

chapter

# 5

Historic Town Center, Transit Village, and Hercules Point Sub-District Amendments

## Appendix

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## Appendix A: Glossary

**Alcoholic Beverage Sales.** The retail sale of beer, wine, and/or spirits in sealed containers for off-site consumption, either as part of another retail use, or as a primary business activity.

**ATM.** An automated teller machine (computerized, self-service machine used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel), located outdoors at a bank, or in another location. Does not include drive-up ATM's.

**Bank, Financial Services.** Financial institutions including: banks and trust companies, credit agencies, holding (but not primarily operating) companies, lending and thrift institutions, other investment companies, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies. Does not include check-cashing stores. (*See also*, "ATM")

### Bar, Tavern, Night Club:

**Bar, Tavern.** A business where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a microbrewery ("brew-pub"), and other beverage tasting facilities.

**Night Club.** A facility serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music and/or dancing, comedy, etc. Does not include adult oriented businesses.

**Building Type.** The structure defined by the combination of configuration, disposition and function.

**Build-to Line (BTL).** A line appearing graphically on the regulating plan or stated as a setback dimension, along which a building facade must be placed.

**Business Incubator Structures.** Buildings or structures that are intended to fulfill a short-term need and provide incubator space and ultimately will be replaced by a permanent building or structure.

**Business Support Service.** An establishment within a building that provides services to other businesses. Examples of these services include:

Computer-related services (rental, repair) (see also "Maintenance Service - Client Site Services"), copying, quick printing, and blueprinting services, film processing and photofinishing (retail), mailing and mailbox services.

**Child Day Care.** See "Day Care Center."

**Civic.** A term defining not-for-profit organizations, dedicated to arts, culture, education, religious activities, recreation, government, transit, and public parking facilities.

**HWDMP Sub-District Amendments  
Opticos Design, Inc.**

**Commercial.** A term defining workplace, office and retail use collectively.

**Commercial Recreation Facility - Indoor.** An establishment providing indoor amusement and entertainment services for a fee or admission charge, including:

Bowling alleys, coin-operated amusement arcades, electronic game arcades (video games, pinball, etc.), ice skating and roller skating, pool and billiard rooms as primary uses.

Four or more electronic games or amusement devices (e.g., pool or billiard tables, pinball machines, etc.) in any establishment, or a premises where 50 percent or more of the floor area is occupied by electronic games or amusement devices, are considered a commercial recreation facility; three or fewer machines or devices are not considered a land use separate from the primary use of the site. This use does not include sex-oriented businesses.

**Common Courtyard.** An entry court, forecourt or courtyard shared by multiple residential units or commercial spaces.

**Corner Element.** A prominent architectural element, such as a tower, corner bay window (chamfered or round) or significant facade articulation, designed to accent the corner of a building and typically used to terminate a view or mark an important entrance.

### Day Care Center: Child or Adult; Large Family and Single Family:

**Day Care Center: Child or Adult.** A state-licensed facility that provides non-medical care and supervision for adult clients or minor children for periods of less than 24 hours for any client. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services.

**Large Family Day Care Home.** As defined by California Health and Safety Code Section 1596.78, a day care facility in a single dwelling where an occupant of the residence provides family day care for seven to 14 children, inclusive, including children under the age of 10 years who reside in the home.

**Small Family Day Care Home.** As defined by California Health and Safety Code Section 1596.78, a day care facility in a single residence where an occupant of the residence provides family day care for eight or fewer children, including children under the age of 10 years who reside in the home.

**Director.** The Community Development Director of the City of Hercules, or his or her duly appointed representative.

**Duplex (also Triplex and Fourplex).** See "Multi-Family Housing".

**Facade.** The vertical surface of a building, generally set facing a street ("front facade").

**Farmers Market.** The temporary use of a site for the outdoor sales of food and farm produce items, in compliance with the California Food and Agriculture Code Sections 1392 et seq.

**Floor Finish Level.** (See *Ground Floor Finish Level*)

**Frontage.** A strip or extent of land abutting on a street or other public right-of-way.

**Furniture and Fixtures Manufacturing, Cabinet Shop.** A business that manufactures wood and metal household furniture and appliances; bedsprings and mattresses; all types of office furniture and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades. Includes furniture re-upholstering businesses, and wood and cabinet shops, but not sawmills or planing mills.

**Gallery.** A roofed promenade extending along the facade of a building and supported by columns on the outer side.

**General Retail.** Stores and shops intended to serve the City as destination retail, rather than convenience shopping. Examples of these stores and lines of merchandise include:

Art galleries; retail; art supplies, including framing services; books, magazines, and newspapers; cameras and photographic supplies; clothing, shoes, and accessories; collectibles (cards, coins, comics, stamps, etc.); drug stores and pharmacies; dry goods; fabrics and sewing supplies; furniture and appliance stores; hobby materials; home and office electronics; jewelry; luggage and leather goods; musical instruments; parts; accessories; small wares; specialty grocery store; specialty shops; sporting goods and equipment; stationery; toys and games; variety stores; videos, DVD's, records, and CD's, including rental stores.

**Ground Floor Ceiling Height.** Height from finished floor to finished ceiling of primary rooms on the ground floor not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.

**Ground Floor Finish Level.** Height difference between adjacent public walk and the ground floor. In the case of a loading dock frontage that serves as the public Right-of-Way, the Floor Finish Level is the height of the walk above the adjacent street.

**Health/Fitness Facility.** A fitness center, gymnasium, health and athletic club, which may include any of the following:

Exercise machines, weight facilities, group exercise rooms, sauna, spa or hot tub facilities, indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities, indoor or outdoor pools.

**Height.** A limit to the vertical extent of a building that is measured in number of stories. Height limits do not apply to masts, belfries, clock towers, chimney flues, water tanks, elevator bulkheads, and similar structures, which may be of any height approved by the Director.

**Historic Building/Structure.** Existing buildings with historic significance including the Administration building, Clubhouse, and Civic Arts building. The uses of the Historic Buildings/Structures are regulated by the Allowable Uses in the Building Form Zone in which the building/structure is located. All other Building Form Standards do not apply to Historic Buildings/Structures.

**Home Occupation.** Residential premises used for the transaction of business or the supply of professional services. Home occupation shall be limited to the following: agent, architect, artist, broker, consultant, draftsman, dressmaker, engineer, interior decorator, lawyer, notary public, teacher, and other similar occupations, as determined by the Director. Such use shall not simultaneously employ more than 2 people in addition to residents of the dwelling. The total gross area of the home occupation use shall not exceed 25 percent of the gross square footage of the residential unit. The home occupation use shall not disrupt the generally residential character of the neighborhood. The Director shall review the nature of a proposed home occupation use at the time of review of a business license for such use, and may approve, approve with conditions, continue, or deny the application.

**Infill.** The development of vacant land that was bypassed by earlier waves of development and is now largely surrounded by developed land.

**Library, Museum.** Public or quasi-public facilities, examples of which include: aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, planetariums, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.

**Live/Work Unit.** An integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

Complete kitchen space and sanitary facilities in compliance with the Building Code; and

Working space reserved for and regularly used by one or more occupants of the unit.

**Lodging - Bed & Breakfast Inn (B&B).** A residential structure with one or more bedrooms rented for overnight lodging, where meals may be provided subject to applicable Environmental Health Department regulations.

**Lodging - Hotel.** A facility (typically a hotel or motel) with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. Hotels typically include a variety of services in addition to lodging; for example, restaurants,

meeting facilities, personal services, etc. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

**Marina.** A facility which may include any of the following:

Boat slips and docks, moorage and launching facilities, related repair and supply service, fueling facilities, food and beverage and sundries sales, clubhouse which may contain dining and lounge facilities, recreational equipment sales, water oriented recreational instruction facilities, fishing piers, related administrative offices, and other appurtenant uses.

**Media Production.** Facilities for motion picture, television, video, sound, computer, and other communications media production.

**Medical Services: Doctor Office.** A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with five or more licensed practitioners is instead classified under "Medical Services – Clinic, Urgent Care." Counseling services by other than medical doctors or psychiatrists are included under "Office – Professional, Administrative."

**Meeting Facility, Public or Private.** A facility for public or private meetings, including:

Community centers, religious assembly facilities (e.g., churches, mosques, synagogues, etc.), civic and private auditoriums, Grange halls, union halls, meeting halls for clubs and other membership organizations, etc.

Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use, and which are typically used only by on-site employees and clients, and occupy less floor area on the site than the offices they support. Does not include:

Cinemas, performing arts theaters, indoor commercial sports assembly or other commercial entertainment facilities.

Related on-site facilities such as day care centers and schools are separately defined and regulated.

**Metal Products Fabrication, Machine or Welding Shop.** An establishment engaged in the production and/or assembly of metal parts, including the production of metal cabinets and enclosures, cans and shipping containers, doors and gates, duct work, forgings and stampings, hardware and tools, plumbing fixtures and products, tanks, towers, and similar products. Examples of these uses include:

Blacksmith and welding shops, plating, stripping, and coating shops, sheet metal shops, machine shops and boiler shops.

**Minor Use Permit.** These permits are issued by the Community Development Director for uses that are generally permitted within a district and usually are of low impact to the community and environment. Conditions of approval, mandatory review periods, and expiration periods may be required at the discretion of the Community Development Director. In granting conditional approval, the Director may impose requirements and conditions with respect to location, siting, construction, maintenance, operation, duration, and overall development as deemed reasonable and necessary for the protection of adjacent properties and the public interest. If a Minor Use Permit denied by the Director is appealed to the Planning Commission, it shall become a Use Permit if approved.

**Mixed-Use Project.** A development that combines both commercial and residential uses on the same site, typically with the residential above the commercial uses that occupy the ground floor street frontage.

**Mixed-Use Project Residential Component.** The residential portion of a mixed-use project.

**Multi-Family Housing.** A structure containing two or more dwelling units. Multi-family dwellings include: duplexes, triplexes, fourplexes (buildings under one ownership with two, three or four dwelling units, respectively, in the same structure); apartments (five or more units under one ownership in a single building); townhouse development (three or more attached dwellings where no unit is located over another unit); rowhouses; and other building types containing multiple dwelling units (for example, condominiums, courtyard housing, stacked flats, etc.).

**Multi-Modal Transit Station.** A passenger station for vehicular, ferry and rail mass transit systems. Includes bus and ferry terminals, bicycles facilities, taxi stands, railway stations, etc.

**Neighborhood Market.** A neighborhood serving retail store, primarily offering food products, which may also carry a range of merchandise oriented to daily convenience shopping needs, and may be combined with food service (e.g., delicatessen).

**Office, Business, Service and Professional, Administrative.**

**Business, Service.** Establishments providing direct services to consumers. Examples of these uses include employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, elected official satellite offices, etc. This use does not include "Bank, Financial Services," which is separately defined.

**Professional, Administrative.** Office-type facilities occupied by businesses that provide professional services, or are engaged in the production of intellectual property. Examples of these uses include:

Accounting, auditing and bookkeeping services, advertising agencies, attorneys, business associations, chambers of commerce, commercial art and design services, construction contractors (office facilities only), counseling services, court reporting services, design services including architecture, engineering, landscape architecture, urban planning, detective agencies and similar services, doctors, educational, scientific and research organizations, financial management and investment counseling, literary and talent agencies, management and public relations services, media postproduction services, news services, photographers and photography studios, political campaign headquarters, psychologists, secretarial, stenographic, word processing, and temporary clerical employee services, security and commodity brokers, writers and artists offices.

**Park, Playground.** An outdoor recreation facility that may provide a variety of recreational opportunities including playground equipment, open space areas for passive recreation and picnicking, and sport and active recreation facilities.

**Parking Facility, Public or Commercial.** Parking lots or structures operated by the City, or a private entity, providing parking for a fee. Does not include towing impound and storage facilities.

**Paseo.** A pedestrian alley. Pedestrian alleys are located and designed to reduce the required walking distance within a neighborhood.

**Personal Services.** Establishments that provide non-medical services to individuals as a primary use. Examples of these uses include:

Barber and beauty shops, clothing rental, dry cleaning pick-up stores with limited equipment, home electronics and small appliance repair, laundromats (self-service laundries), locksmiths, massage (licensed, therapeutic, non-sexual), nail salons, pet grooming with no boarding, shoe repair shops, tailors, tanning salons.

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

**Prohibited Uses.** Uses not listed in Table 1.1 “Hercules Bayfront Composite Use Table” are specifically prohibited unless the Director determines that a use is consistent pursuant to the Code.

**Public Safety Facility.** A facility operated by a public agency including fire stations, other fire preventive and fire fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities. May include ambulance dispatch on the same site.

**Residential Accessory Use or Structure.** Any use and/or structure that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use. This definition includes the following detached accessory structures normally associated with a residential use property.

Garages, gazebos, greenhouses (noncommercial), spas and hot tubs, storage sheds, studios, swimming pools, tennis and other on-site sport courts, workshops.

Also includes the indoor storage of automobiles (including incidental restoration and repair), personal recreational vehicles and other personal property, accessory to a residential use. Does not include second units, which are separately defined; guest houses, which are included under the definition of second units; or home satellite dish and other receiving antennas or earth-based TV and radio broadcasts.

**Residential.** Premises used primarily for human habitation. Units shall not be less than 375 square feet in net area.

**Residential Care.** A single dwelling or multi-unit facility, licensed or supervised by a Federal, State, or local health/welfare agency, that provides 24-hour nonmedical care of unrelated persons who are handicapped and in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment. Does not include day care facilities, which are separately defined.

**Restaurant, Cafe, Coffee Shop.** A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption (“counter service”); and establishments where customers are served food at their tables for on-premise consumption (“table service”), that may also provide food for take-out, but does not include drive-through services, which are separately defined and regulated.

**Second Unit or Carriage House.** A second unit or carriage house is an auxiliary housing unit located above or adjacent to the garage of the primary housing unit on the lot. A carriage unit constitutes a residential second unit in compliance with the Government Code Section 65852.2 and, as provided by the California Government Code, is not included in maximum density limitations.

**Setback.** The mandatory distance between a property line and a building or appurtenance.

**Shared Parking.** Any parking spaces assigned to more than one use, where persons utilizing the spaces are unlikely to need the spaces at the same time of day.

**Storage, Outdoor.** The storage of various materials outside of a structure other than fencing, either as an accessory or primary use.

**Storage, Personal Storage Facility.** Structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand.

**Storefront.** The portion of a frontage that is composed of the display window and/or entrance and its components including windows, doors, transoms and sill pane that is inserted into various frontage types, such as a shopfront or gallery, to accommodate retail.

**Story.** A habitable floor level within a building, typically 8' to 14' high from floor to ceiling. A half story is a conditioned space that rests primarily underneath the slope of the roof, usually having dormer windows and occupying about half the area of the floor or floors below. Individual spaces, such as lobbies and foyers may exceed one story in height. The number of stories are measured from the sidewalk of the primary street.

**Studio - Art, Dance, Martial Arts, Music, etc.** Small-scale facilities, typically accommodating no more than two groups of students at a time, in no more than two instructional spaces. Examples of these facilities include:

Individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment.

Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

**Substantial Compliance.** It occurs when physical improvements to the existing development site are completed which constitute the greatest degree of compliance with current development provisions.

**Temporary Parking Lots.** Parking lots that are not permanent and are only intended to fulfill a short-term need and ultimately will be replaced by a permanent building or structure. Temporary Parking lots are not subject to the location regulations and liner requirements for above grade parking in the Building Form Standards.

**Theater (Cinema or Performing Arts).** An indoor facility for group entertainment, other than sporting events. Examples of these facilities include:

Civic theaters, facilities for "live" theater and concerts, and movie theaters

**Undeveloped Portion of the Historic Town Center, Transit Village and Hercules Point Sub-Districts.** This term encompasses the following property: (a) All property located in the Transit Village Sub-District; and (b) All property located in the Hercules Point Sub-

District; and (c) All property located in the Historic Town Center Sub-District, with the following exceptions and addition: excluding the Railroad Avenue Live-Work units (Lots 1-15 of Vesting Subdivision Map No. 8644); excluding the site of three historic buildings at the southern end of the HTC Sub-District in the area bounded by Railroad Avenue to the south and otherwise surrounded by San Pablo Bay Park (sometimes commonly called the Masonic Lodge site); and including the site of the Civic Arts Building located at the southern end of the HTC Sub-District across Railroad Avenue from San Pablo Bay Park.

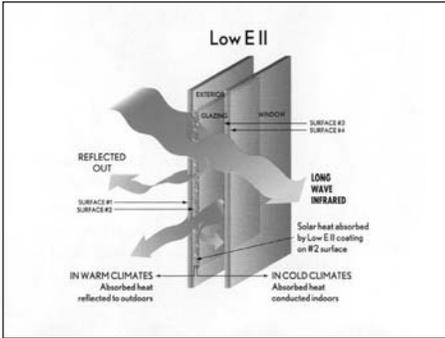
**Use Permit.** These permits are issued by the Planning Commission for conditional uses allowed within a district. The Use Permits will usually include conditions of approval, mandatory review periods, and expiration periods as required at the discretion of the Planning Commission. In granting conditional approval, the Planning Commission may impose requirements and conditions with respect to location, siting, construction, maintenance, operation, duration, and overall development as deemed reasonable and necessary for the protection of adjacent properties and the public interest.

**Upper Floor Ceiling Height.** Height from finished floor to finished ceiling of primary rooms on the upper floors not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.

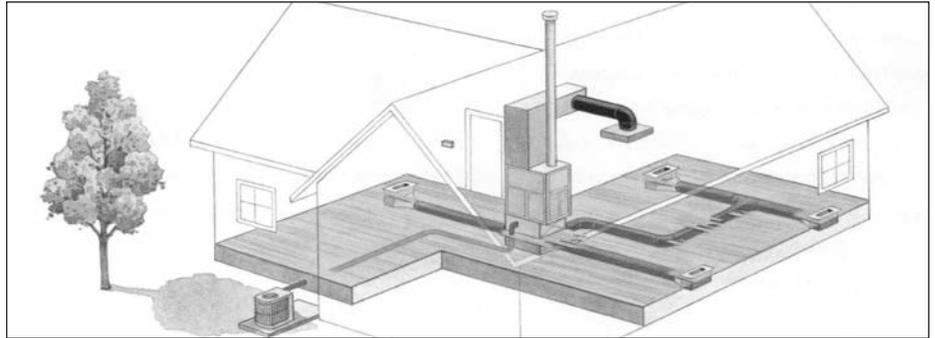
**Wireless Telecommunications Facility.** Public, commercial and private electromagnetic and photoelectric transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections.

**Work/Live Unit.** An integrated housing unit and working space in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity with a substantial commercial component that may accommodate employees and walk-in trade.

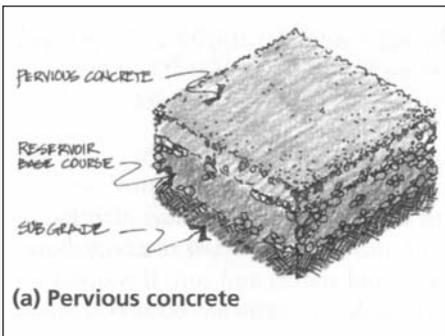
# Appendix B: Green Building Resources



Energy-saving window by Marvin



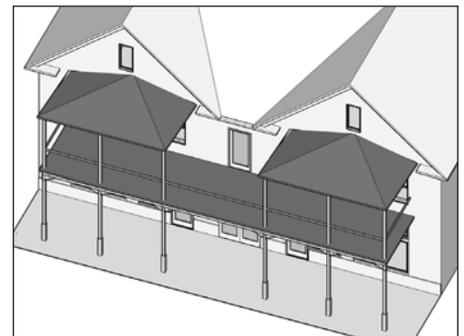
Shaded air conditioning unit & ductwork installed within the insulated building envelope (PG&E)



Pervious concrete as an example of permeable paving (Green Streets, Metro, 2000)



Overhang shading window from hot sunlight



2-Story gallery provides shade across building

## Appendix B: Green Building Guidelines

As a pilot project for LEED for Neighborhood Development the Hercules Bayfront should strive to reach a high level of green building standards that combines principles of smart growth, new urbanism and green building. This role reflects the importance of sustainability in all phases of this project from design through construction. There are many methods to achieving this high level of sustainability based upon energy efficiency, sustainable site planning, materials and resources used, indoor air quality and water efficiency. California's building and energy code, Title 24, continues to raise the bar and demands new construction to be energy efficient.

The following is a list of resources and agencies that provide important information on how to achieve a high level of green building and sustainable design.

### Suggested Resources:

U.S. Green Building Council (USGBC): [www.usgbc.org](http://www.usgbc.org)

U.S. Environmental Protection Agency:  
[www.epa.gov/greenbuilding/](http://www.epa.gov/greenbuilding/)

Center of Excellence for Sustainable Development:  
[www.sustainable.doe.gov](http://www.sustainable.doe.gov)

Smart Growth America: [www.smartgrowthamerica.org](http://www.smartgrowthamerica.org)

LEED for New Construction Reference Guide

Field Guide to Sustainable Construction

Environmental Building News: [www.buildinggreen.com](http://www.buildinggreen.com)

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## Appendix C: Supplemental Transit Information

Guidance for the design of the Multi-Modal Transit Station is provided by the BART Station Access Guidelines (April 2003). This document can be downloaded at the web address below:

[http://www.bart.gov/docs/planning/access\\_guidelines.pdf](http://www.bart.gov/docs/planning/access_guidelines.pdf)

Parking projections for the Multi-Modal Transit Station are based on the Nelson/Nygaard Commuter Parking Demand Projections for the proposed Hercules Passenger Rail Station (2006).

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