Commission to meet the Goals and Objectives for this Special Condition Sub-district.
- B. Subsurface parking may be permitted by the Planning Commission if necessary to extend any subterranean parking structure from any special condition sub-district.
- C. Prior to commencement of construction of facilities to enable the uses set forth above for this Special Condition Sub-district, surface parking may be permitted by the Planning Commission as a principal land use pursuant to a conditional use permit in this Special Condition Sub-district, so long as each conditional use permit is expressly limited in duration to a maximum of two years and expressly confers no vested right to continue surface parking as a principal land use beyond the term of the conditional use permit. No conditional use permit may be approved until the Planning Commission holds a duly noticed public hearing and makes the findings required by Development Code section 9.03.060B, and the following additional findings: (i) the proposed surface parking use does not conflict with any agreement to which the City is a party with respect to the subject site and (ii) the proposed surface parking use does not conflict with any development permit issued by the City with respect to the subject site.



### **2.4.3. Retail and Restaurant Special Condition Sub-district**

2.4.3.1. Goals and Objectives: Promote retail and restaurant uses that activate the street along Railroad Avenue and South Livermore Avenue, which are compatible with the adjacent Stockmen's Park and cultural facilities in Subarea 4.

2.4.3.2. The following uses are permitted in Special Condition Sub-district 2.4.3:

A. Retail Sales, Restaurant and Services including the following:

1. Specialty Food Retail, including the following and similar specialty foods: Groceries/Specialty Market/Market Hall (separate retail food uses (e.g. meat, fish, bakery, deli, produce, etc.) that combine to create a market)/Drug Stores; Chocolate/candy; General gourmet; Ice cream; Pastry/desserts; Yogurt/dairy; Doughnuts/bakery; Wine Shops and wine, beer and spirits tasting; and similar specialty foods.
2. Specialty Goods Retail, including the following and similar specialty goods uses: Cooking supplies/culinary; General housewares; Decorator/arts and design centers (including tile, floor and wall coverings); Specialty Hardware; Antique stores selling high-quality used goods (this category excludes thrift and second-hand stores); Party supplies; Lamps/lighting; Household accessories; Books/magazines/stationery; Music/instruments.
3. Quality Goods Retail, including the following, and similar uses: Small crafts; Specialty furniture; Clothing (including consignment stores that sell both gently used and new clothing and accessories)/shoe stores; Stereo/video or computers; Cameras/photography; Sporting goods; Bicycle Shops; Outdoor/sports clothing and supplies; Toys/games; Cards/gifts; Jewelry; Watches/clocks; Beauty/cosmetics; Plants/flowers. Thrift stores, donation centers, and other similar uses are not permitted.

B. Eating and Drinking Establishments including the following uses:

1. Restaurants, including those serving alcoholic beverages or providing entertainment.
2. Drive-up or drive-in restaurants are not permitted.
3. Outdoor dining uses may be permitted within the public right-of-way and on Stockmen's Park consistent with the Master Design Program and Outdoor Dining Permit application procedures specific to outdoor dining uses contained within Chapter 6 and 10 of the

Downtown Specific Plan.

C. Office.

D. Accessory Uses and Structures: ATM machine(s), signage, trash and utility enclosures, and enclosed storage.

E. Open space, pedestrian paths, plazas, and public recreation facilities.

F. Surface loading and short-term parking.

2.4.3.3. The following conditional uses may be permitted by the Planning Commission pursuant to a grant of a Conditional Use Permit:

A. Bars, Nightclubs and Tasting Rooms, including establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not clearly ancillary to food service.

B. Other compatible uses deemed by the Planning Commission to meet the Goals and Objectives for this Special Condition Sub-district.

C. Prior to commencement of construction of facilities to enable the uses set forth above for this Special Condition Sub-district, surface parking may be permitted by the Planning Commission as a principal land use pursuant to a conditional use permit in this Special Condition Sub-district, so long as each conditional use permit is expressly limited in duration to a maximum of two years and expressly confers no vested right to continue surface parking as a principal land use beyond the term of the conditional use permit. No conditional use permit may be approved until the Planning Commission holds a duly noticed public hearing and makes the findings required by Development Code section 9.03.060B, and the following additional findings: (i) the proposed surface parking use does not conflict with any agreement to which the City is a party with respect to the subject site and (ii) the proposed surface parking use does not conflict with any development permit issued by the City with respect to the subject site.

2.4.3.4. Development Standards for Special Condition Sub-district 2.4.3:

Notwithstanding any other provision of this Chapter or the Downtown Specific Plan, the following development standards shall be applicable to land uses within Sub-district 2.4.3:

A. Height. Buildings in Sub-district 2.4.3 shall not exceed two (2) stories or twenty-seven-and-a-half (27.5) feet. New development adjacent to historically significant structures may not exceed twice the height of an adjacent historically significant structure.

B. Driveway Access. Street level service access may include one two-way

driveway from Railroad Avenue to a loading zone for uses in Sub-district 2.4.3 or any other special condition sub-district.

C. Open Space. Due to the proximity of Sub-district 2.4.3 to the Central Park and Stockmen's Park, provision of on-site open space is not required, but all development within Sub-district 2.4.3 shall pay in lieu park fees as required by the City's General Plan and state law.

D. Outdoor Displays. Ground-floor retail may have temporary outdoor displays within the public right-of-way which do not impede the flow of pedestrian traffic. Temporary outdoor displays on outdoor private property between a storefront and the public right-of-way shall be consistent with the Master Design Program and Outdoor Display Permit application procedures specific to outdoor merchant display uses contained within Chapters 6 and 10 of the Downtown Specific Plan.

E. Block Pattern. No block pattern limitations shall be applicable to development in Sub-district 2.4.3.

#### **2.4.4. Eastside Garage, Retail and Restaurant Special Condition Sub-district**

2.4.4.1. Goals and Objectives: Promote the development of a public parking structure at the southeast corner of South Livermore Avenue and Railroad Avenue with a maximum of two hundred sixty-eight (268) parking spaces that would support the parking needs for those attending events at the Central Park, including on its stage, Stockmen's Park, Blacksmith Square, Black Box Theater, Center for Science, Culture & Education, the Bankhead Theater and the Bankhead Park Plaza, and nearby restaurant, drinking, retail and office uses. In order to activate the street level along South Livermore Avenue and Railroad Avenue, street front restaurant and retail uses shall be permitted on the ground floor of the parking structure. Permit an unenclosed restaurant on top of the parking structure, for example a rooftop beer garden. Promote the development of retail or restaurant uses in a separate structure south of the parking structure. The maximum retail, restaurant or office development capacity shall be seven thousand (7,000) square feet within the Eastside Garage and nine thousand (9,000) square feet for the separate structure south of the parking structure. Provide the City Council with flexibility to locate the Black Box Theater or the Center for Science, Culture & Education in this Special Condition Sub-district. If the City Council permits the Center for Science, Culture & Education and/or the Black Box Theater to be located in Special Condition Sub-district 2.4.4, the total maximum buildable square footage shall be thirty thousand (30,000) square feet for

those uses.

2.4.4.2. The following uses are permitted in Special Condition Sub-district 2.4.4:

- A. Multi-level parking facility that can include podium or underground parking and that permits rental of spaces for valet parking from facilities in Subarea 4.
- B. Street front, ground floor or unenclosed rooftop restaurants or restaurants or retail in the parking structure.
- C. In a structure separate from the parking facility:
  - 1. On the ground floor: retail and/or restaurant uses including, for example, an artisan market, or an establishment offering wine, beer or spirits tastings.
  - 2. On the upper floor: office.
- D. ATMs and trash and utility enclosures.
- E. Open space, pedestrian paths, plazas and seating areas.

2.4.4.3. Conditional Uses

A. The following conditional uses may be permitted by the Planning Commission pursuant to a grant of a Conditional Use Permit:

- 1. Bars and Tasting Rooms, including establishments providing entertainment, and establishments serving alcoholic beverages not clearly ancillary to food service.
- 2. Other compatible uses deemed by the Planning Commission to meet the Goals and Objectives for this Special Condition Sub-district.
- 3. Prior to commencement of construction of facilities to enable the uses set forth above for this Special Condition Sub-district, surface parking may be permitted by the Planning Commission as a principal land use pursuant to a conditional use permit in this Special Condition Sub-district, so long as each conditional use permit is expressly limited in duration to a maximum of two years and expressly confers no vested right to continue surface parking as a principal land use beyond the term of the conditional use permit. No conditional use permit may be approved until the Planning Commission holds a duly noticed public hearing and makes the findings required by Development Code section 9.03.060B, and the following additional findings: (i) the proposed surface parking use does not conflict with any agreement to which the City is a party with respect to the subject site and (ii) the proposed

surface parking use does not conflict with any development permit issued by the City with respect to the subject site.

B. The following conditional uses may be permitted by the City Council pursuant to a grant of a Conditional Use Permit.

1. Notwithstanding section 2.4.4.2, the City Council may permit the Black Box Theater and/or the Center for Science, Culture & Education to be built in Special Condition Sub-district 2.4.4. Notwithstanding section 2.4.4.4, the Black Box Theater and the Center for Science, Culture & Education shall be subject to a maximum height of three (3) stories and forty-five (45) feet and shall not exceed a total maximum buildable square footage of thirty thousand (30,000) square feet.
2. In the exercise of the authority delegated to it pursuant to this section, the City Council shall hold a duly noticed public hearing. It shall make the findings required by Development Code section 9.03.060B. It shall also make additional findings to demonstrate that its action: (1) achieves the policy goals, purpose and intent articulated in the Central Park Plan; (2) complies with the legal requirements of the Central Park Plan; (3) is not arbitrary or capricious; and (4) complies with other State, municipal and local laws.

2.4.4.4. Development Standards for Special Condition Sub-district 2.4.4:

A. Notwithstanding any other provision of this Chapter or the Downtown Specific Plan, the following development standards shall be applicable to land uses within Sub-district 2.4.4:

B. Height.

1. Garage: Garage. The maximum height of the garage shall be three (3) stories and forty-five (45) feet.
2. Separate Commercial Structure. The maximum height of the separate commercial structure is two (2) stories or thirty-two (32) feet.
3. Exceptions:
  - a. Special Architectural Features, such as uninhabited towers (clock, bell, observation) or entry volumes may exceed the maximum height by no more than ten (10) feet, where proportionate and consistent with building design, if approved by the City. Towers or other volumes should not extend for more than twenty (20) feet in any direction.
  - b. Roof top structures, such as elevator and mechanical equipment

enclosures or roof deck trellises and gazebos, may exceed the height limit by ten (10) feet, provided that they are set back a minimum of ten (10) feet from all building walls and are screened on all sides by a parapet or sloping roof that is architecturally integrated within the building design. Elevator towers are exempt from any setback requirement if enclosed within a corner entry tower that meets the requirements of a Special Architectural Feature.

- C. Non-parking Rooftop Uses. If an unenclosed rooftop use is developed, the total usable square footage of any structure shall not exceed three thousand (3,000) square feet of space.
- D. Open Space. Due to the proximity of Sub-district 2.4.4 to Stockmen's Park, the Central Park and other open space in the Downtown Core, provision of on-site open space is not required, but development within Sub-district 2.4.4 shall pay in lieu park fees as required by the City's General Plan and state law unless otherwise exempted.
- E. Block Pattern. No block pattern limitations shall be applicable to development in Sub-district 2.4.4.
- F. Driveway Access. Driveway access and curb cut limitations shall not apply in Sub-district 2.4.4 and shall be determined in accordance with design review approval.

#### **2.4.5. Hotel and Theater Special Condition Sub-district**

2.4.5.1. Goals and Objectives: Promote a resort hotel, a destination, one whose quality architecture, restaurant and amenities would be supportive of the Livermore Valley wine region. It will also draw visitors to our downtown, strengthening existing restaurants, retail businesses and theaters, as well as the new Black Box Theater, Center for Science, Culture & Education, artisan market and other commercial uses. In a separate structure, encourage development of a Black Box Theater with flexible seating that offers a broad range of uses from theatrical productions, dance and music to art exhibits and culinary events, as well as meetings, lectures and educational classes. Provide the City Council with flexibility to locate the Center for Science, Culture & Education in this Special Condition Sub-district or to locate the Black Box Theater and/or the Center for Science, Culture & Education either in the same structure as the hotel or in a separate structure. If the Center for Science, Culture & Education or the Black Box Theater are maintained in a separate building from the hotel, the total maximum buildable square footage for each use shall be thirty thousand (30,000) square feet. If the Center for

Science, Culture & Education and the Black Box Theater uses are co-located in one structure, the total maximum buildable square footage shall be thirty thousand (30,000) square feet.

2.4.5.2. The following uses are permitted in Special Condition Sub-district 2.4.5:

- A. Hotel with rooms and lobby and accessory uses such as restaurant, bar lounge, retail shops, spa, fitness center, pool, banquet rooms, meeting rooms, office and personal services.
- B. Black Box Theater with performance areas, meeting rooms and conference room space with accessory uses, such as restaurant, retail, office, social service programs, educational or other cultural uses.
- C. Accessory uses and structures, including a rooftop garden and trash and utility enclosures.
- D. Underground and podium parking structure, that can include valet parking.
- E. Surface loading and short-term parking area.

2.4.5.3. Conditional Uses

A. The following conditional uses may be permitted by the Planning Commission pursuant to a grant of a Conditional Use Permit:

- 1. Underground parking may be extended below ground into the areas below the Central Park Special Condition Sub-district.
- 2. Hotel may be permitted to locate parking offsite.
- 3. Other compatible uses deemed by the Planning Commission to meet the Goals and Objectives for this Special Condition Sub-district.
- 4. Prior to commencement of construction of facilities to enable the uses set forth above for this Special Condition Sub-district, surface parking may be permitted by the Planning Commission as a principal land use pursuant to a conditional use permit in this Special Condition Sub-district, so long as each conditional use permit is expressly limited in duration to a maximum of two years and expressly confers no vested right to continue surface parking as a principal land use beyond the term of the conditional use permit. No conditional use permit may be approved until the Planning Commission holds a duly noticed public hearing and

makes the findings required by Development Code section 9.03.060B, and the following additional findings: (i) the proposed surface parking use does not conflict with any agreement to which the City is a party with respect to the subject site and (ii) the proposed surface parking use does not conflict with any development permit issued by the City with respect to the subject site.

B. The following conditional uses may be permitted by the City Council pursuant to a grant of a Conditional Use Permit.

1. The City Council may permit the Black Box Theater to be built into the same structure as the hotel, subject to the development standards set forth in section 2.4.5.4.
2. Notwithstanding section 2.4.5.2, the City Council may permit the Center for Science, Culture & Education to be built in Special Condition Sub-district 2.4.5, subject to the development standards set forth in section 2.4.5.4., either as a stand-alone structure or as part of the Black Box Theater or the hotel.
3. In the exercise of the authority delegated to it pursuant to this section, the City Council shall hold a duly noticed public hearing. It shall make the findings required by Development Code section 9.03.060B. It shall also make additional findings to demonstrate that its action: (1) achieves the policy goals, purpose and intent articulated in the Central Park Plan; (2) complies with the legal requirements of the Central Park Plan; (3) is not arbitrary or capricious; and (4) complies with other State, municipal and local laws.

#### 2.4.5.4. Development Standards for Special Condition Sub-district 2.4.5

Notwithstanding any other provision of this Chapter or the Downtown Specific Plan, the following development standards shall be applicable to land uses within Sub-district 2.4.5:

##### A. Development Intensity.

1. Hotel. The hotel may have a maximum of one hundred sixty (160) rooms or guest suites.
2. Black Box Theater. The theater may have a maximum development intensity of thirty thousand (30,000) square feet.



B. Height.

1. Hotel. Minimum height of hotel shall be two stories and twenty (20) feet. The maximum height of the hotel shall be three (3) stories and forty-five (45) feet.

2. Black Box Theater. Minimum height is two (2) stories and twenty (20) feet. Maximum height is three (3) stories and forty-five (45) feet.

3. Exceptions:

a. Podium or partially submerged parking levels may project beyond the sidewalk or average finished grade for an average of four (4) feet. On lots that slope, the tallest part of the podium level may not exceed five (5) feet.

b. Special Architectural Features, such as uninhabited towers (clock, bell, observation) or entry volumes may exceed the maximum height by no more than ten (10) feet, where proportionate and consistent with building design, if approved by the City. Towers or other volumes should not extend for more than twenty (20) feet in any direction.

c. Rooftop structures, such as elevator and mechanical equipment enclosures or roof deck trellises and gazebos, may exceed the height limit by ten (10) feet, provided that they are set back a minimum of ten (10) feet from all building walls and are screened on all sides by a parapet or sloping roof that is architecturally integrated within the building design.

C. Setbacks.

1. Hotel. No minimum front, rear or side setbacks. Maximum setback is twenty (20) feet along L Street and twenty-five (25) feet along Railroad Avenue. The hotel shall be setback from any historically significant buildings at Blacksmith Square by not less than fifty (50) feet.

2. Theater. No minimum front, rear or side setbacks.

D. Site Development

1. Block Pattern. No block pattern limitations shall be applicable to development in Sub-district 2.4.5.

2. Driveway Access. Driveway access and curb cut limitations shall not apply in Sub-district 2.4.5 and shall be determined in accordance with design review approval.

3. Open Space.

a. Hotel. Due to the proximity of Sub-district 2.4.5 to Stockmen's Park and the Central Park, provision of on-site open space is not required, but the hotel within Sub-district 2.4.5 shall pay in

lieu park fees as required by the City's General Plan and state law unless otherwise exempted.

- b. Black Box Theater. Due to the proximity of Sub-district 2.4.5 to Stockmen's Park and the Central Park, provision of on-site open space is not required, but development within Sub-district 2.4.5 shall pay in lieu park fees as required by the City's General Plan and state law unless otherwise exempted.

- E. Parking. Hotel parking may be located in a below grade parking structure.

#### **2.4.6. Multi-Family Residential Housing Special Condition Sub-district**

2.4.6.1. Goals and Objectives: Promote the development of multifamily housing that is of interest to those who are attracted to the Downtown's dynamic lifestyle.

2.4.6.2. The following uses are permitted in Special Condition Sub-district 2.4.6:

- A. Multifamily residential dwellings.
- B. Accessory uses and structures.
- C. Underground parking.
- D. Common areas, pedestrian paths, plazas, a rooftop garden and recreation facilities benefitting the housing.
- E. Trash and utility enclosures.

2.4.6.3. The following conditional uses may be permitted by the Planning Commission pursuant to a grant of a Conditional Use Permit:

- A. Other compatible uses deemed by the Planning Commission to meet the Goals and Objectives for this Special Condition Sub-district.
- B. Underground parking may be extended below ground into the areas below the Central Park Special Condition Sub-district and Veterans Way.
- C. Prior to commencement of construction of facilities to enable the uses set forth above for this Special Condition Sub-district, surface parking may be permitted by the Planning Commission as a principal land use pursuant to a conditional use permit in this Special Condition Sub-district, so long as each conditional use permit is expressly limited in duration to a maximum of two years and expressly confers no vested

right to continue surface parking as a principal land use beyond the term of the conditional use permit. No conditional use permit may be approved until the Planning Commission holds a duly noticed public hearing and makes the findings required by Development Code section 9.03.060B, and the following additional findings: (i) the proposed surface parking use does not conflict with any agreement to which the City is a party with respect to the subject site and (ii) the proposed surface parking use does not conflict with any development permit issued by the City with respect to the subject site.

2.4.6.4. Development Standards for Special Condition Sub-district 2.4.6.

Notwithstanding any other provision of this Chapter or the Downtown Specific Plan, the following development standards shall be applicable to land uses within Sub-district 2.4.6:

- A. Development Intensity. The maximum residential density permitted within Sub-district 2.4.6 is one hundred fifty (150) dwelling units per acre.
- B. Height. Minimum height of two (2) stories and twenty (20) feet. Maximum height of three (3) stories and forty-five (45) feet
  - 1. Exceptions:
    - a. Special Architectural Features, such as uninhabited towers (clock, bell, observation) or entry volumes may exceed the maximum height by no more than ten (10) feet, where proportionate and consistent with building design, if approved by the City. Towers or other volumes should not extend for more than twenty (20) feet in any direction.
    - b. Roof top structures, such as elevator and mechanical equipment enclosures or roof deck trellises and gazebos, may exceed the height limit by ten (10) feet, provided that they are set back a minimum of ten (10) feet from all building walls and are screened on all sides by a parapet or sloping roof that is architecturally integrated within the building design.
- C. Setbacks. No minimum setback. Maximum setback is twenty (20) feet.
- D. Site Development: Block Pattern. Block Pattern requirements in this Chapter do not apply to development in this Sub-district.
- E. Open Space. Due to the proximity of Sub-district 2.4.6 to the Central Park, the residential units are exempt from the obligations to provide on-site public open space, provided, the developer of such units shall

pay park in lieu fees to the extent required by the City's general plan and state law.

**2.4.7. L Street Garage, Surface Parking and Veterans Way Special Condition Sub-district**

2.4.7.1. Goals and Objectives: Promote the development of a structured parking garage at the southeast corner of L Street and Veterans Way consisting of a maximum two hundred eighty-four (284) parking spaces for the purpose of serving the Downtown Core. Use the property within Special Condition Sub-district 2.4.7a if the City acquires all or a portion of that property, to help achieve the goals and objectives articulated herein. Underground parking levels and parking spaces may be added to the foregoing structured garage as determined by City Council. Create access to the L Street Garage, surface parking, parking in Special Condition Sub-district 2.4.6 and other nearby uses. At the location specified in the Central Park Plan, create a street called "Veterans Way" connecting South Livermore Avenue and L Street. Create appropriate surface parking of a maximum of ten (10) spaces on Veterans Way for the purpose of serving the Downtown Core. Create publically available surface parking of a maximum of seventy (70) spaces for the purpose of serving the Downtown Core.

2.4.7.2. The following uses are permitted in Special Condition Sub-district 2.4.7:

- A. Publicly accessible parking facilities including:
  - 1. Multi-level parking facility at the corner of L Street and Veterans Way that can include podium or underground parking and that permits rental of spaces for parking from facilities in Subarea 4;
  - 2. Surface parking on Veterans Way; and,
  - 3. Surface parking to the south of the Multi-Family Residential Housing Special Condition Sub-district.
- B. ATMs.
- C. Accessory uses and structures, including access ways and waste and utility enclosures.
- D. Roadway – "Veterans Way", at the location specified in Chapter 7 of the Downtown Specific Plan.

2.4.7.3. The following conditional uses may be permitted by the Planning Commission pursuant to a grant of a Conditional Use Permit:

- A. Other compatible uses deemed by the Planning Commission to meet the Goals and Objectives for this Special Condition Sub-district.
- B. Prior to commencement of construction of facilities to enable the uses set forth above for this Special Condition Sub-district, surface parking may be permitted by the Planning Commission as a principal land use pursuant to a conditional use permit in this Special Condition Sub-district, so long as each conditional use permit is expressly limited in duration to a maximum of two years and expressly confers no vested right to continue surface parking as a principal land use beyond the term of the conditional use permit. No conditional use permit may be approved until the Planning Commission holds a duly noticed public hearing and makes the findings required by Development Code section 9.03.060B, and the following additional findings: (i) the proposed surface parking use does not conflict with any agreement to which the City is a party with respect to the subject site and (ii) the proposed surface parking use does not conflict with any development permit issued by the City with respect to the subject site.

2.4.7.4. Development Standards for Special Condition Sub-district 2.4.7

Notwithstanding any other provision of this Chapter or the Downtown Specific Plan the following development standards shall be applicable to land uses within Sub-district 2.4.7:

- A. Height. Minimum height of two (2) stories and twenty (20) feet. Maximum height of three (3) stories and forty-five (45) feet with rooftop parking.
  - 1. Exceptions:
    - a. Rooftop structures, such as elevator and mechanical equipment enclosures or roof deck trellises and gazebos, may exceed the height limit by ten (10) feet, provided that they are set back a minimum of ten (10) feet from all building walls and are screened on all sides by a parapet or sloping roof that is architecturally integrated within the building design.
- B. Setback. No minimum setbacks
- C. Block Pattern. Development in Sub-district 2.4.7 shall be exempt from the block pattern requirements of this Specific Plan.

- D. Driveway Access/Curb cuts. Development in Sub-district 2.4.7 shall be exempt from the mandatory general driveway access and curb cut provisions of this Chapter 5, and shall be determined during design review approval.
- E. Historic Resources. The demolition or modification of any lawfully recognized historic resources and landmarks shall comply in all respects with state law and the Livermore Municipal Code.
- F. Veterans Way. Notwithstanding any prior action or alignment, an east-west street called "Veterans Way" connecting South Livermore Avenue and L Street shall be located as set forth in Chapter 7 of the Downtown Specific Plan, consistent with the Central Park Plan.

**2.4.7a L Street Garage, Surface Parking and Veterans Way Annex Special Condition Sub-district**

2.4.7a.1. Goals and Objectives: Allow retail, service, restaurant and other lawfully established uses to continue in this Special Condition Sub-district until the City elects to acquire all or a portion of the land in this Special Condition Sub-District. Permit the City to acquire the land in Special Condition Sub-District 2.4.7a to promote the Goals and Objectives for Special Condition Sub-District 2.4.7 as set forth in section 2.4.7.1.

2.4.7a.2. The following uses are permitted in Special Condition Sub-district 2.4.7a:

- A. Unless and until any parcel in Special Condition Sub-district 2.4.7a is acquired by the City, those uses described in Section 2.1.1 and Section 2.1.2, which may be changed by the City Council without a vote of the people.
- B. If any parcel in Special Condition Sub-district 2.4.7a is acquired by the City, those uses described in Section 2.4.7.1.

2.4.7a.3. The following conditional uses may be permitted by the Planning Commission pursuant to a grant of a Conditional Use Permit:

- A. Unless and until any parcel in Special Condition Sub-district 2.4.7a is acquired by the City, those conditional uses described in Section 2.1.3, which may be changed by the City Council without a vote of the people.

- B. If any parcel in Special Condition Sub-district 2.4.7a is acquired by the City, those conditional uses described in Section 2.4.7.3.
- C. Subsurface parking may be permitted by the Planning Commission if necessary to extend any subterranean parking structure from any special condition sub-district.

2.4.7a.4. Development Standards for Special Condition Sub-district 2.4.7a

- A. Unless and until any parcel in Special Condition Sub-district 2.4.7a is acquired by the City, the development standards in effect immediately before the effective date of the Central Park Plan shall apply.
- B. If any parcel in Special Condition Sub-district 2.4.7a is acquired by the City, the development standards set forth in Section 2.4.7.4 shall apply.

**2.4.8. Center for Science, Culture & Education Special Condition Sub-district**

2.4.8.1. Goals and Objectives: Promote the development of a Center for Science, Culture & Education in the Downtown Core Plan Area to inspire an interest in science, arts and education. Provide the City Council with flexibility to locate the Black Box Theater in this Special Condition Sub-district in the either same structure as the Center for Science, Culture & Education or in a separate structure. Provide the City Council with flexibility to permit stand-alone retail, restaurant and office uses in the event that neither the Center for Science, Culture & Education nor the Black Box Theater are under construction by 2025. The total maximum buildable square footage shall be thirty thousand (30,000) square feet.

2.4.8.2. The following uses are permitted in Special Condition Sub-district 2.4.8:

- A. Cultural facilities for a science center, art gallery, museum, science center or other art, cultural or education uses, with compatible uses that include, for example, rotating displays featuring science, art or history, lectures or classes, meetings or performances, social service programs or visual or culinary arts programs, with a rooftop garden.
- B. Ancillary uses, such as restaurant, tasting rooms, office and retail.
- C. Accessory uses and structures, including trash and utility enclosures.

### 2.4.8.3. Conditional Uses

#### A. The following conditional uses may be permitted by the Planning Commission pursuant to a grant of a Conditional Use Permit:

1. Other compatible uses deemed by the Planning Commission to meet the Goals and Objectives for this Special Condition Sub-district.
2. Subsurface parking may be permitted by the Planning Commission if necessary to extend any subterranean parking structure from any special condition sub-district.
3. Prior to commencement of construction of facilities to enable the uses set forth above for this Special Condition Sub-district, surface parking may be permitted by the Planning Commission as a principal land use pursuant to a conditional use permit in this Special Condition Sub-district, so long as each conditional use permit is expressly limited in duration to a maximum of two years and expressly confers no vested right to continue surface parking as a principal land use beyond the term of the conditional use permit. No conditional use permit may be approved until the Planning Commission holds a duly noticed public hearing and makes the findings required by Development Code section 9.03.060B, and the following additional findings: (i) the proposed surface parking use does not conflict with any agreement to which the City is a party with respect to the subject site and (ii) the proposed surface parking use does not conflict with any development permit issued by the City with respect to the subject site.

#### B. The following conditional uses may be permitted by the City Council pursuant to a grant of a Conditional Use Permit.

1. Notwithstanding section 2.4.8.2, the City Council may permit the Black Box Theater to be built in Special Condition Sub-district 2.4.8, subject to the development standards set forth in section 2.4.8.4.
2. Notwithstanding section 2.4.8.2, in the event construction of the Center for Science, Culture & Education or the Black Box Theater has not commenced by 2025, the City Council may permit, subject to the development standards set forth in section 2.4.8.4:
  - a. Retail Sales, Restaurant and Services, including Specialty Food Retail, Specialty Goods Retail, Quality Goods Retail, and Eating and Drinking Establishments, on the ground floor and upper



floors if internally connected to and operated in conjunction with the ground-floor use.

b. Office uses, on the upper floor(s) only.

3. In the exercise of the authority delegated to it pursuant to this section, the City Council shall hold a duly noticed public hearing. It shall make the findings required by Development Code section 9.03.060B. It shall also make additional findings to demonstrate that its action: (1) achieves the policy goals, purpose and intent of articulated in the Central Park Plan; (2) complies with the legal requirements of the Central Park Plan; (3) is not arbitrary or capricious; and (4) complies with other State, municipal and local laws.

2.4.8.4. Development Standards for Special Condition Sub-district 2.4.8  
Notwithstanding any other provision of this Chapter or the Downtown Specific Plan, the following development standards shall be applicable to land uses within Sub-district 2.4.8:

A. Height. Minimum height of two (2) stories and twenty (20) feet.  
Maximum height of three (3) stories and forty-five (45) feet

1. Exceptions:

- a. Special Architectural Features, such as uninhabited towers (clock, bell, observation) or entry volumes may exceed the maximum height by no more than ten (10) feet, where proportionate and consistent with building design, if approved by the City. Towers or other volumes should not extend for more than twenty (20) feet in any direction.
- b. Rooftop structures, such as elevator and mechanical equipment enclosures or roof deck trellises and gazebos, may exceed the height limit by ten (10) feet, provided that they are set back a minimum of ten (10) feet from all building walls and are screened on all sides by a parapet or sloping roof that is architecturally integrated within the building design.

B. Setbacks. No minimum setback requirements.

C. Site Development

1. Block Pattern. Development in Sub-district 2.4.8 shall be exempt from the block pattern requirements in this Chapter.
2. Driveway Access. Development in Sub-district 2.4.8 shall be exempt from the driveway access requirements of this Chapter.
3. Open Space. Due to the proximity of Sub-district 2.4.8 to the central downtown park, provision of on-site open space is not

required, but development within Sub-district 2.4.8 shall pay in lieu park fees as required by the City's General Plan and state law unless otherwise exempted.

D. Development Intensity. Maximum development intensity for Sub-district 2.4.8 is thirty thousand (30,000) square feet.

### **3. Development Intensity**

In order to ensure that Downtown is the most urban, densely developed part of the City, development shall be allowed to the highest intensities.

#### **3.1. Residential Density.**

- A. Minimum density of 30 dwelling units per acre and a maximum density of 55 units per acre. Density shall be calculated on a project-wide basis.  
Notwithstanding any provision of this section, the maximum residential density in Special Condition Sub-district 2.4.6 shall be one hundred fifty (150) units per acre.
- B. Mixed-use developments shall have no minimum density required for residential uses located above the first floor where non-residential uses are located on the ground floor.
- C. Where unique site constraints prevent this density, and in locations where the Planning Commission finds that providing residential at a higher density would be incompatible with the scale and character of existing historic buildings or residential uses, residential development may occur at a minimum density of 15 dwelling units per acre, subject to the granting of a Conditional Use Permit.

### **4. Height**

Height requirements are intended to ensure that the heights of new buildings are compatible with the character of the Plan Area.

- 4.1 Height**, as measured from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge of gable, hip, or gambrel roofs.
  - A. Buildings must maintain a minimum height of two (2) floors and twenty (20) feet. Buildings may not exceed a total maximum height of three (3) floors and forty-five (45) feet; and at adjoining property lines, may not be more than twice the height of the closest building on the adjoining

property. However, portions of the building façade may exceed twice the height of adjoining buildings if they are set back from the adjoining property line a minimum of twenty (20) feet. The applicant may reduce or eliminate this additional setback requirement through a Major Conditional Use Permit.

B. Accessory buildings, including non-dwelling units such as freestanding garages for individual residential units, service structures and tool sheds, may be a maximum of fifteen (15) feet.

C. Exceptions:

1. Podium or partially submerged parking levels may project beyond the sidewalk or average finished grade for an average of four (4) feet. On lots that slope, the tallest part of the podium level may not exceed five (5) feet. Podium and partially submerged parking levels shall not count as a floor.
2. Special Architectural Features, such as uninhabited towers (clock, bell, observation) or entry volumes may exceed the maximum height by no more than ten (10) feet, where proportionate and consistent with building design, if approved by the City. Towers or other volumes should not extend for more than twenty (20) feet in any horizontal direction.
3. Rooftop Structures, such as elevator and mechanical equipment enclosures or roof deck trellises and gazebos, may exceed the height limit by ten (10) feet, provided they are set back a minimum of ten (10) feet from building walls and are screened on all sides by a parapet or sloping roof that is architecturally integrated within the building design. An exception to this setback policy exists for the northwest corner of the Eastside Garage in Special Condition Sub-district 2.4.4 where an articulation of the building mass up to ten (10) feet in height will be allowed with no setback. An elevator in this corner would not be subject to any setback requirements.
4. Projects proposing height exceptions taller than three (3) floors/forty-five (45) feet are subject to Planning Commission and City Council review in addition to the normally required review process as established in Chapter 10 "Implementation", under Design and Site Plan Review.
5. The following projects/sites may exceed the maximum height established in 4.1.A above up to the maximum heights indicated subject to Planning Commission and City Council review in addition to the normally required review process as established in Chapter 10 "Implementation", under Design and Site Plan Review:

- a) Local Performing Arts Theater proposed generally south of Railroad Avenue and east of South Livermore Avenue in the Livermore Valley Center (LVC) – may have a maximum height up to seventy-five (75) feet.
- b) Two proposed LVC Retail/Office/Restaurant Developments (Retail East and Retail West) proposed along the north side of First Street east of South Livermore and west of Railroad Avenue/Maple Street – may have a maximum height up to three (3) floors/fifty (50) feet.
- c) SBC Building on the northwest corner of McLeod and Second Streets (2388 Second Street) – may have a maximum height up to seventy-five (75) feet.
- ~~d) Downtown Specific Plan Catalyst Project Site (former Lucky's site) located south of Railroad Avenue between L Street and South Livermore Avenue – may have a maximum height up to four (4) floors/fifty-five (55) feet, provided the fourth floor does not extend for more than 60% of the site frontage along L Street, Railroad Avenue and South Livermore Avenue.~~
- ed) LVC Cinema Complex proposed for the northwest corner of First Street and Railroad Avenue/Maple Street – architectural features of the proposed project may have a maximum height up to fifty (50) feet.
- fe) Groth catalyst site located at the northwest corner of First Street and South L Street – may have a maximum height up to four (4) floors/fifty-five (55) feet, provided the fourth floor does not extend for more than 60 percent of the site frontage along L Street, M Street and Railroad Avenue, and adjacent to First Street the maximum height shall be limited to three (3) floors/forty-five (45) feet. In addition, special Architectural Features, such as uninhabited towers (clock, bell, and observation) or entry volumes may exceed the maximum height by no more than ten (10) feet if approved by the City. Towers or other volumes shall not extend for more than twenty (20) feet in any horizontal direction.

## 5. Setbacks

In order to bring storefront activity and window displays up to the public right-of-way, the majority of all building frontages (except residential) are required to be built to the property line.

### 5.1. Street Frontage Setbacks (excluding alleys)

A. For all uses except residential, a minimum of seventy (70) percent of the

building frontage must be built to the property line. A maximum of thirty (30) percent of the building frontage may be recessed to provide for entryways, street-facing courtyards, and similar features.

- B. For residential uses, there is no minimum setback (i.e. uses may be built to the property line); maximum setback is twenty (20) feet.
- C. At corner parcels, setback/built-to requirements apply to both street frontages.
- D. Special Condition: Building Overhangs - Trellises, canopies and awnings may extend horizontally into the public right-of-way, up to six (6) feet. These overhangs must provide a minimum of eight feet (8') clear height above sidewalk grade.
- E. Exemptions: Performing Arts and Civic and Cultural facilities are exempt from the street frontage setback requirements.

## **5.2 Side Setbacks**

- A. For all uses, minimum side setback is zero, and maximum setback is ten (10) feet (except for driveways and pedestrian pathways).
- B. Exemptions: Performing Arts, and Civic and Cultural Facilities are exempt from the side setback requirements.

## **5.3 Rear setback**

- A. There are no rear setback requirements in the Downtown Core District

## **5.4 Setbacks for Parking Lots and Structures**

- A. At grade parking lots shall be set back a minimum of five (5) feet from all property lines, and landscaped as described in Landscaping & Screening, below.
- B. Freestanding parking structures may be built to the property line.

## **5.5 Setbacks from Railroad Tracks**

- A. For habitable buildings located within 100-feet from the centerline of railroad tracks, developments shall provide a study demonstrating that groundbourne vibration issues associated with rail operations have been adequately addressed (i.e. by building siting or by construction technique).

# **6. Site Development**

All new development must relate to the existing City structure of streets and blocks. New streets shall conform to the direction and orientation of existing streets.

## **6.1 Block Pattern**

Unless specifically set forth in a special condition sub-district:

- A. New streets shall conform to a pattern of generally rectilinear blocks, with new streets and access drives linking orthogonally to surrounding City streets.
- B. For sites having more than 200 feet of street frontage, all new development shall match the typical block increment of three hundred (300) feet in length by two hundred (200) feet in depth, and shall not exceed a block size of four hundred (400) feet in length by three hundred (300) feet in depth, where feasible. Where achievement of this block size is not feasible, blocks should be subdivided with alley streets or pedestrian pathways.

## **6.2. Driveway Access**

- A. Driveway access must be from alleys, rear parking areas and streets other than First Street. Curb cuts are not allowed on First Street between M Street and Maple Avenue.
- B. The maximum number of curb cuts associated with a single building is one (1) two-way curb cut or two (2) one-way curb cuts. Otherwise, the maximum number of curb cuts is one (1) two-way curb cut or two (2) one-way curb cuts per one hundred fifty (150) feet of street frontage. Curb cut maximums and driveway width maximum do not apply to development throughout Sub-area 4.
- C. The minimum width of driveways/curb cuts is ten (10) feet; the maximum width of driveways/curb cuts is twelve (12) feet for one-way and twenty-four (24) feet for two-way driveways. Curb cut maximums and driveway width maximum do not apply to development throughout Sub-area 4.
- D. Driveway setbacks must be a minimum of five (5) feet from adjoining properties, and a minimum of three (3) feet from adjacent buildings.
- E. Service access must be from alleys and rear parking areas wherever possible. Where only curbside service is possible, such service must be located along streets other than First Street.
- F. Adequate access for garbage, recycling, food waste collection vehicles, and emergency vehicles must be provided.

## **6.3. Open Space**

Commercial and office developments are required to provide publicly accessible open space in the form of parks, greens, squares, plazas or widened sidewalks for public use. Residential uses are required to provide publicly accessible common outdoor space for the development, as well as private open space (e.g. balconies or patios accessible only to the

dwelling/dwellings served) for all residential units.

- A. Commercial and Office Development: Developments of greater than 50,000 square feet shall provide a minimum of one hundred (100) square feet of usable publicly accessible open space for every 2,000 square feet of ground floor commercial space constructed, and a minimum of one hundred (100) square feet of usable open space for every 1,000 square feet of office space constructed. Open space may be constructed on-site, or off-site if located within the Downtown Core Plan Area, or through payment of an in-lieu fee.
  - 1. Special Condition: Ground-floor retail establishments located on First Street shall be exempt from this open space requirement.
- B. Residential and Mixed Use Developments: Outdoor space shall be provided at a minimum of one hundred fifty (150) square feet of publicly accessible open space and sixty (60) square feet of private open space per residential unit. Private open space shall be provided on-site. Publicly accessible open space shall be provided as described below:
  - 1. Residential Project Site 0.5 Acre or Less: Shall provide required open space on-site, off-site, through payment of an in-lieu fee, or any combination of the above.
  - 2. Residential Project Site Greater Than 0.5 Acre: Shall provide 10 percent of required public open space on-site for every 4,500 square feet of site area (or portion thereof) over 0.5 acre. Remaining required public open space shall be provided on-site, off site, through the payment of an in-lieu fee, or any combination of the above. All of the public open space for Subarea 2.4.6 may be located off site through the payment of an in-lieu fee, if applicable.
  - 3. Mixed-Use Project Site 1 Acre or Less: Shall provide required public open space on-site, off-site, through the payment of an in-lieu fee, or any combination of the above.
  - 4. Mixed-Use Project Site Greater Than 1 Acre: Shall provide 10 percent of required public open space on-site for every 4,500 square feet of site area (or portion thereof) over 1 acre. Remaining required public open space shall be provided on-site, off-site, through the payment of an in-lieu fee, or any combination of the above.
  - 5. Projects at densities higher than 40 du/acre may construct required publicly accessible open space through the payment of an in-lieu fee or off-site, if located within 500 feet of the project.
- C. For Mixed-Use Developments, commercial/office and residential open space requirements shall be calculated separately (based on the

requirements of sections 6.3.A and 6.3.B above) and then added together to reach the total square footage of public open space required.

- D. Iron Horse Trail: All new developments located on parcels backing onto the Southern Union Pacific right-of-way shall be required to provide a 20-foot dedication south of the existing right-of-way, to be reserved for the Iron Horse Multi-Use Trail. Developments shall be required to provide improvements to the trail. This dedication may count as park dedication credits (if approved by LARPD), or towards the provision of public open space, but not both.
- E. For all open spaces, usable open space is defined as an area that is not encumbered with any substantial structure, and is not devoted to use as a street, parking area, sidewalk or waste disposal field. Open space provision shall not include required setback areas. (Please refer to the Design Standards and Guidelines for Site Improvements, Furnishings, Landscape and Lighting for design of open space).
  - 1. Minimum dimension for usable publicly accessible open space in any single direction is twelve (12) feet.
  - 2. For private open space within multi-family structures, open space may be provided through porches, balconies, decks, yard, terraces, and patios. Minimum dimension for private open space in any single direction is six (6) feet if provided as part of a porch or balcony; and eight (8) feet if provided as a deck, yard, terrace or patio.
  - 3. Unless otherwise noted, any open space provided off-site shall be located within the same plan area as the project site (Downtown Core, Downtown Boulevard Gateway, etc.) or within 500 feet of the project site.
  - 4. Any open space provided off-site must be a minimum of 1,000 square feet in size.
  - 5. For projects opting to pay an in-lieu fee to meet all or a portion of their open space requirements, the fees shall be subject to the provisions of the Downtown Specific Plan Open Space Program.
- F. All public open spaces provided as part of the minimum requirement shall be publicly accessible during daylight hours, and shall be designed to connect with public rights-of-way and adjacent public open spaces in the vicinity.
- G. For any public open space provided on- or off-site, the site plan layout shall provide appropriate paths, landscaping, and other amenities (i.e. benches, tables, fountains, shade structures, etc.) for the recreation and enjoyment of on-site users and the public.
- H. For all developments, the developer shall prepare binding agreements



(“CC&R’s”) addressing issues of common interest in terms of maintenance of public accessibility to open space, tree planter areas, planting strips, and walks.

#### **6.4. Landscaping & Screening**

- A. At Service and Parking Areas, where commercial development is sited adjacent to residential buildings, attractive screen fencing or walls must be provided along the property line(s). A five (5) foot planting area must be established adjacent to the screening fence or wall with trees at a maximum spacing of twenty (20) feet on center.
- B. Utility, Trash, Recycling, Food Waste and Service Equipment, including satellite receiving dishes, must be located away from streets and enclosed or screened by landscaping, fencing or other architectural means. Rooftop equipment must be screened on all sides and must be integrated architecturally in the building design. Trash facilities and recycling containers must always be within structural enclosures.

#### **6.5. Utility Easement**

- A. All public utility easements must be provided under or immediately adjacent to new public rights-of-way or within other public easement areas acceptable to the City Engineer.

### **7. Noise**

#### **7.1. Exterior Noise Levels**

- A. For those permitted land uses in the Downtown generating noise, Exterior Noise Levels may not exceed a maximum exterior decibel rating of 75 dBA from 7:00a.m. to 12:00a.m.
- B. For those permitted land uses in the Downtown generating noise, Exterior Noise Levels may not exceed a maximum exterior decibel rating of 65 dBA from 12:00a.m. to 7:00 a.m.
- C. Exception: Emergency equipment and emergency generators used for public uses and public utilities may exceed this requirement during testing and emergency operation.

#### **7.2 Interior Noise Levels**

- A. All Residential – All residential building spaces must be improved or constructed in such a manner that noise levels do not exceed a maximum decibel rating of 45 dBA with windows closed, assuming 85 dBA on the first floor and an exterior noise level of 75 dBA. If noise analysis assumes closed windows 100% of the time, a fresh air ventilation system must be

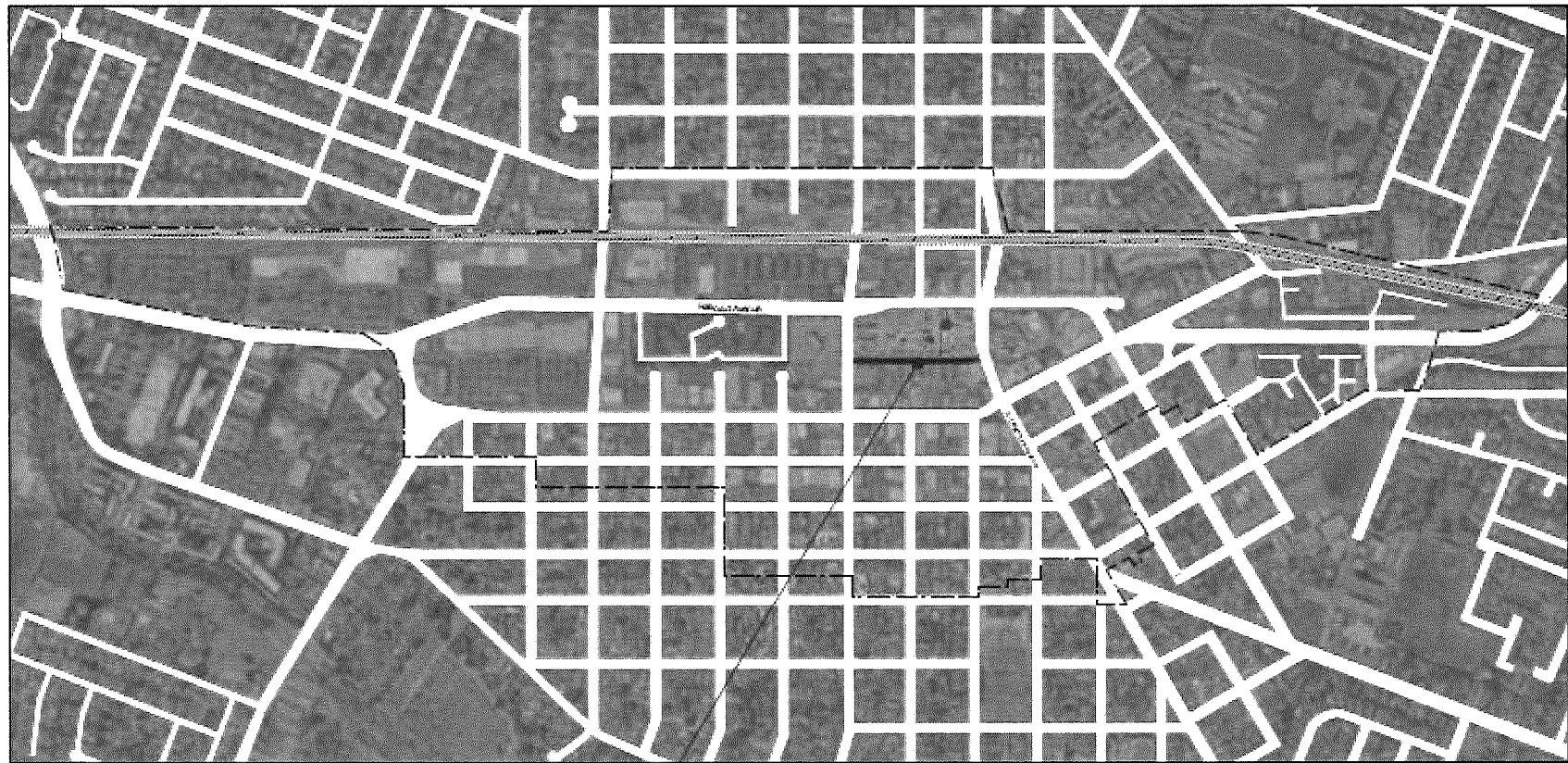
utilized.

## **8. Historic Structures**

- 8.1.** To allow use conversions of existing historic structures that will promote rehabilitation (including relocation) and redevelopment, certain development standards (as described in chapter 5) may be modified for projects involving National Historic Resources (rated 1-3) or Historic Resources (rated 4). Any modification to the development standards to allow or encourage such conversion is subject to a Conditional Use Permit and must demonstrate to the Historic Preservation Commission and the final reviewing body that the proposed modification to Standard(s):
- A. Is consistent with the 2003 General Plan and Downtown Specific Plan goals, policies and objectives;
  - B. Will advance the City's historic preservation objectives; and
  - C. Will not detrimentally affect the historic character and integrity of the structure.

(p) Figures 7-3 and 7-4 in Chapter 7 of the City of Livermore Downtown Specific Plan, which are attached as Exhibit D and incorporated herein, are hereby deleted in their entirety.

(q) Figures 7-3A, 7-4A and 7-4B set forth herein are added and incorporated hereby, and shall appear as pages 7 and 8 of Chapter 7 of the City of Livermore Downtown Specific Plan as follows:



Veterans Way

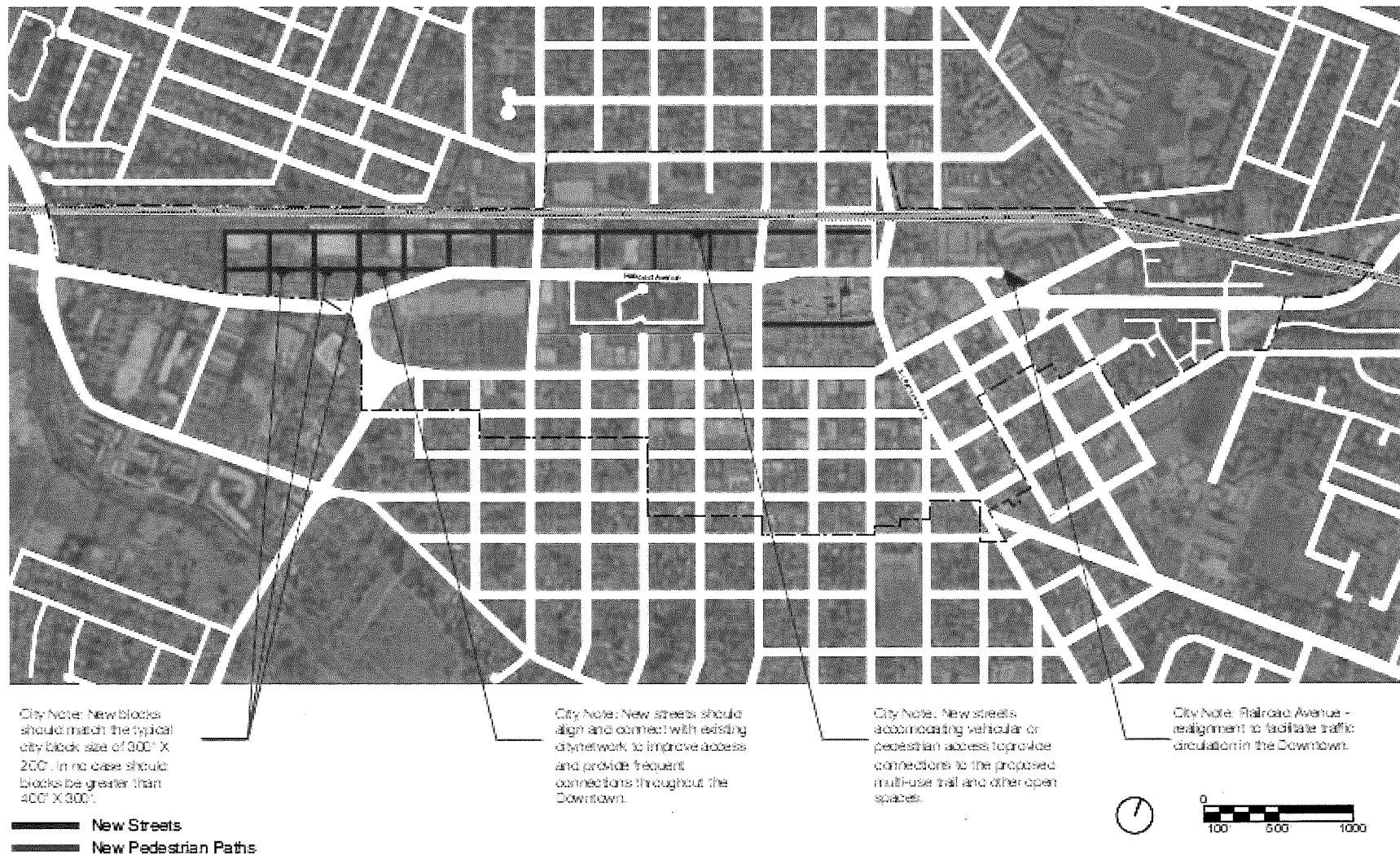


— New Streets      - - - New Pedestrian Paths

**FIGURE 7-3A: MINIMUM NEW STREET NETWORK**

## Livermore Downtown Specific Plan

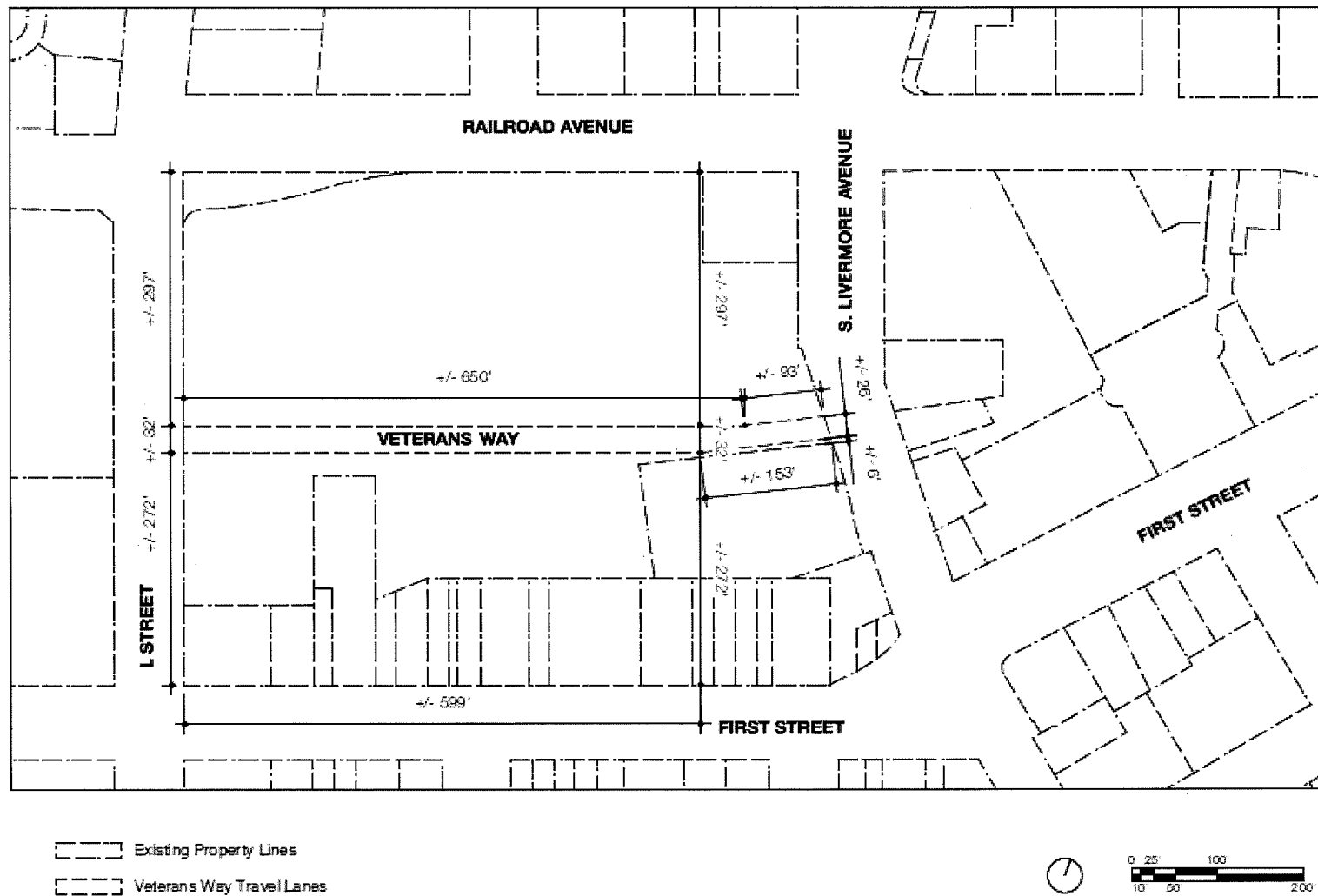
Added by the Central Park Plan



**FIGURE 7-4A: PROPOSED TYPICAL STREET NETWORK**

## Livermore Downtown Specific Plan

Added by the Central Park Plan



**FIGURE 7-4B: LOCATION OF VETERANS WAY TRAVEL LANES**

## Livermore Downtown Specific Plan

Added by the Central Park Plan

(r) Pages 5 and 6 of Chapter 7 of the City of Livermore Downtown Specific Plan are hereby amended as follows:

### **Proposed Street Network**

In order to create an improved street network throughout the Specific Plan area, the following transportation improvements to the street network are proposed, and shown on Figure 7-3A, Minimum Street Network, on page 7:

- New Streets in the Lucky's Megablock Veterans Way in the Central Park Plan Area -- To create better connections to the Downtown Core and promote development of the Central Park Plan, redevelopment of the former Lucky's site at First Street, L Street, Railroad Avenue and Livermore Avenue will be required to provide new north-south and a new east-west connections through this site, Veterans Way will be established in the Central Park Plan Area at the location shown on Figure 7-4B. This will include the extension of K Street into the site from the north, and a This new east-west street bisecting the site will provide access to Stockmen's Park, the Central Park, multifamily housing, cultural facilities and adjacent parking. Notwithstanding any prior action or alignment, the alignment and right-of-way of Veterans Way shall be as shown in Figure 5-1B and in Figure 7-4B, which details the precise location of the travel way on Veterans Way. Any prior resolution, ordinance or other action approving or implementing a different alignment and location of the Veterans Way right-of-way is superseded by the Central Park Plan.
- I Street Connection through the LVC Block -- A new pedestrian or vehicular connection aligning with I Street should be provided through the site bounded by First Street, Livermore Avenue, Railroad Avenue and Maple Street (proposed for the Livermore Valley Center). This new connection will link new development on this site and throughout the Core to parking and transit connections along Railroad Avenue at I Street.
- Realigned Connection along Second Street at Livermore Avenue.

Additionally, most new development will be required to provide streets that align with and connect to existing streets, to contribute to the fine-grained street network envisioned for Downtown. Developments will be required to match the typical block size of three hundred feet in width by two-hundred feet in depth, or no larger than four hundred-feet in width by three-hundred feet in depth, where

feasible, or unless the land use goals and objectives of the Central Park Plan Area support larger block sizes. Recommendations for new streets to serve this new development are shown on Figure 7-4A, Proposed Street Network, on page 8.

(s) Table 7-1 on page 24 of Chapter 7 of the City of Livermore Downtown Specific Plan is amended as follows:

**Table 7-1  
Improvements to Existing Streets**

Street	Travel Lanes	Right-of-Way	Travel Way						Median/Turn Lane
			Shoulder	Parking	Bike Lane	Lane 1	Lane 2	Total	
Railroad Avenue (Maple to Stanley)****	4	104' (not Existing)	none	8' (adjacent to Residential)	none	14'	12'	34' median curb To curb	16'
Chestnut Avenue (Junction to P Street)	2	76'	none	8' parallel	5' striped	10'	10'	56' f/c to f/c	10'
Third Street (East of M Street)	2	80' existing	none	8' parallel	6' striped	14'	N/A	56' f/c to f/c	N/A
Second Street (East of L Street)	2	80' existing		14' diagonal		14'	N/A	56' f/c to f/c	N/A
Fourth Street	4	80'	none	8' parallel	none	10'	10'	56' f/c to f/c	possible *
Livermore Avenue (at Railroad Avenue)	4	TBD	TBD	not at intersection	TBD	14'	12'	36' median curb To curb	16'
Livermore Avenue (at First Street)	2	44'	none	not at intersection	none	12'	N/A	34' f/c to f/c	10'
Downtown Midblock Internal Streets ** ***	2	34' w/o Parking	none	8' as necessary each side	none	12'	N/A	24' f/c to f/c	N/A
Extensions of Letter Streets (North to South)	2	60'	none	8'	none	12'	N/A	40' f/c to f/c	N/A

\* A median may be required in the future – parking may need to be eliminated at certain intersections

\*\* Building setbacks can be less along these internal streets – possibly even zero (0) feet

\*\*\* See Standard Detail for more specifics

\*\*\*\* Notwithstanding this Table 7-1, any roadway improvements to the segment of Railroad Avenue between Maple and South Livermore shall not encroach more than five (5) feet into the north or west boundary of Special Condition Subdistrict 2.4.4.

(t) Page 25 of Chapter 7 of the City of Livermore Downtown Specific Plan is hereby amended as follows:

- Railroad Avenue -- Railroad Avenue will become a critical route in Downtown and will be expected to experience increased traffic flow as a result of growth and changes to First Street. Railroad Avenue is therefore recommended to be

improved to provide two (2) through lanes in each direction from First Street westward to where there are currently four (4) through lanes. This will require intersection and mid-block modifications including restriping, removal of raised median islands, parking prohibitions and traffic signal modifications. Concept designs are included in the appendix to this report, would show the locations of these modifications to achieve the four (4) through-lane configuration. As we development occurs along Railroad Avenue, move the curb to provide on-street parallel parking and four (4) through lanes. Consistent with the intent of the Central Park Plan, any roadway improvements to the segment of Railroad Avenue between Maple and South Livermore shall not encroach more than five (5) feet into the north or west boundary of Special Condition Sub-district 2.4.4.

(u) Pages 1 through 3 of Chapter 8 of the City of Livermore Downtown Specific Plan are hereby amended as follows.

## **8. Parking**

This chapter addresses parking conditions and needs in the Downtown. As Downtown revitalizes, demand for parking will increase. The recommendations described in this chapter are intended to ensure that parking is available and easily accessible in order to support the improved and continued success of Downtown businesses. The chapter contains an overall strategy for providing access to public uses (including retail, dining, and cultural spaces) in the Downtown, and lists specific requirements for private development and uses.

The 2006 Parking Study was updated for the downtown area of the City of Livermore as part of the 2009 Downtown Specific Plan Update. This update was used to evaluate existing (2008) parking conditions, and future parking conditions with changes in land use, including the addition of a 2000 seat Performing Arts Theater at the Livermore Village site and updated downtown "build-out" conditions. The study area is bound by Chestnut Street to the north, Fourth Street/East Avenue to the south, P Street to the west and School Street to the east. Three peak parking times were evaluated: Friday 1 to 2 PM, Friday 8 to 9 PM and Saturday 8 to 9 PM.

~~In January 2018, the City Council approved a plan for redeveloping the Downtown Core site (the former Lucky's Site). The adopted plan removed the 2000-seat Performing Arts Theater and added a public park (Stockmen's Park), construction of additional commercial retail buildings adjacent to Blacksmith Square, a black box theater, a science and society center, multifamily workforce housing, a public parking garage, and new surface parking. The parking structure will occupy the southwest corner of the~~



~~development site. The structure will provide approximately 450 to 500 parking spaces. Additional surface parking will be constructed east of the garage, along a new east-west road that traverses the site, adjacent to the future cultural uses, and potentially north of Downtown Core site on land accessed from South K Street south of the railroad tracks.~~

## **Parking Characteristics**

As of 2008, there were approximately 4,427 parking spaces (1,705 on-street spaces and 2,722 off-street spaces) within the designated study area. The off street parking spaces included both public and private parking spaces and excluded parking lots from churches, private schools, the Post Office, AT&T and designated residential spaces because these parking spaces are less likely to be available for other uses in Downtown.

Of the 2,722 off-street parking spaces, 1,006 are available for public use. These spaces consist of 550 spaces in the Livermore Valley Center Garage, 352 spaces at the Livermore Village Site and another 104 spaces in three surface parking lots. The remaining 1,716 spaces are privately-owned, which links that supply to the local businesses that provide that parking.

For each peak parking time evaluated, the available parking supply was more than enough to meet the observed parking demand. For Friday 1 to 2 PM, 48% of the total supply was occupied. For Friday and Saturday 8 to 9 PM, 45% and 44% of the total supply was occupied, respectively. Although, overall there is enough supply to meet the demand, there are blocks that experience significantly more parking congestion than other blocks. These areas are primarily along the First Street Corridor from Maple Street to L Street, which includes major parking generators such as restaurants, Livermore Cinema, and the Bankhead Theater. However, there are available parking spaces within a one block walking distance from any destination.

## **Downtown Buildout**

This section represents the anticipated parking characteristics after buildout of the Downtown Specific Plan. Except as modified by the Central Park Plan, in the Downtown Specific Plan Area, the maximum development potential is as follows: Commercial- 1,000,000 square feet; Office- 356,000 square feet; Entertainment - 700 performance arts seats and up to 15 movie theater screens; Lodging – 300 rooms; and Residential - 3,600 units. In the Central Park Plan Area the maximum development potential is: Residential: eighty-four (84) dwelling units; Commercial: thirty thousand (30,000) square feet; Black Box Theater: thirty thousand (30,000) square feet; Center

for Science, Culture & Education: thirty thousand (30,000) square feet; Lodging: one hundred sixty (160) rooms.

~~Accompanying these land use changes are parking supply changes within the defined area of the parking model. An approximately 450 to 500-space parking garage is anticipated to be built at the Livermore Village site. The City anticipates constructing additional parking in an expansion of the existing I Street parking structure, new surface parking on the Livermore Village site, and a new surface parking lot north of Railroad Avenue north of the Livermore Village site. The I Street garage expansion would provide approximately 265 parking spaces. New surface parking on the Livermore Village site will provide approximately 75 parking spaces. A new surface lot north of Railroad Avenue could provide up to an additional 150 parking spaces. Existing parking lots adjacent to the Bankhead Theater and fronting Livermore Avenue will be eliminated due to redevelopment. Approximately 30 on-street spaces on Third Street between South M Street and South Livermore Avenue will be eliminated due to the installation of planned bicycle lanes. Additional parking supply changes are attributed to redevelopment of existing land uses. The Central Park Plan moves parking where it is needed most. A multi-use parking structure with up to two hundred sixty-eight (268) parking spaces is planned on the east side of Livermore Avenue ("Eastside Garage"). The Eastside Garage will supplement a parking structure consisting of up to two hundred eighty (280) parking spaces that the City is planning for North I Street, as described in City Council Resolution 2019-019 as I Street Garage, Project No. 2017-15. Along with the existing Livermore Valley Center Parking Garage, these two strategically located garages are anticipated to provide parking to support Livermore's downtown entertainment center, including Livermore 13 Cinema, the Bankhead Theater, Blacksmith Square, the future Black Box Theater, the future Stockmen's Park outdoor performance viewing area and nearby restaurants and retail. The Eastside Garage may include a ground floor upscale restaurant, artisan market or other retail shops along Livermore Avenue, as well as a wine and beer garden on the rooftop of the parking structure. In addition under the Central Park Plan, the overall parking strategy in the Central Park Plan Area also increases the supply of parking in the Downtown Core by planning for: a parking structure consisting of up to two hundred eighty-four (284) parking spaces on L Street ("L Street Garage"); surface parking on Veterans Way of up to ten (10) spaces; and, surface parking adjacent to the L Street Garage of up to seventy (70) spaces.~~

(v) Pages 4 and 5 of Chapter 8, Parking, of the City of Livermore Downtown Specific Plan are hereby amended as follows:

## Parking Strategy for the Downtown

~~The current supply of parking is sufficient to meet daytime and evening parking demands for the existing scenario and when the Performing Arts Theater is built at the Livermore Village site. The Downtown Core Plan anticipates the development of additional parking as the Plan builds out.~~ There are specific parking strategies that can be implemented in the downtown to maximize parking space utilization and meet the expected future demands. Within these strategies, there are 3 objectives that should be considered:

- Ensure that the parking facilities are reasonably dispersed so drivers have options depending on their ultimate destination.
- Locate the parking facilities to intercept drivers as they enter downtown.
- Size and locate the parking structures to be about 500 spaces to minimize the number and size of the facility entry/exit points adjacent to land uses that generate significant parking demands.

The following strategies are designed to meet the estimated buildout parking demand:

1. Monitor parking supply and demand over time and provide the following or equivalent parking facilities to meet identified demands:
  - Construct a 500-space parking garage rather than 350 spaces at the Livermore Village site, adding about 150 more spaces a parking garage at L Street of up to two hundred eighty-four (284) parking spaces, referred to in the Central Park Plan as the "L Street Garage."
  - Construct surface parking on Veterans Way of up to ten (10) spaces.
  - Construct a surface parking lot adjacent to the L Street Garage of up to seventy (70) spaces.
  - Construct a parking garage at the intersection of Railroad Avenue and S. Livermore Avenue of up to two hundred sixty-eight (268) parking spaces, referred to in the Central Park Plan as the "Eastside Garage."
  - Increase on-street parking where feasible in the Downtown Core within the Livermore Village site, adding about 40 parking spaces.

- Implement angled parking on First Street between South L Street and South P Street. Optimize the parking by limiting parcel access to and from First Street, adding about 50 parking spaces.
  - Implement angled parking on Maple Street between First Street and Railroad Avenue, after realignment, adding about 10 spaces.
  - Implement phase II of the Livermore Valley Center garage, adding up to 300 spaces.
  - Implement additional parking facilities south of the Downtown Core area by purchasing property or partnering with private development to provide additional parking.
2. Pursue partnerships with businesses to ensure that the parking supply is open to the public after daytime business hours. A substantial number of off-street parking spaces are privately owned and operated. As the demand for these spaces increase, property owners should be encouraged to share their off-street spaces.
  3. Promote valet parking operations in downtown. ~~The large number of~~ Restaurants, the hotel and the performing arts theaters are excellent candidates for valet parking. As parking supplies become more utilized, valet parking will become a more attractive option. Valet operators can enter into agreements with businesses to use their privately owned parking and can accommodate approximately 10% more vehicles (depending on the size of the facility) than a self parked facility. When an applicant agrees to enter a binding agreement with the City to provide valet parking as a condition of approval of a proposed project during the land use permitting process, the proposed project may receive a ten percent (10%) reduction in the number of required parking spaces pursuant to a Parking Standard Reduction Request.
  4. Consider utilizing time-limited and pay-parking strategies to manage employee parking behavior, increasing available parking for customers. Employees tend to use the most convenient on-street parking spaces, which forces customers to park further from their destinations. Time limited parking and pay parking strategies can become a more effective tool to manage employee parking behavior by shifting employee parking away from the downtown core, which will

have a net effect of increasing parking supply 15% to 20%.

5. Provide accessible on-street parking spaces in the downtown. While there is no requirement for number and location of on-street accessible parking spaces, the city currently provides on-street accessible parking spaces at the corners of blocks. The City should continue to look for opportunities to provide accessible parking spaces.

6. Where feasible and consistent with the goals and objectives of the Central Park Plan, allow shared parking agreements whereby parking spaces in a parking structure may be licensed by owners or tenants of adjacent land uses.

(w) Pages 3 through 5 of Chapter 10 of the City of Livermore Downtown Specific Plan are hereby amended as follows:

#### **Capital Improvements - Catalyst Projects**

Catalyst Projects are those designed to stimulate near-term private investment by providing a high quality example of successful redevelopment within the Project Area. These Catalyst Projects are directed towards currently underutilized properties, and their redevelopment will act as "armatures of revitalization" that can expand outward and transform the surrounding district. As a result, these catalyst projects will act as vehicles for achieving the goals identified in the community workshop process by strategically focusing investment of public funds and creating immediate and highly visible change. These key projects will serve as an on-the-ground example of Downtown's possibilities, providing a dramatic visual demonstration of possible ways to achieve the goals set forth in the Downtown Specific Plan and the Central Park Plan.

In order to make the most of the latent potential of Downtown properties, the first priority is placed on achieving significant transformation in the Downtown Core. Once the revitalization of the Core area is visibly underway, the perceived value and attraction of nearby properties will increase dramatically. To set the stage for the first wave of new investment in the Downtown, the City of Livermore should be an early investor in its own revitalization effort, by participating in key projects or opportunity sites that will make a difference in Downtown. Specifically, these projects include the development of one or several major housing projects in Downtown, in order to demonstrate the possibilities of housing downtown; and the development of a major retail and entertainment anchor, to showcase Downtown's retail potential. Actions to be taken by the City include:

1. ~~Initiate the development of the Livermore Valley Center. As the center of the City, Downtown should provide cultural and entertainment destinations at both the local and regional level. The Livermore Valley Center – planned to include a parking structure, a performing arts facility, a local theater, a boutique-style hotel, restaurants and retail centered around a park plaza – can act as a grand centerpiece for Livermore's performing arts. The local Performing Arts Center Theater and adjacent plaza, combined with the Science and Society Center and Black Box Theater on the former "Lucky's" site, will serve as local cultural anchors, and as attractions for the region at large, bringing more people into the Downtown and more dollars to its businesses. Complete the development of the Livermore Valley Center. As the center of the City, Downtown will provide cultural and entertainment destinations at both the local and regional level. The Livermore Valley Center includes a performing arts facility, a movie theater, restaurants and retail centered around a park plaza. The Central Park Plan will add a parking structure, retail, including perhaps an artisanal market, restaurant uses, including perhaps a beer and wine garden and tasting rooms, and additional open space. A hotel is not a permitted land use adjacent to the Bankhead Theater.~~
2. ~~Initiate a high quality mixed-use project on the former "Lucky's" site, in the heart of Downtown. This development should have several components: a retail component to activate the eastern edge of the site; a cultural component that includes a Science and Society Center and a Black Box Theater; a vibrant residential component that provides multifamily workforce housing with substantial open space; a public green that anchors the development and services the broader community a parking structure to serve Downtown retail development. The scale and location of the site enable a mix of uses that are integrated with and connected to the First Street retail area. Residential densities should be appropriate to the site's location in the Core , the City's most intense area. Stockmen's Park and the adjoining linear open space provide the framework around which private development will occur. The Central Park Plan has several components: a retail component to activate Livermore Avenue; a cultural component to include a Black Box Theater, the outdoor stage in the Central Park and the Center for Science, Culture & Education; a residential component to provide multifamily housing; a hospitality component – a destination, resort hotel to welcome visitors who will further invigorate the downtown economy; and a grand Central Park to anchor the development and serve the broader community. Parking structures will serve Downtown entertainment and retail development. The development of the Central Park Plan Area will be integrated and connected to the First Street retail~~

area. The Central Park and Stockmen's Park will comprise continuous open space around which private development will occur.

- ~~3. Assist in the creation of a vibrant entertainment facility to act as a catalyst for Downtown redevelopment. Entertainment facilities such as a movie theater would bring more evening activity into the Downtown, and would meet the community's desire for entertainment facilities.~~

### **Provision of Public Open Space**

In order to create an Open Space strategy that is based on the existing assets of Downtown, the Plan must begin by taking into consideration the character and location of the existing primary public places. The identity of the City of Livermore is strongly tied to its open landscape, its ranging scenic hillsides, its vineyards, its olive orchards and its agricultural fields and ranchlands.

Downtown should maintain a sense of this connection, even in its most urban areas. Lizzie Fountain and the historic Carnegie library and park are the most identifiable public places in Downtown. Other existing public places include the public streets primarily First Street and its seating areas that were created as a part of its redesign. The Specific Plan requires that these spaces be maintained and enhanced so as to better serve the public. It uses them as building blocks for public space network in the Downtown. The City will make several major contributions to this network, and take actions to create the following spaces:

~~*Stockmen's Park.* The redevelopment plan for the former "Lucky's" site identifies a new public park that connects seamlessly to adjacent residential open space and provides a shaded pedestrian connection between South Livermore Avenue and South L Street. Stockmen's Park will be approximately 1.5 acres in size and includes walkways, plazas, organizing green spaces, and a relatively flat, half an acre of open area bordered with trees. Overall, the Downtown Core redevelopment plan will provide over 3.5 acres of public open space, including a large linear green space running from South Livermore Avenue to South L Street, creating a safe and comfortable place for events, passive respite, and strolling between downtown destinations.~~

The core of the Central Park Plan Area is three (3) acres of contiguous open space comprised of the Central Park and Stockmen's Park. The paths winding from the Bankhead Park Plaza to L Street will offer a shaded pedestrian connection to all the entertainment, cultural, hospitality, retail, restaurant and parking uses surrounding it.

Gathered on the half (0.5)-acre lawn area of Stockmen's Park, audiences will enjoy performances on the outdoor stage in the Central Park. The horseshoe-shaped open area will be edged with trees and a low brick wall. An arched gateway on Livermore Avenue will echo the historic Blacksmith Square entryway just to the north. The focal point, a sculpture at the center of a circular plaza, will honor Livermore's stockmen and veterans.

The Central Park will become a gathering place for residents and visitors to stroll along winding paths bordered with bushes and flowers, sit with families and friends at tables and chairs under trees, and lean back on the benches to experience the peace and joy of our natural environment. Children will run to the playgrounds. Those wanting a game of Frisbee or croquet will find open fields to test their skills. Art, history and science lovers will view the rotating displays on panels dispersed throughout the area.

*The Intersection Plaza.* Historically, the intersection of First Street and Livermore Avenue has been the center of the City. The alignment of the streets meeting at this intersection created an outdoor space at the front of the Masonic Building, which served as a major meeting place for many of the City's early public and civic gatherings. However, as development dispersed to the periphery of the City, the Civic Center moved from Downtown as well. As a result, the special civic connotations once carried by this space were lost.

A primary feature of the Specific Plan is the restoration of this civic gathering place at First Street and Livermore Avenue. The new design for the restored intersection plaza will include two primary elements: an activity-generating kiosk, and a major water feature or civic fountain. The activity-generating element will house a commercial activity such as a coffee stand or other vendor stall. It will be centrally and prominently located in order to encourage movement within the space. The fountain will provide a recreational focal point for the plaza, bringing both a visual and auditory amenity to the urban setting. The plaza will be subdivided into smaller spaces, utilizing a combination of landscape materials. It should alternate between paving and grass in order to create smaller "rooms" to be inhabited by users of the space. It will provide shade and places to sit and its design elements will be carefully chosen to maintain the character of Downtown Livermore while bringing a touch of the City's natural areas to the more urbanized center of Downtown.

*First Street as a primary public open space.* Through the addition of new public places, new street furnishings and improved materials, First Street will be transformed from its current condition as Downtown's thoroughway to its centerpiece



and focal destination place. Improvements to First Street will establish it as a place for people a public room where residents meet up with their neighbors, where friends congregate for a bite to eat, and where visitors window-shop on a sunny afternoon. Wide sidewalks, landscape amenities, and a pedestrian scale will shift the character of the right-of-way, creating walkable spine for the pedestrian-oriented Downtown Core development.

*Open Spaces - Places for the Community.* Open spaces for gathering and for recreation should be increased and improved throughout the Downtown. A new contiguous park will be developed in the Central Park Plan Area. Comprised of the Central Park and Stockmen's Park, this contiguous open space will be used for recreation and community events. The Downtown Core will also feature a number of small public spaces distributed along the length of First Street, These will support commercial activities with space in the "flexible zone" for outdoor cafes and outdoor vendors and create pocket plazas to provide casual meeting places. These open spaces will offer both visitors and residents the opportunity to gather and linger throughout Downtown.

*Pedestrian Realm.* The pedestrian realm throughout the study area will be enhanced through street improvements along existing streets, the creation of dedicated pedestrian zones along new ones, and a series of paths and greenways that provide connections between major public spaces in the Downtown. As stated in Chapter 7: Circulation and Transportation, First Street will be recreated as a public thoroughfare with sidewalks ranging from twelve to seventeen feet in width, an expanded pedestrian realm within the "flexible zone", and new site furniture and additional pedestrian scale lighting installed along the public right-of-way, to create a broad public right-of-way that provides a generous pedestrian environment in Downtown's most public areas. Public sidewalks are required along all new streets, providing a minimum walkway width of five (5) feet. New blocks will be required in most Specific Plan areas to adhere to a maximum block size (see Development Standards for the appropriate Plan Area) ensuring a fine-grained pedestrian network throughout the Downtown. The overall framework of these pedestrian connections is shown on the Open Space and Access map, page 4-14, provided in Chapter 4: Land Use and Development Policy.

(x) Page 10 of Chapter 10, Implementation, of the City of Livermore Downtown Specific Plan is hereby amended as follows:

*Applicability.* As a means for determining compliance with the provisions of the Downtown Specific Plan, except where the Downtown Specific Plan or the Central Park Plan requires a conditional use permit from the Planning Commission or the

City Council, the Community Development Director (hereafter "Director") may require an application for a Zoning Clearance if it is unclear that the proposed land use or development is consistent with the provisions of Downtown Specific Plan, or where unique circumstances exist.

(y) Page 23 and 24 of Chapter 10, Implementation, of the City of Livermore Downtown Specific Plan are hereby amended as follows:

The City Council may permit minor deviations from the Specific Plan provisions as part of its approval of a particular development application without requiring an amendment to the Specific Plan, provided that the project is consistent with the stated intent of the Central Park Plan, the Specific Plan and the City's General Plan.

More substantive amendments to Specific Plan provisions may be requested by an applicant or property owner or may be initiated by the City. Major Specific Plan amendments shall be processed in accordance with City ordinances, and all such amendments will be presented for City Council review at a public hearing. Generally, the process for amending the Specific Plan is similar to that for amending the City's General Plan, with the significant difference being that there is no limitation on the number of Specific Plan Amendments that can be approved in any one year. Proposals to exceed existing specific plan height regulations in any Plan Area will be considered by the City Council and processed as a Specific Plan amendment as described above.

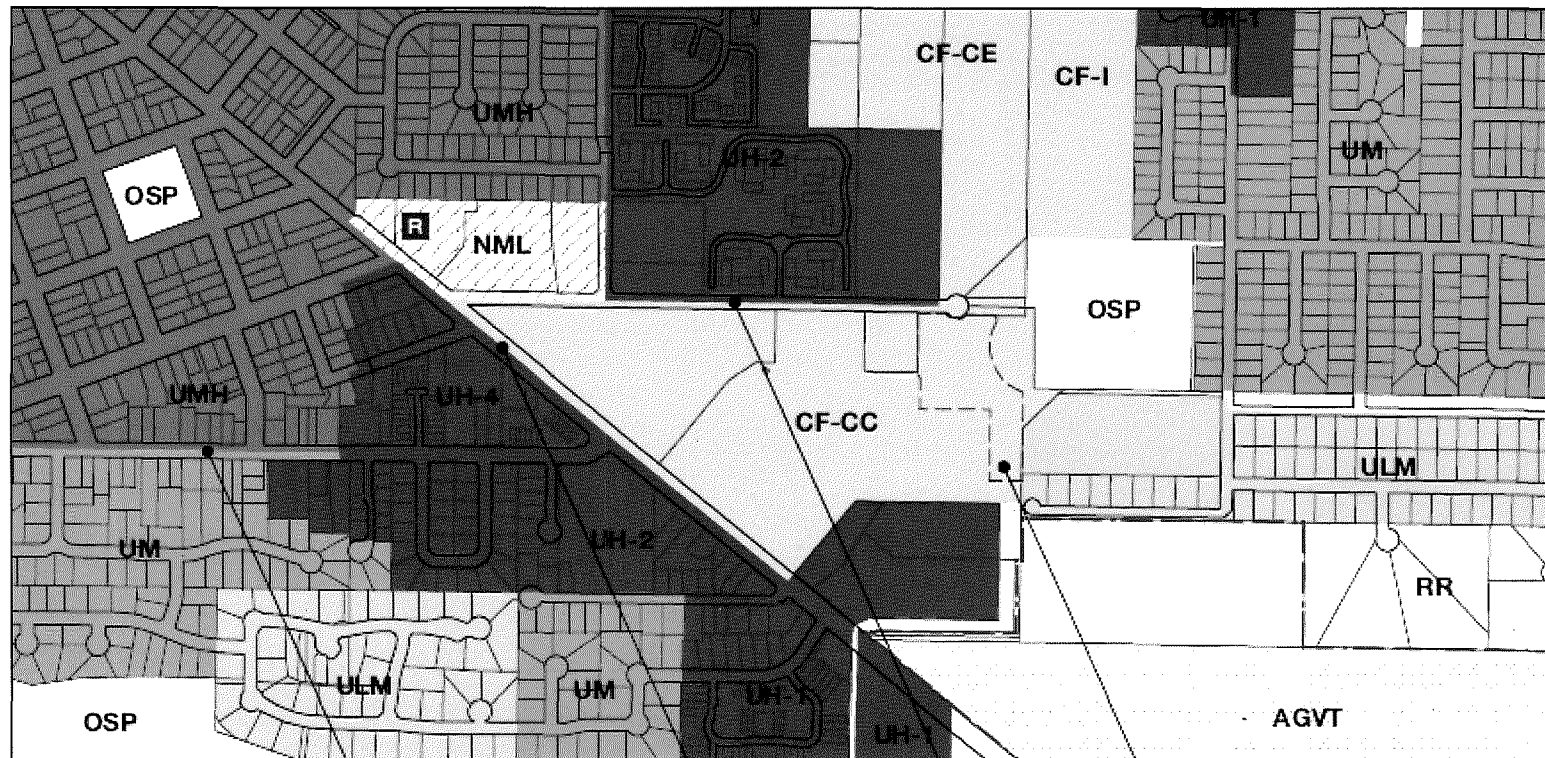
All Specific Plan changes (both minor deviations in major amendments) must be found consistent with the Livermore General Plan, or a General Plan Amendment and Zoning Code/Development Code revision may be required. If any regulation, condition or portion of the specific plan is held invalid by a California or Federal court these portions shall be deemed separate, distinct and independent provisions. The invalidity of these provisions shall not affect the validity of the remaining parts of the Specific Plan. Proposals to exceed the existing Specific Plan height regulations in any Plan Area will be considered by the City Council and processed as a Specific Plan amendment at described above.

## Section 5. Amendments to the Land Use Element of the City of Livermore's General Plan

### (a) General Plan Map Amendments

1. Map 5-A, which is incorporated herein, shows an excerpt of the existing General Plan Land Use Map of the Land Use Element of the City of Livermore's General Plan, near the intersection of South Livermore Avenue and Pacific Avenue, and indicates the location of a property referred to in this initiative as the "Pacific Avenue Affordable Site," which has a current general plan designation of Civic Center (CF-CC):

## 5-A: Excerpt of City of Livermore General Plan Map (Existing Conditions)



### Legend:

#### Residential

	Rural Residential (RR)	1-5 Acre Site
	Urban Low Medium Residential (ULM)	2.0-3.0 du/acre
	Urban Medium Residential (UM)	3.0-4.5 du/acre
	Urban Medium High Residential (UMH)	4.5-6.0 du/acre
	Urban High Residential (UH)	#1 = 6-8 du/acre #2 = 8-14 du/acre #3 = 14-18 du/acre #4 = 18-22 du/acre

#### Mixed Use

	Neighborhood Mixed Low Density (NML)
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#### Open Space

	Parks, Trailways, Recreation Areas (OSP)
	Agriculture/Viticulture (AGVT)

#### Community Facility

	Intermediate School (CF-I)
	Civic Center (CF-CC)
	Cemetery (CF-CE)



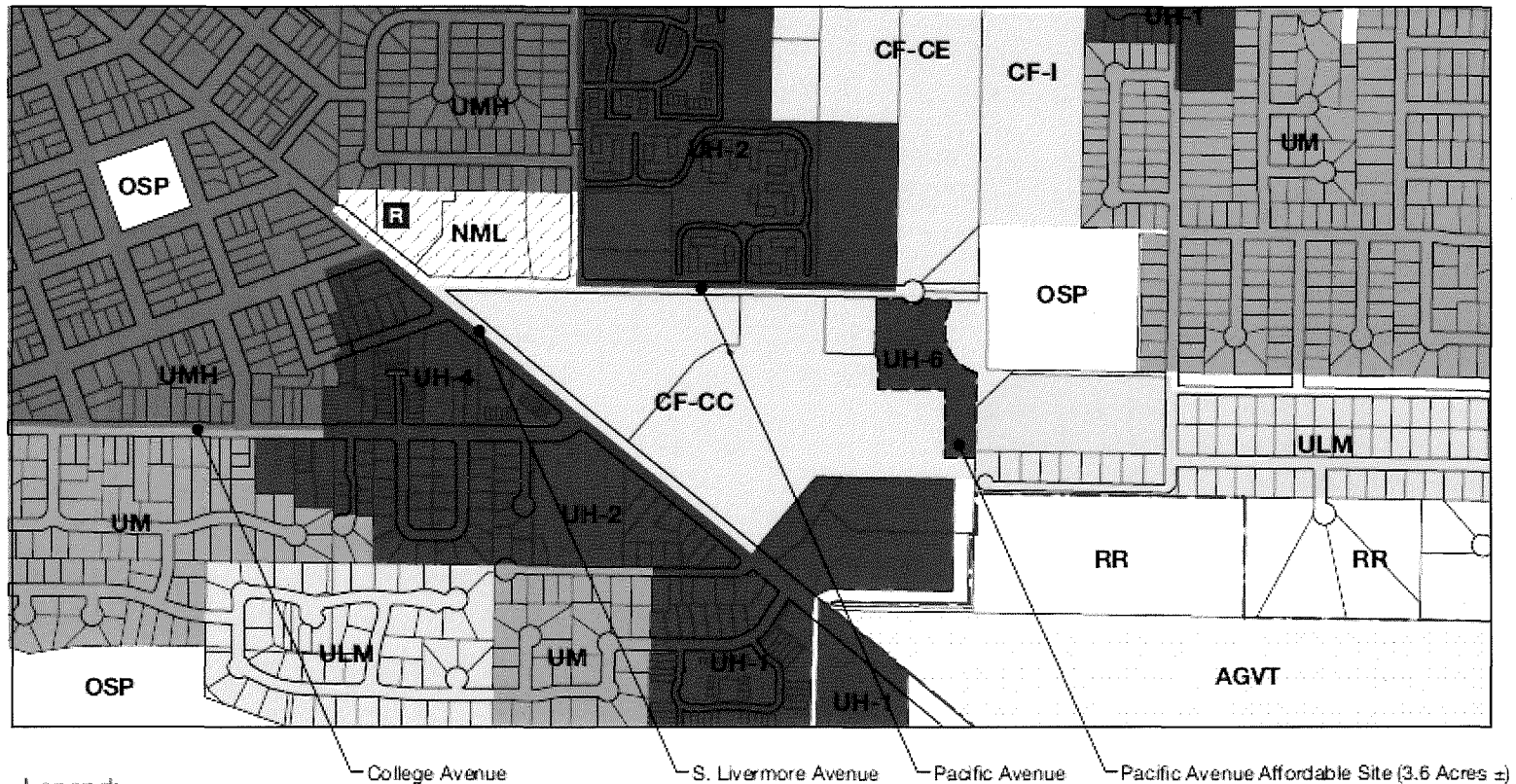
#### Other

	City Limits
	Transferable Development Credits (TDC) Receiver Site

Amended by the Central Park Plan

2. Map 5-B, which is incorporated herein, amends the General Plan Land Use Map of the City of Livermore's General Plan to change the general plan designation of the Pacific Avenue Affordable Site from Civic Center (CF-CC) to Urban High Residential-6 (UH-6) as follows:

## 5-B: Excerpt of City of Livermore General Plan Map (Central Park Plan)



Legend:

### Residential

	Rural Residential (RR)	1-5 Acre Site
	Urban Low Medium Residential (ULM)	2.0-3.0 du/acre
	Urban Medium Residential (UM)	3.0-4.5 du/acre
	Urban Medium High Residential (UMH)	4.5-6.0 du/acre
	Urban High Residential (UH)	#1 = 6-8 du/acre #2 = 8-14 du/acre #3 = 14-18 du/acre #4 = 18-22 du/acre #5a = 22-30 du/acre #5b = 30-38 du/acre #6 = 38-55 du/acre

### Mixed Use

	Neighborhood Mixed Low Density (NML)
	Parks, Trailways, Recreation Areas (OSP)
	Agriculture/Viticulture (AGVT)

### Community Facility

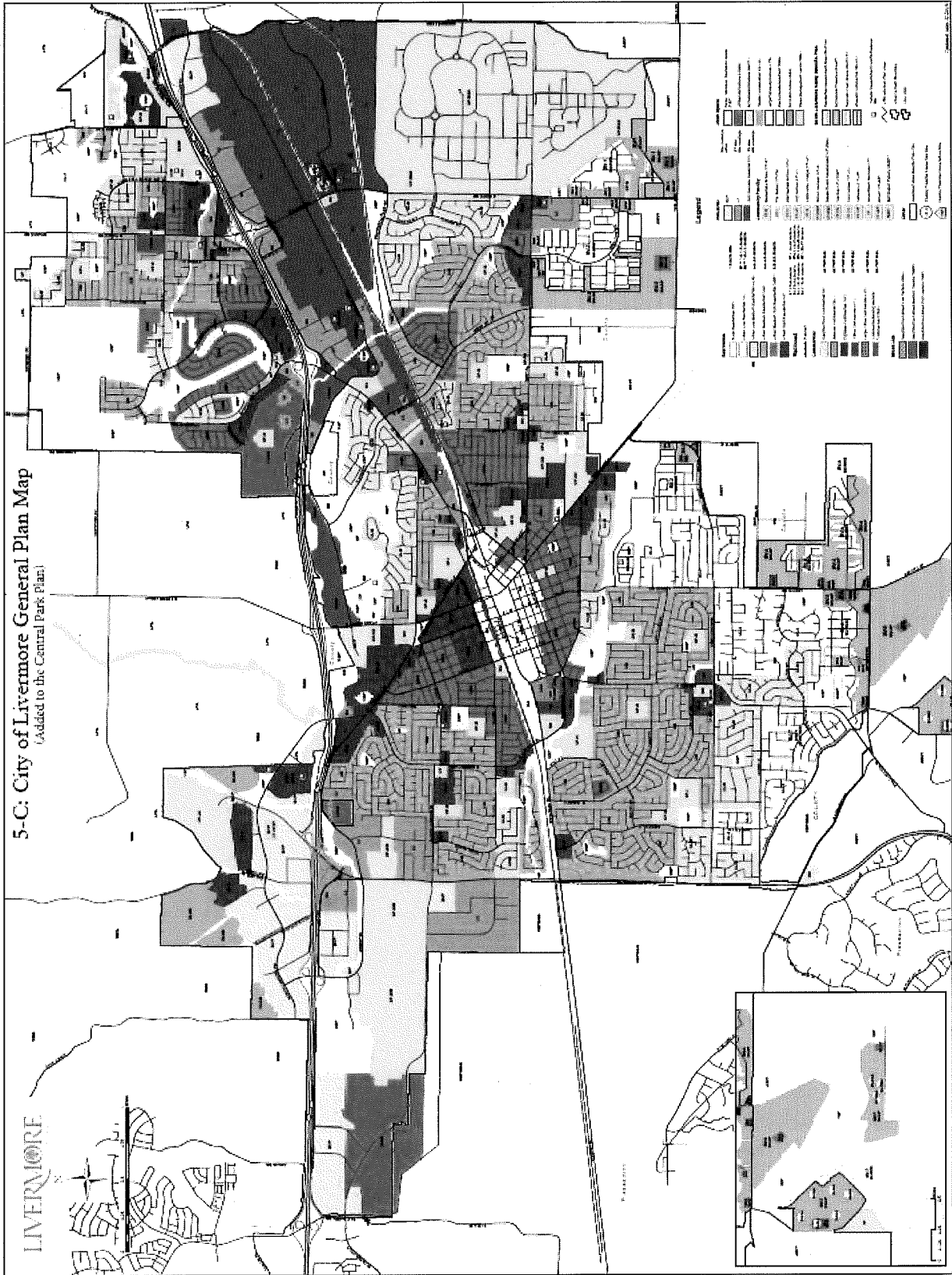
	Intermediate School (CF-I)
	Civic Center (CF-CC)
	Cemetery (CF-CE)



### Other

	City Limits
	Transferable Development Credits (TDC) Receiver Site
	Amended by the Central Park Plan

3. Map 5-C, the General Plan Land Use Map for the entire City of Livermore, which is incorporated herein, provides context to the excerpted maps in this section and the Central Park Plan's General Plan Land Use Map amendment:





(b) Pages 3-22 and 3-23 of the Land Use Element of the City of Livermore's General Plan are amended as follows:

Land Use Designations

Downtown Area (DA)

The Downtown Area (DA) designation is a general designation that applies to the area traditionally known as Downtown Livermore. The DA seeks to provide a unique, locally-oriented, pedestrian-friendly shopping environment. Higher-intensity residential development of a density that will support the predominantly commercial environment is integral to the economic viability of this district. This area encompasses approximately 270 acres and supports a variety of mixed uses, including park, commercial, office, entertainment, cultural arts, lodging, and residential. ~~Anticipated maximum development potential in the DA analyzed in the Final Environmental Impact Report (FEIR) prepared and certified in 2003 and the Subsequent FEIR certified in 2009 for the General Plan and Downtown Specific Plan, by land use, is as follows: Commercial—1,000,000 square feet; Office—356,000 square feet; Entertainment—2,500 performance art seats and up to 15 movie theater screens; Lodging—300 rooms; and Residential—3,600 units (Reso. 2009-055).~~ Land uses, development, and redevelopment in the Downtown Area shall be implemented through a specific plan. More specific designations, development standards, design requirements, and land use specifications applicable to the Downtown are provided in the Downtown Specific Plan as amended by the Central Park Plan.

The initial maximum residential development potential within the Downtown Area shall be 2,000 new units as of February 2004. After approval of 1,400 new residential units, the City Council shall review the progress of the implementation of the specific plan. The City Council shall consider increasing the maximum number of new dwellings to 3,259 from the February 2004 base number, for a build-out total of 3,600 residential units, unless there is a compelling reason not to implement the build-out scenario analyzed in the FEIR prepared and certified for the 2003 General Plan and Downtown Specific Plan.

(c) Page 3-31 of the Land Use Element of the City of Livermore's General Plan is amended as follows:

**Objective LU-1.2 Create neighborhoods that include a mix of uses and a range of housing types to meet the needs of all residents.**

Policies

P1. Where possible, neighborhood and community commercial uses shall be integrated with public uses in similar areas as comprehensively designed service centers that include public facilities, day care centers, multi-purpose meeting places, health care facilities, housing for the elderly, transportation centers, and schools.

P2. Consistent with the intent of the Central Park Plan, affordable housing for seniors is the priority for any multifamily dwellings constructed on the Pacific Avenue Affordable Site.

Section 6 Amendments to the Housing Element of the City of Livermore's General Plan.

(a) Table 3-3, General Plan Land Use Categories, of the Housing Element of the City of Livermore's General Plan is amended as follows:

Table 3-3. General Plan Land Use Categories		
<u>General Plan Land Use</u>	<u>Density (du/ac)</u>	<u>Residential Type(s)</u>
Residential		
<b>Rural Residential (RR)</b>	1.0-1.0/.5	Designed to accommodate large-lot residential of a rural character on urban fringe
<b>Urban Low Residential (UL)</b>	1.0-2.0	Intended to accommodate residential development in areas with special land amenities or constraints
UL-1	1.0-1.5	
UL-2	1.5-2.0	
<b>Urban Low Medium Residential (ULM)</b>	2.0-3.0	Intended as a transition between lower density at edges of town and higher density residential development as one approaches the center of the community
<b>Urban Medium Residential (UM)</b>	3.0-4.5	Urban medium areas are located closer to the center of the community and in areas surrounding commercial development
<b>Urban Medium-High Residential (UMH)</b>	4.5-6.0	Intended to encourage cluster and higher density residential development to preserve urban open space
<b>Urban High Residential (UH)</b>	6.0-55.0	Intended to provide a variety of housing opportunities for all income groups to be located near major roads and other public services
UH-1	6.0-8.0	
UH-2	8.0-14.0	
UH-3	14.0-18.0	

UH-4	18.0-22.0	
UH-5a	22.0-30.0	
UH-5b	30.0-38.0	
UH-6	38.0- 55.0	
<b>Mixed-Use</b>		
<b>Neighborhood Mixed-Use (NM)</b>	12.0 - 38.0	Intended to help improve the pedestrian orientation of Livermore's neighborhoods by providing neighborhood commercial services within walking distance of existing residents and integrating housing with commercial development on a single site
NM Low (NML)	2.0-3.0 or 12.0- 15.0 w/TDC*	
NM Medium (NMM)	3.0-4.5 or 15.0-24.0 w/TDC	
NM High (NMH)	6.0-8.0 or 24.0-38.0 w/TDC	
<b>Downtown Area (DA)</b>	Min range 15 - 30  Max Range 30.0-55.0  <u>Max for Special Condition Sub-district 2.4.6 of the Downtown Specific Plan 150.0</u>	Intended to provide a unique, locally-oriented, pedestrian-friendly shopping environment in Downtown Livermore and to allow higher-intensity residential development to support and revitalize the commercial environment
<b>Commercial</b>		
<b>Service Commercial (SC)</b>		Intended for uses such as auto sales and service, nurseries, home maintenance centers and wholesale establishments in the general vicinity of freeway interchanges, or at other locations with significant access potential from the community at large
<b>Highway Commercial (HC)</b>		Intended to primarily serve the traveling public with uses such as include hotels and motels, restaurants, and motor vehicle and gasoline service stations
<b>Neighborhood Commercial (NC)</b>		Intended primarily for neighborhood serving commercial uses such as grocery stores, drug stores, and personal service.
<b>Community Serving General Commercial (CSGC)</b>		Intended for commercial uses in areas outside of Downtown with significant access potential from the region and the community at large

<b>Office Commercial (OC)</b>	14.0-18.0	Intended primarily for office uses with no impacts to and compatible with adjacent residential neighborhoods. Residential can be considered with a Conditional Use Permit
<b>Industrial</b>		
<b>Business and Commercial Park (BCP)</b>		Intended for a mix of uses locating employment generating activities adjacent to destination-oriented and limited retail commercial uses
<b>Low-Intensity Industrial (LII)</b>		Intended for uses such as manufacturing, warehousing, research and development facilities, fully-enclosed recycling facilities, and administrative and professional offices
<b>High-Intensity Industrial (HII)</b>		Intended to provide an insulated area for uses with objectionable noises, odors, vibrations, glares or hazards from uses such as manufacturing, warehousing, research and development facilities, recycling facilities, and storage or processing of raw materials
<b>Open Space and Agriculture</b>		
Open Space (OSP)	1.0 du/existing parcel	Permits single-family residential and farm worker housing, subject to environmental review
Agricultural/Viticulture (AGVT)	1.0/100	Intended for rural residential densities and farm worker housing
Limited Agriculture (LDAG)	Min 20 acres	Intended for rural residential densities and farm worker housing
Hillside Conservation (HLCN)	1.0/20 to 1.0/100	Intended for rural residential densities and farm worker housing
Large Parcel Agriculture (LPA)	Min 100 acres	Intended for uses such as agricultural, agriculture processing facilities, limited agricultural support, secondary residential, visitor serving commercial facilities, recreation, public and quasi public and waste management facilities
Resource Management (RMG)	1.0 du/parcel; Min 100 acres	Intended for a single-family home per parcel
Water Management Lands (WML)	1.0 du/parcel; Min 100 acres	Intended for a single-family home per parcel
Open Space/Sand and Gravel (OSP/S&G)		Intended primarily for open space; secondarily for sand and gravel extraction, processing and related activities
<b>Community Facilities</b>		Intended to provide areas for public agencies and institutions, including City, County, State and federal government facilities. May be designated as any of the following: Elementary School (CF-E), Intermediate School (CF-I), High School (CF-H), Community College (CF-JC), Fire Station (FS), Civic Center (CF-CC), Cemetery (CF-CE),

		Government Services (CF), Airport (CF-AIR), Post Office (PO), Hospital (HOSP), BART (BART), Government Research and Development (CF-R&D)
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\*\* TDC refers to Transferable Development Credit Program

(b) Page 3-10 of the Housing Element of the City of Livermore's General Plan is amended as follows:

#### Downtown Specific Plan (DSP)

The Downtown Specific Plan (DSP) was adopted by the City Council in February 2004. Objectives of the DSP are to revitalize the Downtown and re-establish it as the center of the City and as a viable, pedestrian oriented city neighborhood. The DSP outlines strategies for accomplishing these goals including:

- Revising land use policies to allow housing at a range of types and densities in the five Downtown Specific Plan Areas~~everywhere except on the ground level in the Downtown Core.~~
- Encouraging construction of housing above storefronts in the Downtown Core by requiring new buildings fronting First Street to be mixed-use.
- Identifying opportunity sites that provide immediate development prospects for new housing and that offer the potential to deliver a significant number of new units. Examples include a portion of the former Livermore Village in the heart of downtown and several vacant, formerly commercial parcels located to the east of Downtown.
- Attract potential Downtown residents with transit opportunities that enable them to travel easily and conveniently to job centers in the region.

The DSP established five plan areas. Appendix B shows the boundary of the Downtown Specific Plan Area as well as the boundaries of the five Plan Areas within the DSP. Plan Area and the associated assumptions about capacity are described as follows:

#### The Downtown Core Plan Area

The intent of the Downtown Core is to revitalize the City's historic core area as the center of the City. Therefore, mixed-use buildings are required for all parcels fronting First Street and are encouraged throughout the Core. In

order to ensure that Downtown Core is the most densely developed part of the city, a minimum density of 30 and up to 55 is required. In addition, in Special Condition Sub-district 2.4.6 of the Downtown Specific Plan, the maximum density is 150 dwelling units per acre. At this density, sites in the Core would be considered appropriate for lower-income households.

#### The Gateway Plan Areas / Boulevard and Transit

The primary intent of the Gateway Plan Areas is the provision of land for high-quality housing adjacent to the Downtown Core. The Downtown Transit Gateway District, centered along east First Street, provides an opportunity for transit-oriented development due to the proximity of the ACE/LAVTA stations. In this Plan Area, residential development located within 2,000 feet of the ACE/LAVTA/station is awarded a 25 percent density bonus.

#### The Neighborhood Plan Areas / North and South Sides

The Neighborhood Plan Areas are intended to enhance and maintain the residential character surrounding the Downtown Core. The development standards encourage residential uses compatible with the single-family neighborhoods adjacent to the Downtown.

(c) Table 3-4, Residential Zoning Districts and Development Standards, of the Housing Element of the City of Livermore's General Plan is amended as follows:

**Table 3-4. Residential Zoning Districts and Development Standards**

<u>District/Purpose</u>	<u>GP Land Use</u>	<u>GP Density (du/ acre)</u>	<u>Min/Max Lot Area in sq. ft</u>	<u>Setbacks</u>			<u>Coverage</u> 1	<u>Max. Bldg. Ht.</u>
				<u>Front</u>	<u>Sides</u>	<u>Rear</u>		
<b>R-R</b> - Residential Rural	RR	1 per acre to 1 per 5 acres	Min. 40,000	30'	1 side: 20' Total: 45'	50'	25%	35'
<b>R-S</b> - Suburban Residential	UL, ULM, UM, UMH	1 per 5 acres up to 6	Min. 6,000	Min. 20'	Min 10', and 12'	Min. 25'	FAR Max. 35%	Max. 35'
<b>R-L</b> - Residential Low density	UL-1, UL-2,	1 -2	Min. 5,000	Min. 15'	Min. 15'	Min. 5' - 10'	40%	Max. 35'
<b>MFR</b> - Multifamily Residential	UH	6-18	Min. 5,000	15'	8' min plus 5' for every story above first.	5' min plus 5' for every story above first.	50%	Main building: Max 3 stories, 45'/Accessory structure: Max 15'
<b>RG</b> - Suburban Multi-Residential	UH	4.5 - 18						
RG-16	UH-3	14-18	6,000	Min. 20'	story: Min. 10'/ to 3 stories: 20' plus 5' for every story above	story: Min. 10'/ to 3 stories: 20' plus 5' for every story above	50%	Main building: Max 3 stories, 45'/Accessory structure: Max 15'
RG-14	UH -2 UH-3	8-14 14-18	6,500	Min. 20'			40%	
RG-12	UH-2	8-14	7,500	Min. 25'			35%	
RG-10	UH-2	8-14	9,000	Min. 30'			30%	
<b>T-Transect Zones</b>								
<b>T3N</b> - T3 Neighborhood	ULM, UM, UMH	2-6		Min. 20'/Max x 30'	Min. 5'	Min. 5'		Max. 35' 2 1/2% stories
<b>T4N</b> - T4 Neighborhood	UH-2, UH-3, UH-4	8-22		Min. match adjacent property/ Max. 25'	1 story Min. 5'/ 2+ stories Min. 7.5'	Min. 5'		Max. 35' 2 1/2% stories
<b>T4N-O-Neighborhood Open</b>	OC	1 4.0-1 8.0		Min. match adjacent property/ Max. 25'	1 story Min. 5'/ 2+ stories Min. 7.5'	Min. 5'		Max. 35' to, 2 % stories
<b>T4MS-O- Main Street Open</b>	NML, NMM			0'	Min. 0'	Min. 0'		Max. 35' to eave/parapet, 3 stories
<b>T4MS</b> - Main Street	NML, NMM	2.0-3.0 or 12.0 - 15.0 with TDC		0'	Min. 0'	Min. 0'		Max. 35' 3 stories
<b>DSP</b> -Downtown Specific Plan	DA	15.0 - 55.0150						

**Table 3-4. Residential Zoning Districts and Development Standards**

District/Purpose	GP Land Use	GP Density (du/ acre)	Min/Max Lot Area in sq. ft	Setbacks			Coverage <sup>1</sup>	Max. Bldg. Ht.
				Front	Sides	Rear		
Downtown Core		Min. 30 Max. 55  <u>Max. for Special Condition Sub-district 2.4.6 of the Downtown Specific Plan 150.0</u>		No min./ Max. 20'	Min. 0 Max. 10'	None	N/A	Min. 2 floors/20' Max. 3 floors/45' 4 floors/55' on designated sites
svGateway Plan Areas (Transit & Boulevard)	DA	Min. 15 Max. 30 Along First St. up to 50 w/ CUP		Min. 15'	Min. 5' Increase d 5' for every story above first.	Min. 15' Attached: 5' Increase d 5' for every story above first.	N/A	3-floors/45'
Neighborhood-North and South Side	DA	Min. 15 No min. for SF	SF: Max 10,000, Min. 5,000	20'	Min. 5'	Min. 15'		3-floors/45'

<sup>1</sup> "Coverage" is the floor area of the largest story of a building divided by the total site area.

<sup>2</sup> Residential uses at an RM density are conditionally permitted.

(d) Pages 3-15 to 3-16 of the Housing Element of the City of Livermore's General Plan are amended as follows:

### **Density**

The maximum number of dwelling units permitted in each residential project is calculated by multiplying the gross acreage times the maximum allowable density under the General Plan residential land use designation, rounding down to the nearest whole number. General Plan policy defines gross acreage to include all the land within the boundaries of the property, as well as all or a portion of adjacent street frontage.<sup>10</sup>

The City's 2003-2025 General Plan added four new mixed-use land designations to encourage infill and higher density residential development close to transit, existing services, and infrastructure. These include: Downtown Area (30-55 du/acre, with up to 150 du/acre permitted in Sub-district 2.4.6 of the Downtown Specific Plan), Neighborhood Mixed Low (12-15 du/acre), Neighborhood Mixed Medium (15-24 du/acre), and Neighborhood Mixed High (24-38 du/acre). These new designations, along with the Urban High (UH)



categories, provide a wider range of density and allow for a variety of housing types, compared to the other residential designations.

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<sup>10</sup> For the purpose of calculating density, properties with more than one street frontage may only use the longest street frontage, which is considered the area between the street right-of-way boundary and the midline of the adjacent fronting streets (except freeways and highways).

## **Height Limits and Setbacks**

Maximum height and lot coverage regulations are designed to preserve the quality and ensure the compatibility of residential development in neighborhoods. The typical height limit in lower density residential zones is 35 feet. This allows for a two-story home with additional room to incorporate a variety of roof designs. Medium and higher density residential districts permit varied heights and number of stories depending on the number of units constructed and/or the setback.

In 2011, the City amended the Development Code to simplify the RG zone height limits, which was previously dependent upon the size of the setback. The RG zone height limits are now three stories or 45 feet, and proposed development above 45 feet is subject to a conditional use permit. While market conditions may affect development of multi-family housing, the City cannot control market conditions and can only ensure development standards do not constrain development. The City has reduced development constraints to multi-family housing by allowing a greater maximum height.

The Core Area of the Downtown Specific Plan, which allows the most intense residential development (up to 55 dwelling units per acre, and up to 150 dwelling units per acre in Sub-district 2.4.6), permits up to three stories or 45 feet. Proposals for taller buildings will be allowed with a conditional use permit. ~~The City Council has considered two requests to exceed the maximum height permitted in the Downtown Core. Both requests came from developers of two catalyst sites—the former Groth Brothers site and Livermore Village site. Both requests to increase the height to four floors and 55 feet were approved.~~

## **Small Lot Development**

The Downtown Specific Plan Area has a number of small vacant and underdeveloped sites, particularly in the Downtown Core and Downtown Gateway Plan Areas. Potential constraints to creating new residential units on small lots in the Downtown, and in particular in the Downtown Core area, include the existing character and historic nature of buildings, which may make renovation or new construction more difficult. In the Core area along First Street,

buildings are constructed along property lines, which limit new construction to additional stories to add square footage. The Downtown also includes a number of Brownfield sites that could be ripe for redevelopment with site remediation.

To offset the above constraints the City utilizes a variety of measures and tools including regulatory incentives, and financial subsidies and negotiation/mediation and business relocation assistance.

### Regulatory Incentives

To accomplish the goal of creating new housing in the Downtown through small-lot redevelopment as well as lot consolidation where possible, the DSP allows densities of a minimum 30 dwelling units per acre in the Downtown Core. It also allows taller building heights, especially in the Downtown Core and Transit and Boulevard Plan Areas, which permit up to three floors/45-feet. The DSP specifically allows greater height (up to four floors/55-feet) on the ~~Livermore Village and Groth Brothers~~ Catalyst sites in the Core as further incentive for redevelopment. Development regulations intended to encourage revitalization and increase opportunities to create housing include:

(e) Page 3-29 of the Housing Element of the City of Livermore's General Plan is amended as follows:

#### Multi-Family Units

The Development Code permits multi-family housing in the Multiple Family Residential (MFR) and Suburban Multiple Residential (RG) zones by right. In these districts, densities range from six units per acre to 18 units per acre. All five plan areas in the Downtown Specific Plan permit multi-family at density ranges starting at 15 units per acre up to ~~55~~150 units per acre.

(f) Table 4-3, Summary of Land Inventory and Residential Capacity, of the Housing Element of the City of Livermore's General Plan is amended as follows:

Table 4-3. Summary of Land Inventory and Residential Capacity					
<i>Land Inventory</i>	<i>Viable Units</i>	<i>Affordability</i>			
		<i>Extremely Low/Very Low</i>	<i>Low</i>	<i>Moderate</i>	<i>Above Moderate</i>
<b>General Plan Areas</b>					
Vacant Sites (Appendix Table A-1)	<del>900</del> <u>1,051</u>	482	<u>152</u>	89	328

<b>Table 4-3. Summary of Land Inventory and Residential Capacity</b>					
<i>Land Inventory</i>	<i>Viable Units</i>	<i>Affordability</i>			
		<i>Extremely Low/Very Low</i>	<i>Low</i>	<i>Moderate</i>	<i>Above Moderate</i>
Vacant Neighborhood Plan Sites (Appendix Table A-2)	960	0	171	391	398
Vacant Sites with Entitled/Under Construction Projects (Appendix Table A-3)	547	0	0	546	1
Underdeveloped Sites (Appendix Table A-4)	231	0	0	92	139
Underdeveloped Mixed-Use Sites (Appendix Table A-5)	95	0	4	4	87
General Plan Area Subtotal	<del>2,733</del> <u>2,884</u>	482	<del>476</del> <u>327</u>	1,122	953
<b>Downtown Specific Plan Area</b>					
Vacant Parcels (Appendix Table B-1)	109	3	21	85	0
Underdeveloped Mixed-Use Area (Appendix Table B-2)	65	0	65	0	0
Catalyst Sites (Appendix Table B-3)	<del>485</del> <u>334</u>	0	<del>335</del> <u>184</u>	150	0
Residential Redevelopment Sites (Appendix Table B-4)	1,033	747	7	279	0
DSP Area Subtotal	<del>1,692</del> <u>1,541</u>	750	<del>428</del> <u>277</u>	514	0
<b>Total</b>	<b>4,425</b>	<b>1,232</b>	<b>604</b>	<b>1,636</b>	<b>953</b>

(g) Table 4-6, Density and Affordability, of the Housing Element of the City of Livermore's General Plan is amended as follows:

<b>Table 4-6. Density and Affordability</b>						
Zoning Designation	<u>Density Range</u>	<u>Affordability</u>				
		<u>Above Moderate</u>	<u>Moderate</u>	<u>Low</u>	<u>Very Low</u>	<u>Extremely Low</u>
Low Density ( <i>Single-family detached, &amp; single-family detached, small lot</i> )	1 – 8 du/acre					
Rural Residential (RR)	1 unit per 5 acres; Min. lot size 1 acre	X				
Urban Low Residential (UL)	1 – 2 du/acre	X				
Urban Low Medium (ULM)	2 -3 du/acre	X				
Urban Medium (UM)	3 – 4.5 du/acre	X				
Urban Medium High (UMH)	4.5 – 6 du/acre	X				
Urban High – 1 (UH-1)	6 – 8 du/acre	X				

Medium Density (Townhomes, duplexes, condominiums)	8-30 du/acre					
Urban High – 2 (UH-2)	8 – 14 du/acre	X	X			
Urban High -3 (UH-3)	14 – 18 du/acre		X			
Neighborhood Mixed Low	12 – 15 du/acre		X			
Neighborhood Mixed Medium	15 – 24 du/acre					
DSP/Neighborhood Plan Areas	15 – 24 du/acre		X			
DSP/Gateway Plan Areas	15 – 30 du/acre		X	X		
High Density Designations (Apartments, stacked flats)	18-55 du/acre					
DSP Transit Node (25% density bonus in Gateway Transit Plan Area)	18 – 37 du/acre		X	X		
Urban High – 4 (UH-4)	18 – 22 du/acre		X	X		
Urban High – 5	22 – 38 du/acre			X	X	X
Neighborhood Mixed High	24 – 38 du/acre			X	X	X
DSP/Neighborhood Plan Area (along Railroad Avenue)	24 – 50 du/acre (w/ CUP)				X	X
DSP/Gateway Plan Areas (along First Street)	30 – 50 du/acre (w/ CUP)				X	X
DSP/Core Plan Area	30 – 55 du/acre  (Up to 150 du/acre for Special Condition Sub- district 2.4.6 of the DSP)			X	X	X
Urban High – 6	38 – 55 du/acre				X	X

(h) Table 4-7, Sites Inventory in Relation to Available Allocations, of the Housing Element of the City of Livermore's General Plan is amended as follows:

<b>Table 4-7. Sites Inventory in Relation to Available Allocations</b>			
<b><i>Available Allocations By Program Area</i></b>	<b><u>HIP</u></b>	<b><u>TDC</u></b>	<b><u>DSP</u></b>
	<b><u>986</u></b>	<b><u>1,353</u></b>	<b><u>1,739</u></b>
<b><i>Land Inventory/ General Plan Areas</i></b>			
A-1 Vacant Sites	<del>900</del> <b><u>1,051</u></b>		
A-2 Neighborhood Plans		960	
A-3 Vacant Sites with Approved Projects		547	
A-4 Underdeveloped	231		
A-5 Underdeveloped/Mixed-use		94	
<b><i>General Plan Area Subtotal</i></b>	<b><del>1,131</del> <u>1,282</u></b>	<b><u>1,601</u></b>	
<b><i>Land Inventory/ DSP Plan Areas</i></b>			
B-1 Vacant			109
B-2 Underdeveloped			65
B-3 Catalyst Sites			<del>485</del> <b><u>334</u></b>
B-4 Redevelopment Sites			1,033
<b><i>Downtown Specific Plan Subtotal</i></b>			<b><del>1,692</del> <u>1,541</u></b>
<b><i>Total Sites Potential Capacity:</i></b>	<b><del>1,131</del> <u>1,282</u></b>	<b><u>1,601</u></b>	<b><del>1,692</del> <u>1,541</u></b>

(i) Table B-3: Downtown Specific Plan - Catalyst Sites in the Housing Element of the City of Livermore's General Plan is amended as follows:

APN	Land Use	Exist Units	Zoning	GP	Lot Size	Acres	Density Range	Realistic Density	Viable Capacity	VL	L	M	AM	Infrastructure
098 028902100 (Subdistrict 2.4.6 established by the Central Park Plan)	Vacant/ Parking	0	DSP/ Core	DA	172,251 26,452	3.90 0.62 acre	30 to 55 150	42.00 150	165 84	0	165 84	0	0	Part of Livermore Village Site. Adequate infrastructure/no constraints. Viable capacity is based upon number of units previously approved for the site.
098 028901800	Vacant/ Parking	0	DSP/ Core	DA	51,890	1.20	30 to 55	42.00	50	0	50	0	0	Part of Livermore Village Site
098 028901900	Vacant/ Parking	0	DSP/ Core	DA	16,353	0.38	30 to 55	55.00	20	0	20	0	0	Part of Livermore Village Site
098 040500400	Retail	0	DSP/ Core	DA	100,751	2.30	30 to 55	62.00	143	0	57	86	0	Groth Brothers site. Adequate infrastructure/no constraints. Property is for sale with interest by several parties to develop the site. Viable capacity is based upon number of units proposed as part of a previous development application for the site.
097 000300701	Retail	0	DSP/ Core	DA	75,000	1.72	30 to 55	62.00	107	0	43	64	0	Part of Groth Brothers site.
Subtotal B-3									485 334	0	335 184	150	0	

(j) Table A-1: General Plan Areas - Vacant Sites in the Housing Element of the City of Livermore's General Plan is amended to add one new row and change the final row of the table as follows:

APN	Land Use	Exist Units	Zoning	GP	Lot Size	Acres	Density Range	Realistic Density	Viable Capacity	VL	L	M	AM	Infrastructure
099 095000802 (a portion thereof, which was rezoned pursuant to the Central Park Plan)	Vacant	0	PDR	UH-6	156.816	3.6	38 to 55	41.9	151	0	151	0	0	Adequate infrastructure/no constraints. Should be established as affordable housing for seniors.
Subtotal A-1									900 1051	482	4 152	89	328	

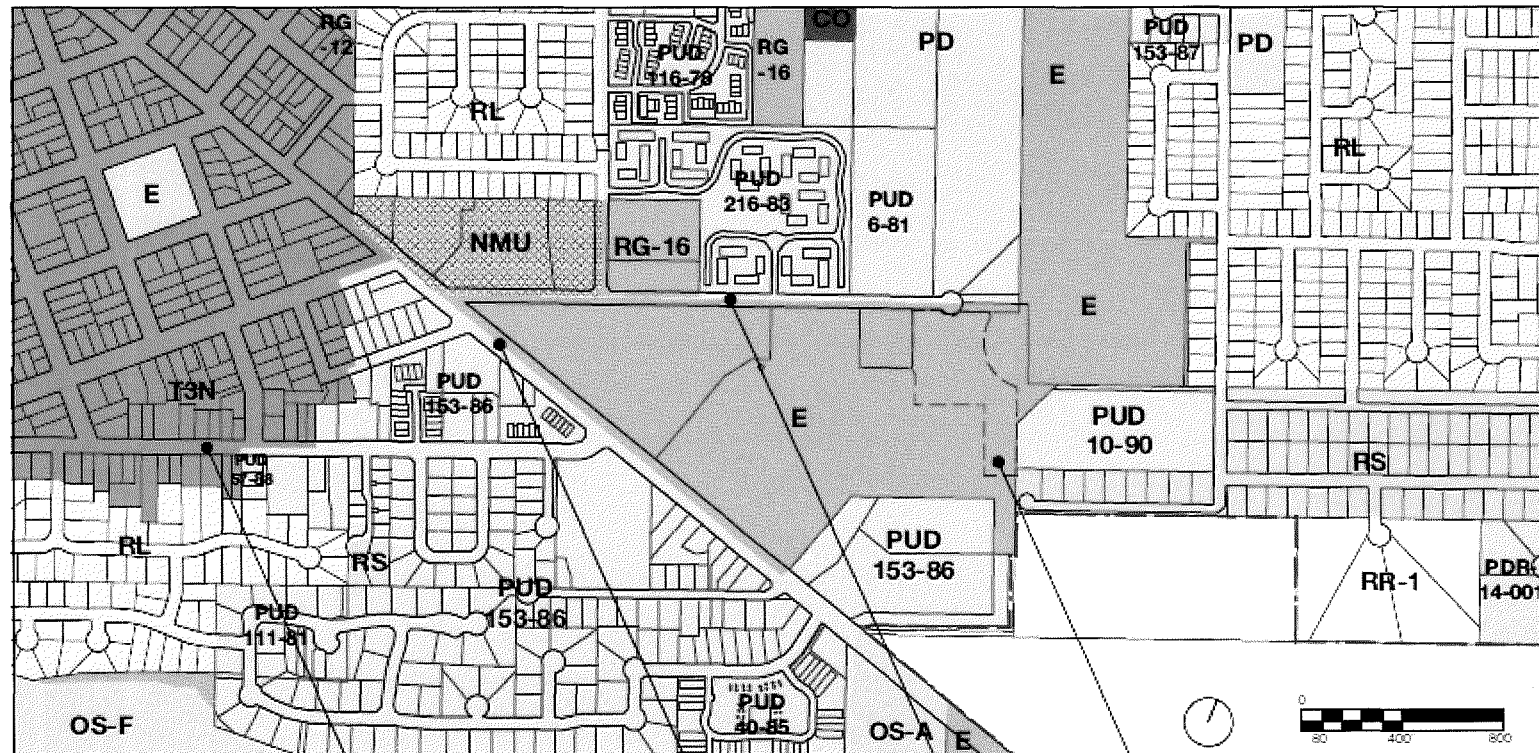
(k) The City Council, after compliance with the Livermore Development Code, the California Environmental Quality Act, and other provisions of law, may amend Section 6(f), 6(h), and 6(j) of this initiative without a vote of the people, so long as such change conforms to the intent of the Central Park Plan.

(l) Section 6(i) of the Central Park Plan is consistent with the General Plan, including the Housing Element. The remaining sites identified in the Housing Element, as amended by Section 6(j) of the Central Park Plan, which identifies and establishes a sufficient, adequate, and available site with equal or greater density, are adequate to meet the City's share of regional housing needs at each income level and there is no net loss of residential unit capacity, as specifically demonstrated by Sections 6(f) and 6(h) of the Central Park Plan.

#### Section 7. Amendments to Zoning Map

- (a) Map 7-A, which is incorporated herein, shows an excerpt of the existing Zoning Map of the City of Livermore, near the intersection of South Livermore Avenue and Pacific Avenue, and indicates the location of the Pacific Avenue Affordable Site, which has a current zoning designation of Education and Institutions (E):

## 7-A: Excerpt of City of Livermore Zoning Map (Existing Conditions)



### Legend:

#### Residential

- Rural Residential (RR)  
RR-1 40,000 sq. ft. minimum lot size
- Low Density Residential (RL)
- Suburban Residential (RS)
- Suburban Multiple Family Residential (RG)  
RG-12  
RG-16
- Multiple Family Residential (MFR)

#### Commercial

- Commercial Office (CO)
- Mixed Use**
- Neighborhood Mixed Use (NMU)
- Transect Zone - T3 Neighborhood (T3N)

#### Other

- Education and Institutions (E)
- Open Space (OS)
- Open Space Agriculture (OS-A)
- Open Space Flood Plain (OS-F)

#### Planned Development

- PD
- PUD/PUDA
- PDC
- PDR

#### Miscellaneous / Other

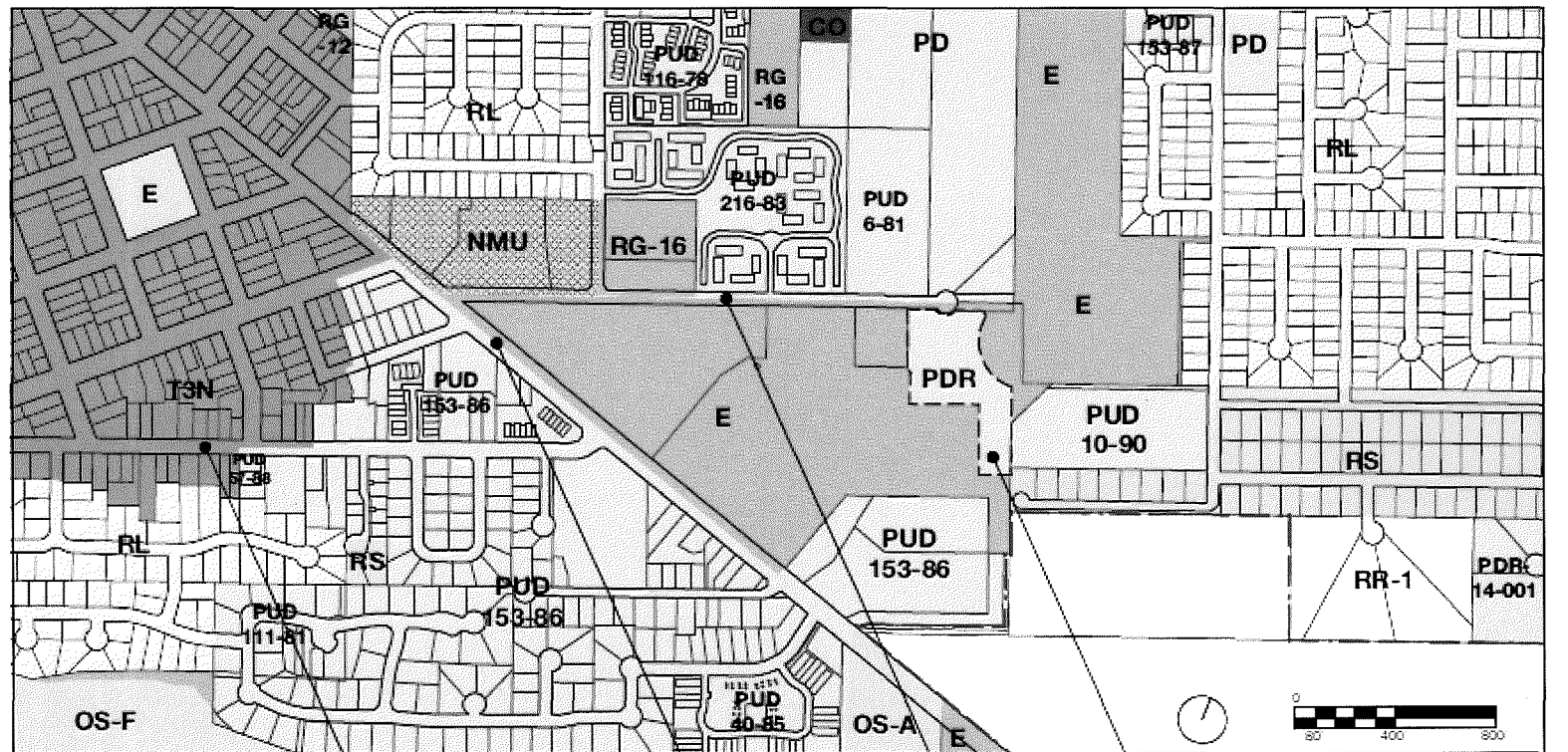
- City Limits
- Transferable Development Credits (TDC) Receiver Site

Amended by the Central Park Plan



- (b) Map 7-B, which is incorporated herein, amends Part 12, Zoning Map, of the City of Livermore Development Code, to change the zoning designation of the Pacific Avenue Affordable Site from Education and Institutions (E) to Planned Development Residential (PDR):

## 7-B: Excerpt of City of Livermore Zoning Map (Central Park Plan)



### Legend:

#### Residential

- Rural Residential (RR)  
RR-1 40,000 sq. ft. minimum lot size
- Low Density Residential (RL)
- Suburban Residential (RS)
- Suburban Multiple Family Residential (RG)  
RG-12  
RG-16
- Multiple Family Residential (MFR)

#### Commercial

- Commercial Office (CO)

#### Mixed Use

- Neighborhood Mixed Use (NMU)
- Transect Zone - T3 Neighborhood (T3N)

#### Other

- Education and Institutions (E)
- Open Space (OS)
- Open Space Agriculture (OS-A)
- Open Space Flood Plain (OS-F)

#### Planned Development

- PD
- PUD/PUDA
- PDC
- PDR

#### Miscellaneous / Other

- City Limits
- Transferable Development Credits (TDC) Receiver Site

Amended by the Central Park Plan

- (c) Map 7-C, the Zoning Map for the entire City of Livermore, which is incorporated herein, provides context to the excerpted maps in this section and the Central Park Plan's Zoning Map Amendment:



## Section 8. Internal Consistency and Future City Action.

(a) The amendments to the Downtown Specific Plan and the City of Livermore's General Plan are set forth in Sections 4 through 6 to eliminate any possible inconsistency within or between the Downtown Specific Plan and any elements of the General Plan and ensure that the Central Park Plan is consistent with the goals, objectives and policies of the General Plan. To that end, the Downtown Specific Plan and the General Plan, as amended by the Central Park Plan, constitute integrated, internally consistent and compatible statements of planning policies.

(b) To the extent any further amendments to the elements of the General Plan are necessary to ensure consistency with the amendments set forth in Sections 5 and 6, the City of Livermore is hereby authorized and directed to amend such elements of the General Plan as soon as possible and in the manner and time required by State Law.

(c) In the event that any provisions of the City of Livermore Development Code become inconsistent with the General Plan or the Downtown Specific Plan by reason of the Central Park Plan, the City of Livermore is hereby authorized and directed to amend the Development Code within a reasonable time so that it is consistent with the General Plan and the Downtown Specific Plan.

## Section 9. Implementation

(a) Upon the effective date of the Central Park Plan, the provisions of the Central Park Plan shall be inserted into the Downtown Specific Plan.

(b) Promptly following the effective date of the Central Park Plan, the City of Livermore's City Council, the Planning Commission, the Historic Preservation Commission, and other appropriate officials, boards, and commissions shall take all action necessary to achieve the policies and purposes of this initiative.

(c) Upon the effective date of the initiative, the General Plan amendments contained in the initiative are hereby inserted into the General Plan, except that if the four amendments of the mandatory elements of the General Plan permitted by state law for any calendar year have been utilized in the year in which this initiative becomes effective, the General Plan amendments set forth in this initiative shall be the first amendments inserted into the General Plan on January 1 of the next year.

(d) At the City Council's regularly scheduled first meeting in February each calendar year, the City Manager of the City of Livermore shall deliver a written report to

the City Council on the status of implementation of the Central Park Plan at the public hearing.

## Section 10. Conflicting Measures

In the event this measure and another measure or measures concerning the Livermore Downtown Specific Plan appear on the same city ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety and the provisions of the other measure or measures shall be null and void.

## Section 11. Integration into the Development Code

Part 13 is added to the Development Code to read:

### Part 13      The Central Park Plan

#### 13.01.010.    Purpose

The purpose of this Part is to make the initiative cited as the Central Park Plan an ordinance.

#### 13.01.020.    Incorporation by Reference

The Central Park Plan initiative is hereby incorporated by reference herein in its entirety and placed into this section.

#### 13.01.030.    Intent

The entire text of the Central Park Plan initiative shall be used in interpreting the Central Park Plan. This includes, without limitation:

- A. The substantive amendments in the Central Park Plan initiative to the Downtown Specific Plan;
- B. The findings, purposes and intent as set forth in the Central Park Plan initiative;
- C. The definitions used to define terms in the Central Park Plan initiative; and,
- D. All other provisions and figures in the Central Park Plan initiative when it became law.

## Section 12. Severability

If any provision of this measure, or part thereof, or the application of any provision or part to any person or circumstance is held for any reason to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, but shall remain in full force and effect, and to this end, the provisions of this measure are severable.

# Exhibit A

Deleted by the Central Park Plan

SHORT TERM

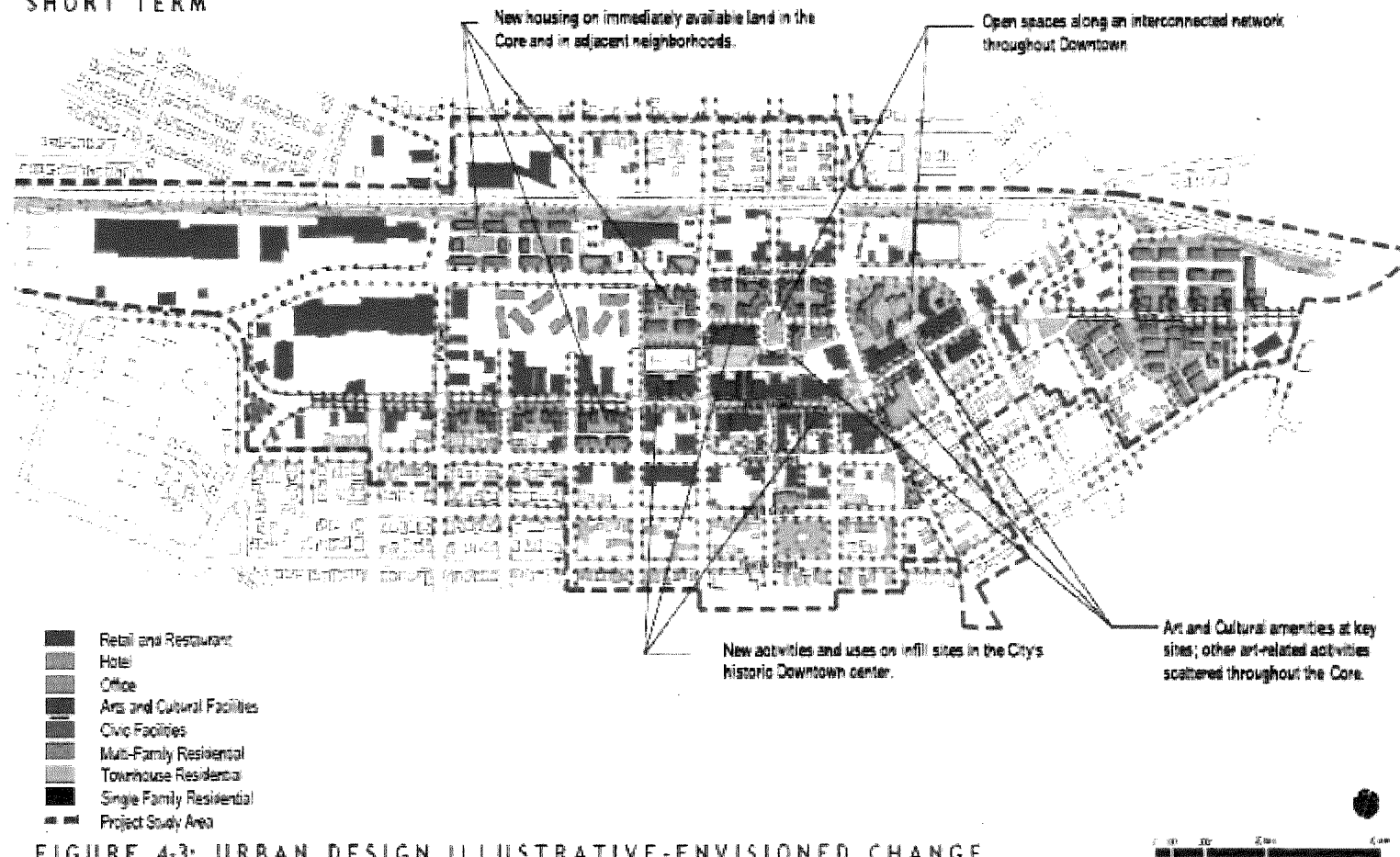


FIGURE 4-3: URBAN DESIGN ILLUSTRATIVE-ENVISIONED CHANGE

## Livermore Downtown Specific Plan



## Exhibit A - continued

Deleted by the Central Park Plan

LONG TERM

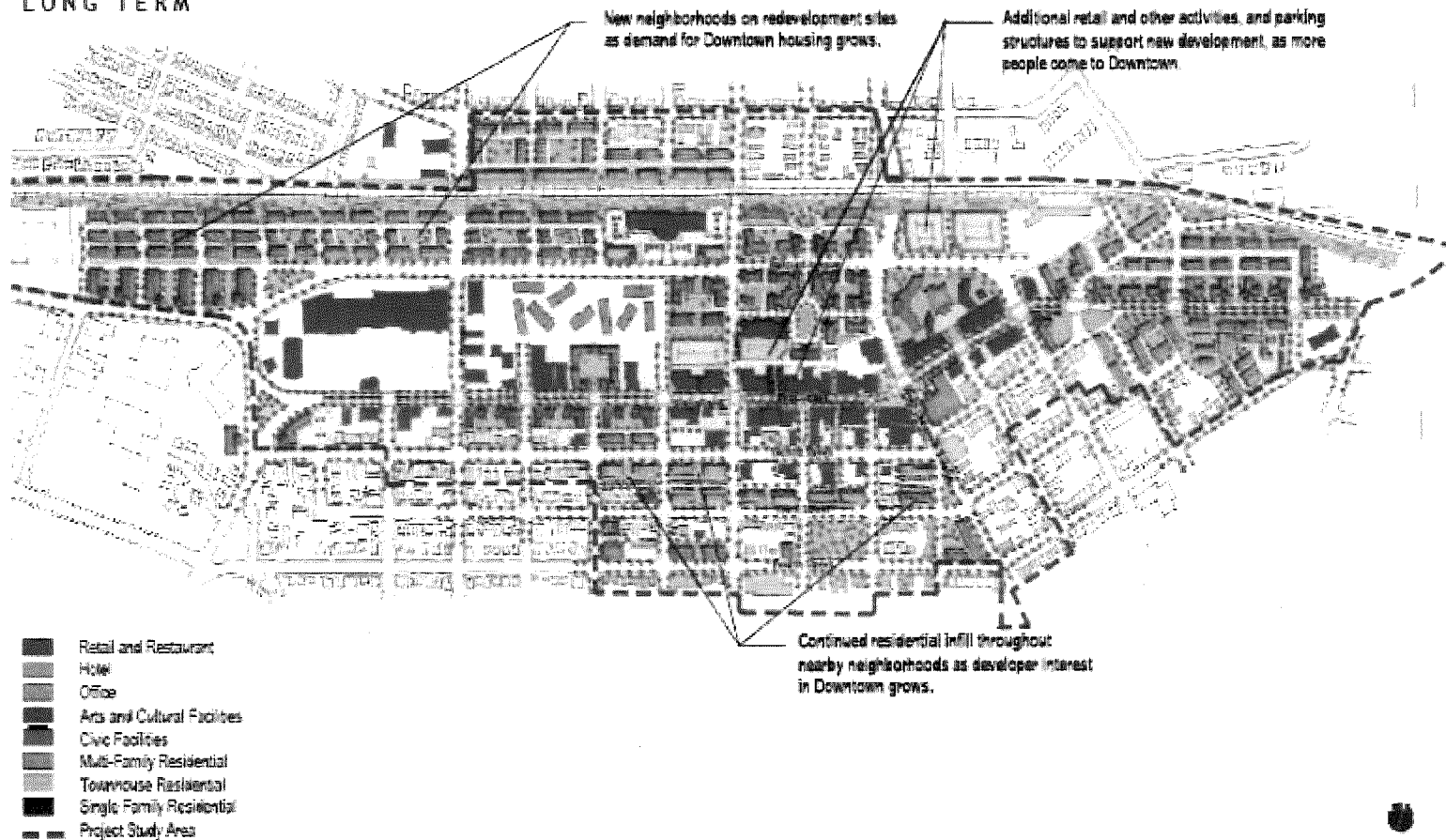


FIGURE 4-4: URBAN DESIGN ILLUSTRATIVE-ENVISIONED CHANGE

## Livermore Downtown Specific Plan

## Exhibit B

Deleted by the Central Park Plan

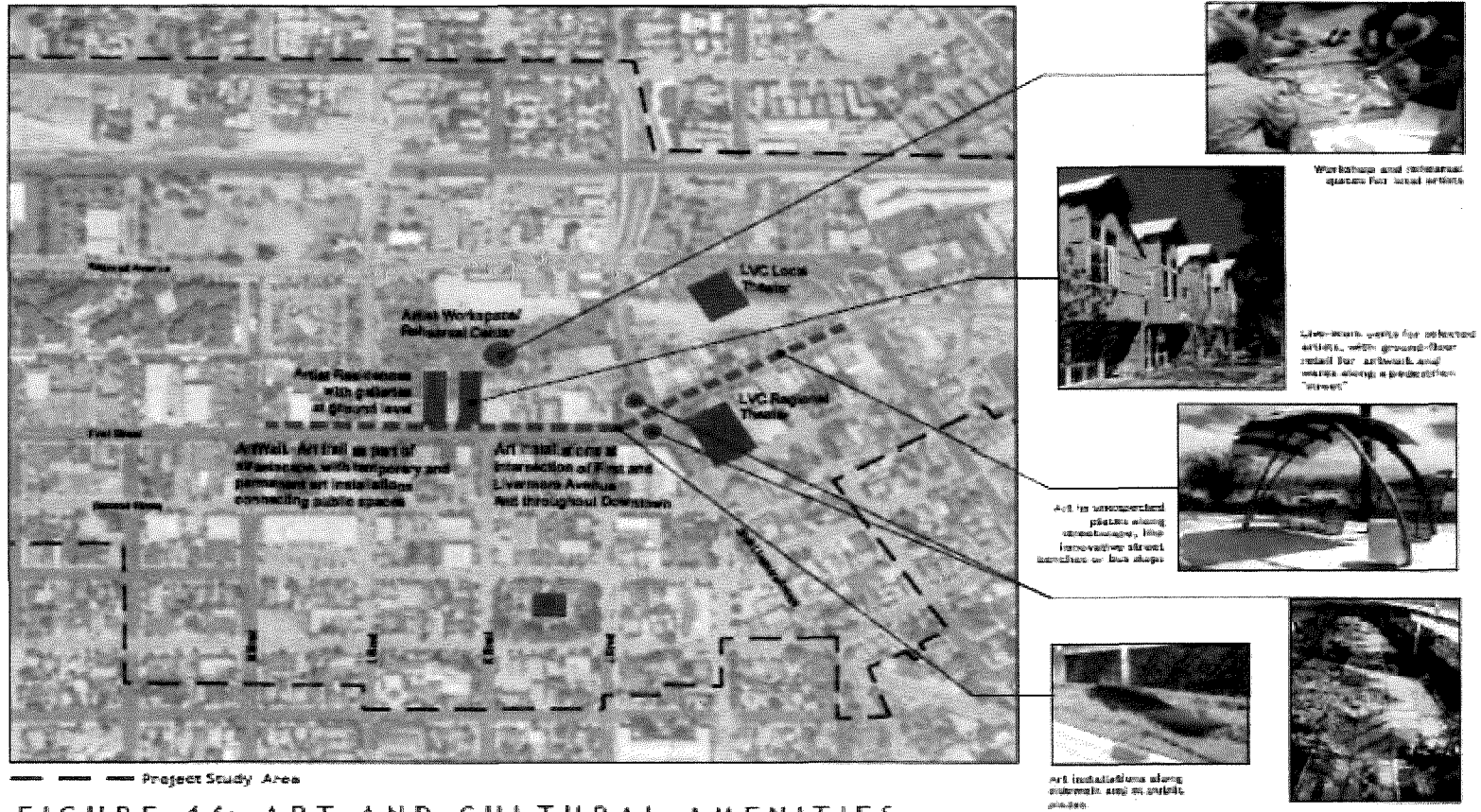
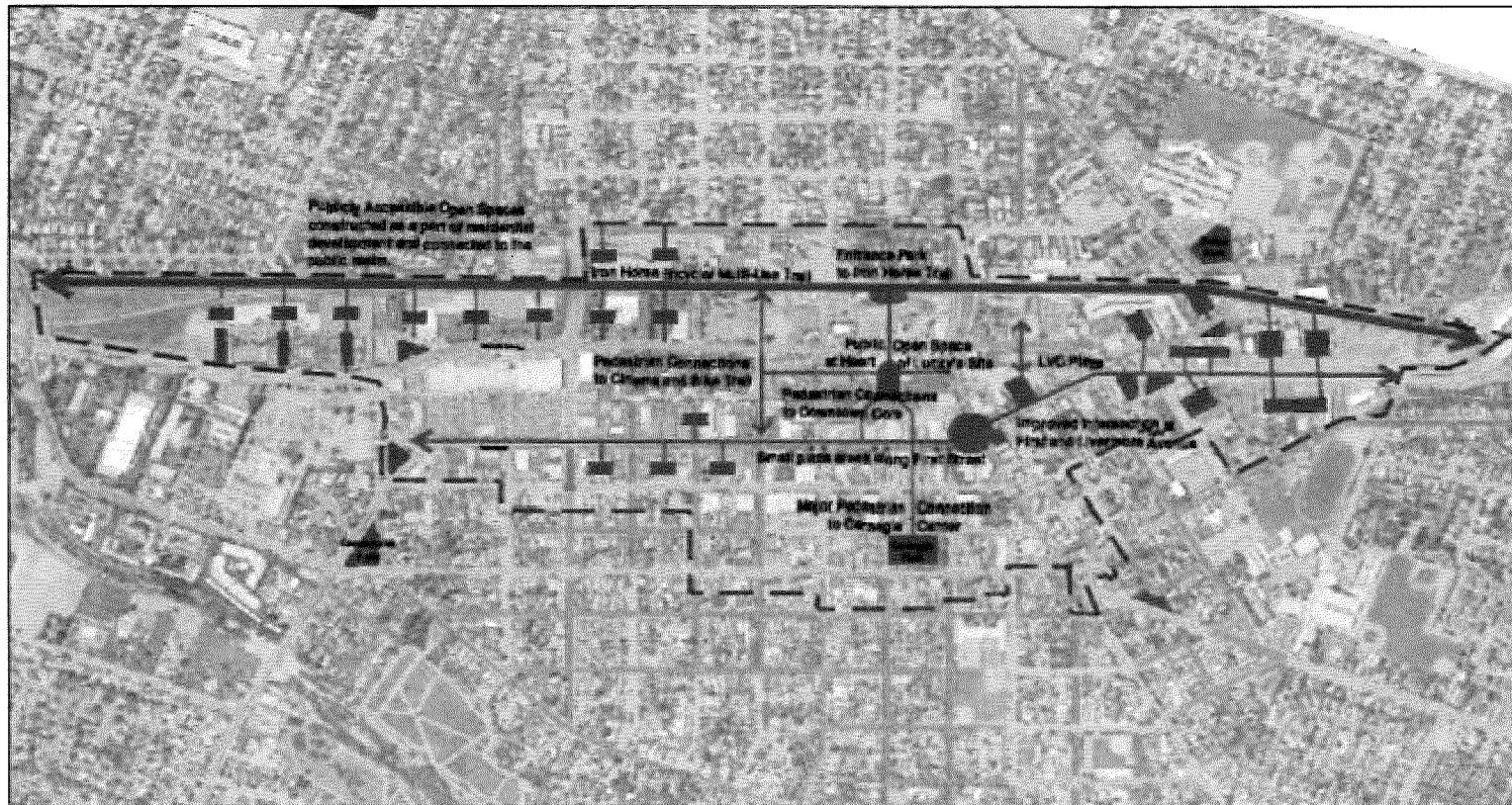


FIGURE 4-6: ART AND CULTURAL AMENITIES

**Livermore Downtown Specific Plan** City of Livermore

## Exhibit B - continued

Deleted by the Central Park Plan



- Open Space
- Project Study Area
- Enhanced Pedestrian Ways



FIGURE 4-7: OPEN SPACE AND ACCESS

City of Livermore

# Livermore Downtown Specific Plan

# Exhibit C

Deleted by the Central Park Plan

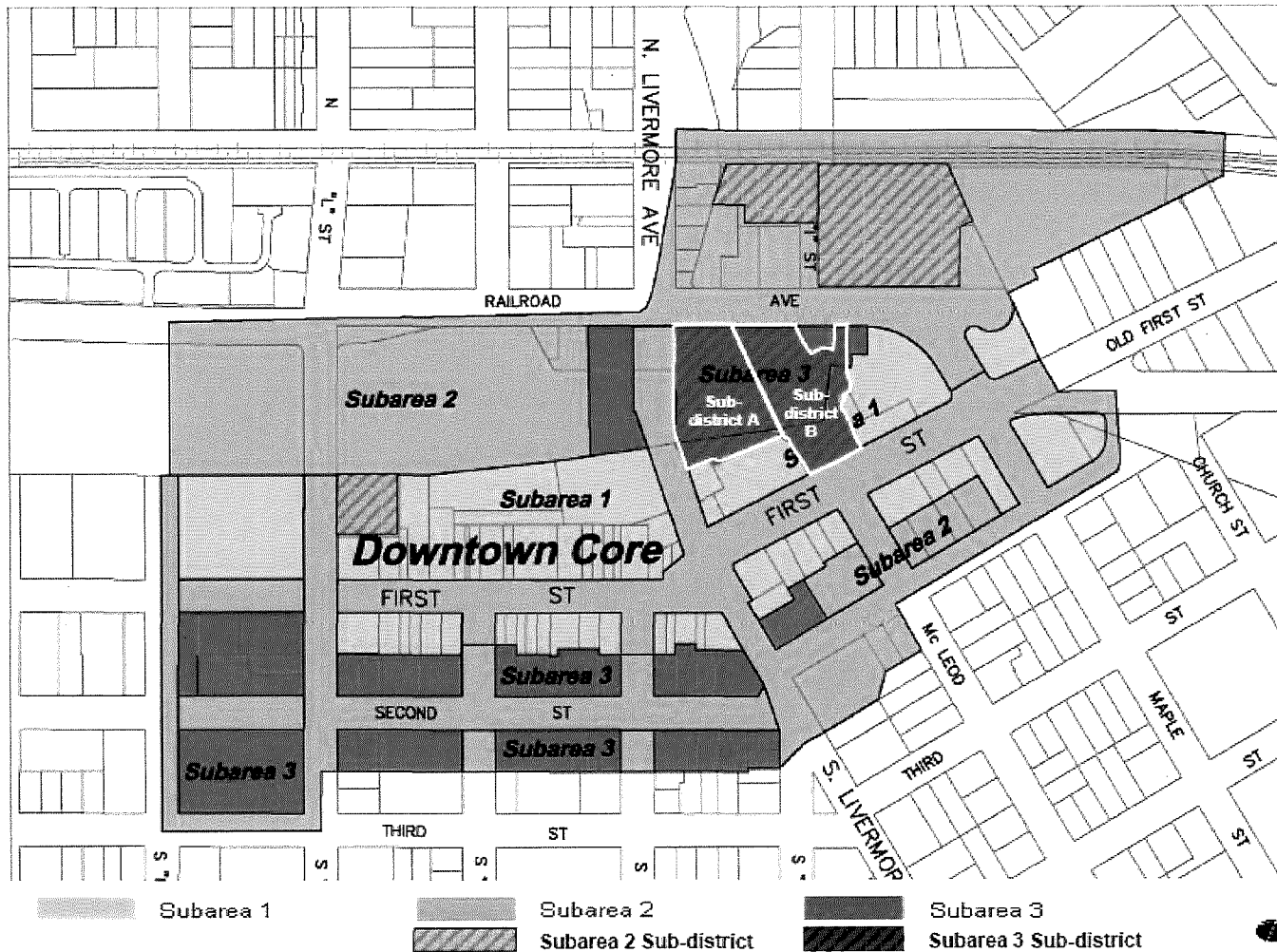


FIGURE 5-1: LAND USE PLAN AREA: THE DOWNTOWN CORE

## Livermore Downtown Specific Plan



## Exhibit D

Deleted by the Central Park Plan

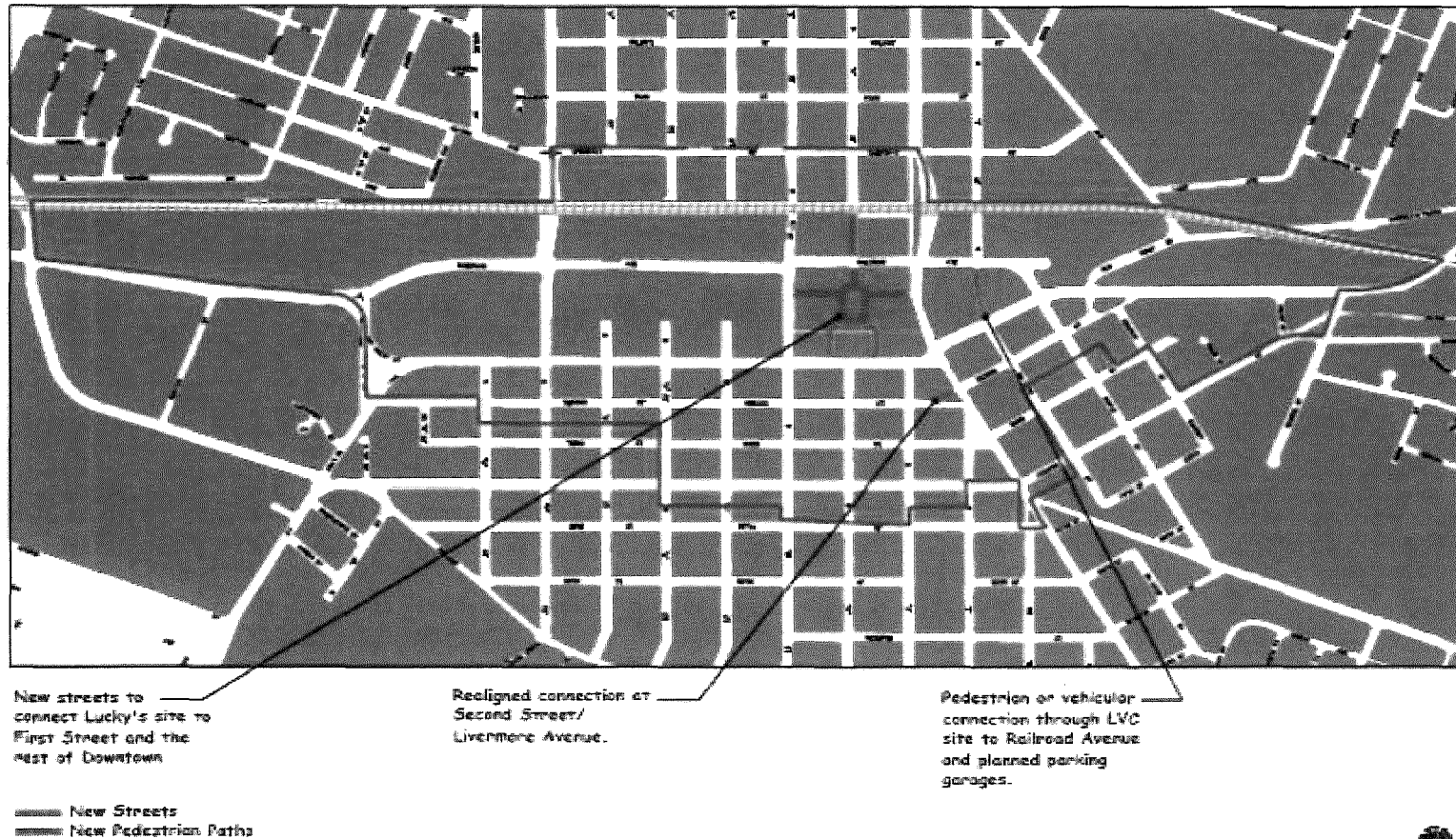
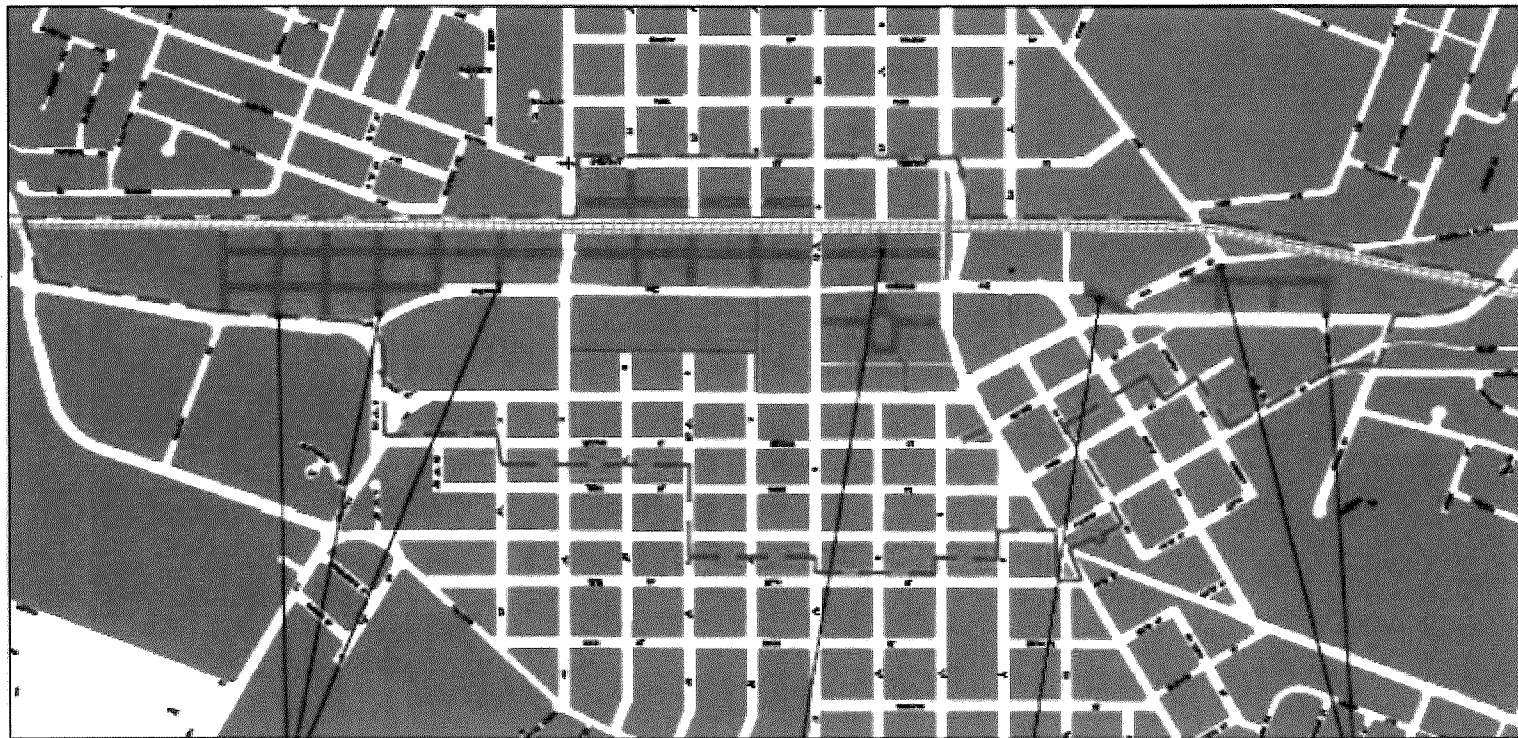


FIGURE 7-3: MINIMUM NEW STREET NETWORK

**Livermore Downtown Specific Plan**

## Exhibit D - continued

Deleted by the Central Park Plan



New blocks should match the typical city block size of 300' x 200'. In no case should blocks be greater than 400' x 300'.

— New Streets  
— New Pedestrian Paths

New streets accommodating vehicular or pedestrian access to provide connections to the proposed multi-use trail and other open spaces.

Railroad Avenue - realignment to facilitate traffic circulation in the Downtown.

New streets should align and connect with the existing City network to improve access and provide frequent connections throughout the Downtown.

FIGURE 7-4: PROPOSED TYPICAL STREET NETWORK

0 100 200 300 400

City of Livermore

# Livermore Downtown Specific Plan