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## POINT MOLATE PLANNED AREA DISTRICT

### INTRODUCTION

The Point Molate Planned Area District (PM-PAD) consists of the PM-PAD Zoning (Attachment 1) and PM-PAD Zoning Map (Attachment 2). The PM-PAD envisions a new, mixed-use community composed of new development, rehabilitated historic buildings that contribute to the Winehaven Historic District, and parks and open space areas. The PM-PAD promotes an in-fill project that reuses Point Molate (Project Site), which was formerly used as a Navy fuel depot. The Project Site consists of approximately 276 acres, of which no more than thirty (30) percent can be developed. The remainder of the Project Site must be parks and open space, which includes areas for passive and active recreation such as hiking areas, plazas, parks, and multi-use trails, as well as other areas more specifically described on the PM-PAD.

The PM-PAD is consistent with the Richmond General Plan and other applicable policies and would not interfere with surrounding development. Implementation of PM-PAD would rezone the Point Molate site from Parks and Recreation, Single Family Hillside Residential, Multifamily Residential, General Commercial, Light Industrial, and Open Space to a Planned Area District (PM-PAD) with portions of the PAD area subject to a Historic (-H) overlay and Shoreline (-S) overlay. The PM-PAD consists of eight subdistricts—Point Molate Residential (PMRD), Point Molate Multifamily (PMM), Point Molate Mixed-Use (PMMUD), Point Molate Mixed-Use Historic (PMMUD-H), Point Molate Parks and Recreation (PMPR), Point Molate Parks and Recreation-Shoreline (PMPS), Point Molate Open Space (PMOS), and Point Molate Public, Cultural, and Institutional (PMPCI)—that appropriately respond to the Project Site's diversity.

The development of the Project Site would be compatible with the planned adjacent uses and would not interfere with nearby industrial uses. The PM-PAD would enable application of development standards consistent with the City's goals in its General Plan, including rehabilitating the historic buildings contributing to the Winehaven Historic District and meeting future housing needs through the remediation and redevelopment of a brownfield site.

Minimum lot areas, setbacks, building heights, other development standards, and similar regulations are established through the PM-PAD Zoning. Additional information about permitted development and architectural character is provided by the Point Molate Guidelines, which act as the Project Site's Master Plan. In addition, all development in the PM-PAD area must comply with applicable mitigation measures in the Point Molate Mitigation Monitoring and Reporting Program, adopted by City Council on September \_\_, 2020.

## PM-PAD ZONING TEXT

### POINT MOLATE PLANNED AREA DISTRICT ZONING (PM-PAD)<sup>1</sup>

#### 1.010 – Subdistricts and Purpose

The PM-PAD implements the General Plan classifications of Low Density Residential, Medium-Density Residential, Medium-Intensity Mixed Use (Community Nodes and Gateways), Parks and Recreation, and Open Space at Point Molate and is comprised of eight subdistricts:

**Point Molate Residential (PMRD).** This subdistrict is intended for low density residential development with attached and detached single-family homes in level to moderately sloped areas. Clustered low-density neighborhoods are encouraged with a variety of housing types. Smaller lots will allow for the clustering of dwellings while providing access to the site's conserved open space. Dwelling types may include single-family homes, small lot single unit development, duplexes, townhomes, cottages, bungalows, and second units. Density in this zoning subdistrict is a maximum of 15 dwelling units per acre. In addition, this district provides for compatible, supportive uses, such as small family day care, park and recreation facilities, civic and institutional uses, and community gardens.

**Point Molate Multifamily (PMM).** This subdistrict is intended for medium-density residential development, such as garden apartments, stacked flats, and condominiums. Density in this zoning subdistrict is a maximum of 40 dwelling units per acre. In addition, this district provides for compatible, supportive uses, such as small family day care, park and recreation facilities, civic and institutional uses, and community gardens.

**Point Molate Mixed-Use (PMMUD).** This subdistrict is intended for residential, commercial, and civic development, as well as mixed-use development. Appropriate uses include retail, restaurant, live/work, residential, office/light industrial, and civic uses. This subdistrict is distinguished from the PMRD subdistrict in that it allows commercial development, which can be accommodated in mixed-residential and commercial use buildings or in commercial-only buildings. Appropriate residential structure types include, but are not limited to, condominiums, townhouses or apartments, which can be in residential-only buildings or in mixed-use buildings. Appropriate commercial uses include small to large-scale retail, light industrial (including art studios and fabrication), business and personal services, and offices. Civic uses such as police and fire stations and parks also are appropriate. New development must have a pedestrian-oriented building design with minimal front and street-side setbacks and parking located to the sides or rear of buildings preferred.

**Point Molate Mixed-Use-Historic (PMMUD-H).** This subdistrict has the same purpose as the PMMUD district. In addition, it is intended to ensure that new development within the Winehaven Historic District would not adversely affect the integrity of the Winehaven Historic District and that all existing historic buildings in the Winehaven Historic District are not subject to Article 15.04.606 of the Zoning and Subdivision Ordinance.

**Point Molate Parks and Recreation (PMPR).** This subdistrict has the same intent as the Parks and Recreation (PR) district, as stated in Article 15.04.205 of the Zoning and Subdivision Regulations.

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<sup>1</sup> Unless otherwise stated, all references within the PM-PAD are to the Richmond Municipal Code.

**Point Molate Parks and Recreation – Shoreline (PMPR-S).** This subdistrict has the same purpose as the Parks and Recreation (PR) district, as stated in Article 15.04.205 of the Zoning and Subdivision Regulations. In addition, this subdistrict has the same purpose as the -S Shoreline Overlay District, as stated in Article 15.04.306 of the Zoning and Subdivision Regulations.

**Point Molate Open Space (PMOS).** This subdistrict has the same purpose as the Open Space (OS) District, as defined in Article 15.04.206 of the Zoning and Subdivision Regulations.

**Point Molate Public, Cultural, and Institutional (PMPCI).** This subdistrict has the same purpose as the Public, Cultural, and Institutional District, as defined in Article 15.04.205 of the Zoning and Subdivision Regulations.

**1.010.A – Purpose of the PMRD and PMM subdistricts.**

The specific purposes of the PMRD and PMM subdistricts are to:

- A. Create, preserve, protect, and enhance the character of residential neighborhoods.
- B. Provide sites appropriate for a variety of residential development types.
- C. Provide sites for public and semi-public land uses, such as day care centers, parks, community facilities, and public safety facilities that will serve City residents.

**1.010.B – Purpose of the PMMUD and PMMUD-H subdistricts.**

The specific purposes of the PMMUD and PMMUD-H subdistricts are to:

- A. Provide for the orderly, well-planned, and balanced growth of mixed-use districts.
- B. Encourage a mix of uses that promotes convenience, economic vitality, fiscal stability, and a pleasant quality of life.
- C. Promote pedestrian-oriented, mixed-use commercial centers at appropriate locations.
- D. Establish design standards that improve the visual quality of development and create a unified, distinctive, and attractive character along mixed-use streets.
- E. Provide appropriate standards to preserve both commercial and mixed-use feasibility and residential quality in the zoning district.
- F. Provide for the restoration and reuse of Winehaven Historic District buildings and provide for complementary new construction to create a vibrant mixed-use environment that will attract city residents and visitors.

**1.010.C – Purpose of the PMPR and PMPR-S subdistricts.**

The specific purposes of the PMPR subdistrict are to:

- A. Provide land for parks and recreation facilities; and
- B. Ensure design compatibility between public uses and adjacent neighborhoods.

**1.010.D – Purpose of the PMOS subdistrict.**

The specific purposes of the PMOS subdistrict are to:

- A. Provide land for development of open space uses; and

- B. Provide land for trails, trail heads, and other low-impact public recreational uses; and
- C. Provide land for the protection of natural resources.

**1.020 – Development Capacity.**

- A. Residential Capacity: The PM-PAD Plan allows up to 2,040 residential units in eight planning areas, labeled areas A through H (see Figure 1.020.A), as follows:
  - 1. Planning Areas A and B: 408 new units
  - 2. Planning Area C: 168 new units
  - 3. Planning Area D: 66 new units
  - 4. Planning Area E: 300 new units
  - 5. Planning Areas F, G, and H: 625 new units and up to 473 units in the existing historic buildings; see PM-PAD section 1.020(B) for additional detail

The PM-PAD allows up to a 20 percent increase in the residential development capacity of any particular planning area as long as the total number of residential dwelling units in the PM-PAD Plan area does not exceed 2,040.

- B. Historic District: The development capacity in Planning Areas F, G, and H, which comprise the Winehaven Historic District, can be in the range of (1) 1,098 residential units and 40,000 square feet of general commercial space and (2) 318 residential units and 624,572 square feet of general commercial space.
- C. Commercial Capacity:
  - 1. Planning Areas F, G, and H: The PM-PAD Plan allows up to 624,572 square feet of general commercial space, of which 40,000 square feet can be high-trip commercial uses, such as regional-serving retail and restaurant uses; see PM-PAD section 1.020.B for additional detail.
  - 2. Planning Areas A, B, C, and E: The PM-PAD allows up to 15,000 square feet of neighborhood-serving commercial spaces, as defined in PM-PAD section 1.030.B.1.
- D. Cultural and Civic Uses: Planning Areas D and F permit up to 10,000 new square feet of buildings for cultural and/or civic uses. Up to 5,000 square feet can be refurbished (or if necessary constructed) in Planning Area E for a building to serve water transit uses.

FIGURE 1.020.A – PLANNING AREAS



### 1.030 – Definitions

Except for the terms specifically defined herein, the definitions in Section 15.04.104 apply to the PM-PAD. If there is a conflict between a definition in this section and Section 15.04.104, this section controls.

**A. Front Lot Line:** On an interior lot, that portion abutting a public or private street, public open space, or publicly accessible private open space. On a flag or panhandle lot, the interior lot line most parallel to and nearest the street or lane from which access is obtained.

**B. Neighborhood-Serving Commercial:** Neighborhood-serving commercial space is intended to provide for a range of neighborhood serving retail and service uses along street frontages that are located and designed to foster pedestrian activity near residential uses.

1. Neighborhood-serving uses are intended to provide community amenities that allow residents and employees to meet their needs where they live and work. Examples of neighborhood-serving commercial uses include, but are not limited to, child care facilities, coffee shops, corner markets, hair salons, hardware stores, gyms, laundromats, small restaurants, and specialty stores.
2. To qualify as neighborhood-serving commercial, each commercial tenant space must be on the ground-floor of a building and all commercial tenant spaces within a building can have a maximum average size of 2,500 square feet.

### C. Open Space

1. The PM-PAD requires that seventy (70) percent of the above-water land in the PM-PAD area be open space and is referred to herein as the PM-PAD Open Space. The PM-PAD Open

Space consists of the areas, other than street rights-of-ways, in the PMOS and PMPR-S subdistricts and publicly accessible areas within the other subdistricts reserved for passive or active recreation, as indicated in the Open Space and Parks diagram of the Point Molate Design Guidelines.

2. For PM-PAD section 1.070, Development Standards, “open space” has the same meaning as “open space” in Section 15.04.104.020.

**D. Streets:** As used in this section, Primary Streets, Secondary Streets, and Tertiary Streets refer to the labels shown for various streets on the PM Design Guidelines.

#### **1.040 – Implementation and Relation to the Design Guidelines.**

- A. All development in the PM-PAD area that would be subject to Design Review pursuant to Article 15.04.805 must obtain Development Plan Review, pursuant to Section 15.04.810.080, and PM-PAD section 1.040.B, and are not subject to Design Review.

- B. Development Plan Review

1. Applicability

- a. Development proposals that are exempt from Design Review pursuant to Section 15.04.805.010 also are exempt from Development Plan Review.
    - b. Development proposals that would be subject to Minor Design Review are subject to Minor Development Plan Review. Minor Development Plan Review follows the same process as Minor Design Review, as stated in Section 15.04.805.020.A.
    - c. Development proposals that would be subject to Major Design Review (defined in Section 15.04.805.020.B) are subject to Major Development Plan Review. The procedures for Major Development Plan review are the same as the procedures for Major Design Review, as stated in Sections 15.04.805.030 (Procedures) and 15.04.805.070 (Appeals), except that for development proposals within the PMMUD-H subdistrict, Minor and Major Development Plan Review is conducted by the Historic Preservation Commission rather than the Design Review Board.

2. Development Plan Review Criteria

When conducting Development Plan Review, the hearing body must evaluate applications to ensure that they satisfy the Development Plan Review criteria and conform to the policies of the General Plan. Building permit details are beyond the scope of Development Plan Review. To obtain Development Plan Review approval, projects must satisfy the following criteria:

- a. Are consistent with the PM-PAD zoning; and
    - b. Are in substantial conformance with the Point Molate Design Guidelines.

3. Required Findings

The hearing body may only approve a Development Plan Review application if it finds that the application is:

- a. Consistent with the General Plan;

- b. In substantial conformance with the applicable Point Molate Design Guidelines;
  - c. Consistent with any approved tentative map, use permit, variance, or other planning or zoning approval that the project required; and
  - d. Consistent with the Development Plan Review criteria in PM-PAD section 1.040.B(2).
4. In addition to Development Plan Review, development proposals within the PMMUD-H subdistrict must comply with the procedures in Sections 15.04.303.100–15.04.303.130 of the Zoning and Subdivision Ordinance and obtain a Certificate of Appropriateness from the Historic Preservation Commission. The hearing for the Certificate of Appropriateness shall be conducted at the same time as the hearing for Development Plan Review.
5. Conditions of Approval.

When approving the Development Plan Review, the hearing body may impose reasonable conditions related to design impacts caused by the project application in order to:

- a. Achieve the specific purposes of the PM-PAD subdistrict in which the project is to be located, consistent with the PM-PAD zoning and General Plan, and substantially conform to the Point Molate Design Guidelines; and
- b. Protect the public health, safety, and welfare of the citizens of the City of Richmond;

No condition of approval can impose further discretionary review of the project by the Zoning Administrator, Design Review Board, or Historic Preservation Commission.

C. Amendments to the PM-PAD Zoning and Point Molate Design Guidelines

- 1. The PM-PAD Zoning and Point Molate Design Guidelines provide a general description of the development of the developable areas of the Point Molate site. Final architectural and landscape design and site planning will occur at the time of Development Plan Review and no amendment of the PM-PAD or Point Molate Design Guidelines will be required as long as the architecture and landscaping are consistent with the PM-PAD zoning and substantially conform to the Point Molate Design Guidelines.
- 2. Notwithstanding anything contained in Section 15.04.810.070(B) to the contrary, adjustments in the number, size and configuration of housing units, non-residential buildings and uses, or alterations of any building shall not require an amendment to the PM-PAD or Point Molate Design Guidelines as long as the following conditions are met:
  - a. The development is within the development capacity defined in PM-PAD section 1.020.
  - b. At least seventy (70) percent of above-water land in the PM-PAD area is PM-PAD Open Space, as defined in PM-PAD section 1.030.C
  - c. Residential development capacity transferred from one planning area to one or more other planning areas does not result in a receiving planning area's development capacity increasing more than twenty (20) percent.
  - d. The adjustments substantially conform with the Point Molate Design Guidelines.



3. Amendments to the PM-PAD or Point Molate Design Guidelines shall be subject to the procedures of Section 15.04.810.070.

#### **1.050 - Small Lot Subdivisions.**

Small lot subdivisions are permitted in the PMRD subdistrict.

- A. **Purpose.** The purpose of this section is to provide opportunities to increase the supply of smaller dwelling units and rental housing units in the City by allowing the creation of subdivisions with smaller lots and dwellings. At Point Molate, where new residential neighborhoods are surrounded by substantial open space, there is an opportunity to cluster housing with creative floor plans, massing, and architecture, that provides privacy and a great relationship with the public realm.
- B. **Development Types.** Small lot subdivisions may be proposed and approved for small and medium single-family development and townhouse development developed according to the Point Molate Design Guidelines.
- D. **Lot Standards.** The Planning Commission may approve smaller lots than required for the base district, but no less than 1,750 square feet in area and 30 feet in width, upon finding that the development will be compatible with neighboring uses and will contribute to underserved segments of the City's housing market.

#### **1.060 - Land Use Regulations.**

The land use regulations for all parks and recreation subdistricts (PMPR and PMPR-S) are as stated in Section 15.04.205.020, as may be amended from time to time, for the PR District. The land use regulations for the PMOS subdistrict are as stated in Section 15.04.206.020, as may be amended from time to time, for OS District. The land use regulations for the PMPCI subdistrict are as stated in Section 15.04.205.020, as may be amended from time to time, for the PCI District, except that transportation passenger terminals are permitted uses.

Table 1.060 prescribes the land use regulations for the residential and mixed-use subdistricts. The regulations for each subdistrict in Table 1.060 are established by letter designations as follows:

"P" designates permitted uses.

"A" designates use classifications that are permitted after review and approval of an administrative use permit by the Zoning Administrator.

"C" designates use classifications that are permitted after review and approval of a conditional use permit by the Planning Commission.

"L#" designates numbered limitations listed at the end of the table.

"x" designates uses that are not permitted.

Use classifications are defined in Article 15.04.104 (Key Terms and Definitions). In cases where a specific land use or activity is not defined, the Zoning Administrator shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed



in the table and not found to be substantially similar to the uses below are prohibited. Section numbers in the right-hand column refer to other sections of this article.

<b>TABLE 1.060: LAND USE REGULATIONS—RESIDENTIAL AND MIXED-USE DISTRICTS</b>					
Uses	PMRD	PMM	PMMUD	PMMUD-H	Additional Regulations
<b>RESIDENTIAL</b>					
Single Family	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	See § 15.04.201.070 Residential Development Types; § 15.04.610.020 Accessory Dwelling Units
<i>Detached</i>	P	P	L1	L1	
<i>Attached</i>	P	P	P	P	
Accessory Dwelling Unit	P	P	P	P	
Duplex	P	P	P	P	
Multi-Unit Dwelling	x	P	P	P	
Group Residential	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	See § 15.04.610.210 Group Residential
<i>Congregate Housing</i>	L2	L2	C	P	
<i>Senior Group Residential</i>	L2	L2	C	P	
Elderly and Long-Term Care	x	x	C	C	
Family Day Care, Large	A	A	A	A	See § 15.04.610.190 Family Day Care, Large

Family Day Care, Small	P	P	P	P	
Planned Residential Groups	C	C	C	C	
Residential Facility	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	
<i>Residential Care, General</i>	x	x	C	C	See § 15.04.610.360 Residential Care, General
<i>Residential Care, Limited</i>	A	P	P	P	
<i>Residential Care, Senior</i>	x	x	C	C	
<i>Hospice, General</i>	x	x	x	x	
<i>Hospice, Limited</i>	A	A	P	P	
Supportive Housing	A	A	P	P	
Transitional Housing	A	A	P	P	
<b>COMMERCIAL</b>					
Animal Sales and Services	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	See § 15.04.610.070 Animal Keeping
<i>Riding Schools and Stables</i>	x	x	x	x	
<i>Clinic/Hospital</i>	x	x	L3	L3	

<i>Grooming</i>	x	x	L3	L3	
<i>Retail Sales (Pet Shops)</i>	x	L5	L3	L3	
<i>Veterinary Services</i>	x	x	P	P	
Auto/Vehicle Sales Services	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	
<i>Alternative Fuels and Recharging Facility</i>	x	x	L4	A	
<i>Automobile/Vehicle Repair, Minor</i>	x	x	L4	L4	
<i>Service Stations</i>	x	x	C	C	See § 15.04.610.380 Service Stations
Banks and Financial Institutions	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	
<i>Bank and Savings and Loan</i>	x	x	L5	P	
<i>- With Drive-through Service</i>	x	x	x	x	
<i>Non-traditional Financial</i>	x	x	x	x	
Business Services	x	x	P	P	
Catering Service	x	x	L6	P	
Commercial	See	See	See	See	See §

Entertainment and Recreation	subclassifications below	subclassifications below	subclassifications below	subclassifications below	15.04.610.130 Commercial/Recreation and Entertainment
<i>Cinema</i>	x	x	A	A	
<i>Theatre</i>	x	x	A	A	
<i>Large-scale Facility</i>	x	x	C	C	
<i>Small-scale Facility</i>	x	x	A	A	
Eating and Drinking Establishments	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	See § 15.04.610.300 Outdoor Dining and Seating
<i>Bars/Night Clubs/Lounges</i>	x	x	P, L12	P, L12	
<i>Restaurant, Full Service</i>	x	x	P, L12	P, L12	
<i>Restaurant, Limited Service</i>	x	L5	P	P	
<i>Restaurant with Drive Through Service</i>	x	x	x	x	
Finance, Insurance and Real Estate Services	x	x	P	P	
Food and Beverage Sales	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	
<i>Convenience Market</i>	x	C	P	P	See § 15.04.610.150 Convenience Markets
<i>Farmers Market</i>	x	x	P	P	See § 15.04.610.200

					Farmers Markets
<i>General Market</i>	x	x	P, L12	P, L12	
<i>Liquor Store</i>	x	x	A	A	See § 15.04.610.060 Alcoholic Beverage Sales
Funeral and Interment Service	x	x	C	C	
Instructional Services	x	A	P	P	
Live-Work	x	x	P	P	See § 15.04.610.250 Live-Work Units
Media Production	x	x	A	P	
Maintenance and Repair	x	x	L3	P	
Mobile Vending Unit	x	x	A	P	See § 15.04.610.320 Outdoor Vendors (Mobile Food Vendors)
Nursery and Garden Center	x	x	P	P	See § 15.04.610.290 Nurseries and Garden Centers
Offices, Business and Professional	x	x	P	P	
<i>Medical and Dental</i>	x	x	P	P	See § 15.04.610.240 Hospitals and Clinics

<i>Walk-in Clientele</i>	x	x	P	P	
Parking Facilities, Commercial	x	x	P	P	
Personal Services	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	See § 15.04.610.340 Personal Services
<i>General Personal Services</i>	x	L3	P	P	
<i>Health/Fitness Facility</i>	x	L3	P	P	
<i>Massage Establishment</i>	x	x	L7	A	
<i>Tattoo or Body Modification Parlor</i>	x	x	C	C	
Printing and Publishing	x	x	C	P	
Retail Sales	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	
<i>General Retail Sales, Small-scale</i>	x	L3	P	P	
<i>General Retail Sales, Large-scale</i>	x	x	P	P	
<i>Pawn Shop; Secondhand Store</i>	x	x	C	C	See § 15.04.610.330 Pawn Shops; Secondhand Dealers

<i>With Drive-Through Service</i>	x	x	x	x	
Transient Lodging	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	
<i>Bed and Breakfast</i>	L8	L8	A	A	See § 15.04.610.110 Bed and Breakfast Lodging
<i>Hotel and Motel</i>	x	x	x	C	See § 15.04.610.420 Transient Lodging
<b>INSTITUTIONAL AND COMMUNITY FACILITIES</b>					
College and Trade School	x	x	C	C	
Community Assembly	x	x	C	P	See § 15.04.610.140 Community Assembly
Community Garden	P	P	A	P	See § 15.04.610.290 Nurseries and Garden Centers
Cultural Facility	C	P	P	P	
Day Care Centers	A	A	A	P	See § 15.04.610.190 Day Care Center
Emergency Shelter	L9	L9	P	P	See § 15.04.610.180 Emergency Shelters
Government Buildings	x	x	P	P	
Hospitals and	See subclassifications	See subclassifications	See subclassifications	See subclassifications	See § 15.04.610.240



Clinics	below	below	below	below	Hospitals and Clinics
<i>Hospital</i>	x	x	C	C	
<i>Clinic</i>	x	x	L3	A	
<i>Skilled Nursing Facility</i>	x	x	C	C	
Park and Recreation Facility	C	P	P	P	
Public Safety Facility	C	C	P	P	
Schools	x	x	C	A	See § 15.04.610.370 Schools
Social Service Center	x	x	L6	L6	See § 15.04.610.160 Domestic Violence Shelters
<b>INDUSTRIAL</b>					
Artisan/Small-scale Manufacturing	x	x	P	P	
Artist's Studio	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	
<i>Studio-Light</i>	P	P	P	P	
<i>Studio-Heavy</i>	x	x	A	P	
Commercial Kitchen	x	x	A	P	
Brewery, Brew-on-Premises	x	x	C, L12, L13	P, L12, L13	

Limited Industrial	x	x	C	C	
Marijuana Cultivation Facility	x	x	L10	L10	See § 15.04.610.270 Medical Marijuana Uses
Micro-brewery	x	x	P, L12, L13	P, L12, L13	
Recycling Facilities	See subclassification below	See subclassification below	See subclassification below	See subclassification below	See § 15.04.610.350 Recycling Facilities
<i>Collection Facilities</i>	x	x	A	A	
Winery, Small	x	x	P, L12, L13	P, L12, L13	
Winery, Large	x	x	P, L12, L13	P, L12, L13	
<b>TRANSPORTATION, COMMUNICATION AND UTILITIES</b>					
Communication Facilities	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	
<i>Antennas and Transmission Towers</i>	C	C	L11	L11	See § 15.04.614 Wireless Communications Facilities
<i>Equipment within Buildings</i>	A	A	L6	L6	
Transportation Facilities	See subclassifications below	See subclassifications below	See subclassifications below	See subclassifications below	
<i>Transportation Passenger Terminal</i>	x	x	P	P	
Utilities, Major	C	C	C	C	

Utilities, Minor	P	P	P	P	
<b>AGRICULTURE</b>					
Agricultural Production and Services	x	x	C	P	
Animal Husbandry	x	x	C	C	See § 15.04.610.430 Urban Agriculture
Indoor Agriculture	A	A	A	P	
Outdoor Agriculture	C	C	C	P	
<b>OTHER</b>					
Accessory Uses and Structures	See § 15.04.601.010 Accessory Uses and Structures				
Home Occupations	P	P	P	P	See § 15.04.610.230 Home Occupations
Nonconforming Uses	Permitted subject to the requirements of Article 15.04.606, Nonconforming Uses, Structures, and Lot				
Temporary Use	Permitted subject to the requirements of Article 15.04.807, Temporary Use Permits				
	<b>NOTES:</b>				
	<p>L1 Permitted in the PMMUD-H subdistrict and conditionally permitted in the PMMUD subdistrict. New detached residences shall follow the zoning regulations of the PMRD subdistrict. Existing, historic detached residences in the PMMUD-H subdistrict are subject to the development regulations for existing buildings in the PMMUD-H subdistrict (see PM-PAD § 1.070.C.2).</p> <p>L2 Permitted if the primary use of the property remains residential; requires a conditional use permit if it is the primary use.</p> <p>L3 Only allowed on the ground with an administrative use permit.</p> <p>L4 Must be within an enclosed structure.</p> <p>L5 Only allowed with an administrative use permit on the ground floor in mixed-use buildings.</p> <p>L6 Permitted above the ground floor or behind an allowed ground floor use. In other locations, an administrative use permit is required.</p>				

L7 Requires a conditional use permit and cannot be located within 500 feet of a school or park.

L8 Allowed with a conditional use permit for bed and breakfasts with up to 20 guest rooms. Bed and breakfasts with more than 20 guest rooms are prohibited.

L9 Permitted with 10 or fewer beds only. All of the standards of Section 15.04.610.180 apply.

L10 Permitted above the ground floor or behind an allowed ground floor use and with approval of a conditional use permit.

L11 A conditional use permit is required unless the criteria for an administrative use permit listed in Section 15.04.614.030(B) are met.

L12 Notwithstanding Section 15.04.610.060, the following applies in the PMMUD and PMMUD-H subdistricts: (a) a use permit is not required for the sale of alcoholic beverages for on-premise consumption at a full-service restaurant, bar, lounge, brewery, microbrewery, or winery; (b) a use permit is not required for the off-site sale of alcoholic beverages by a food market, brewery, microbrewery, or winery; (c) a full-service restaurant, bar serving only beer and wine, winery, brewery, and microbrewery are permitted closer than 600 feet, but no closer than 20 feet, to a public park; (d) days and hours of operation shall be between 8:00 a.m. and 9:00 p.m., seven days a week; additional hours can be approved with an administrative use permit; and (e) wineries, breweries, microbreweries, bars, and restaurants that serve alcohol, whether under the same or different ownership, are permitted and can co-exist next to each other or in a shared space.

L13 Notwithstanding Section 15.04.610.120, the following applies in the PMMUD and PMMUD-H subdistricts: (a) a use permit is not required for on-site sale or tasting, for a fee or no fee, of alcoholic beverages; and (b) on-site sales or on-site tasting areas, whether combined with food service or not, can comprise up to 40 percent of the gross floor area of the brewery.

1.070 – Development Standards

1.070.A - Development Standards—PMRD.

Table 1.070.A prescribes the development standards for the PMRD subdistrict. Additional regulations are denoted in a right-hand column. Section numbers in this column refer to other sections of this article, while individual numbers refer to the numbers in the notes that directly follow the table. The numbers in each illustration below refer to corresponding regulations in the "#" column in the associated table.

FIGURE FOR TABLE 1.070.A: DEVELOPMENT STANDARDS—PMRD

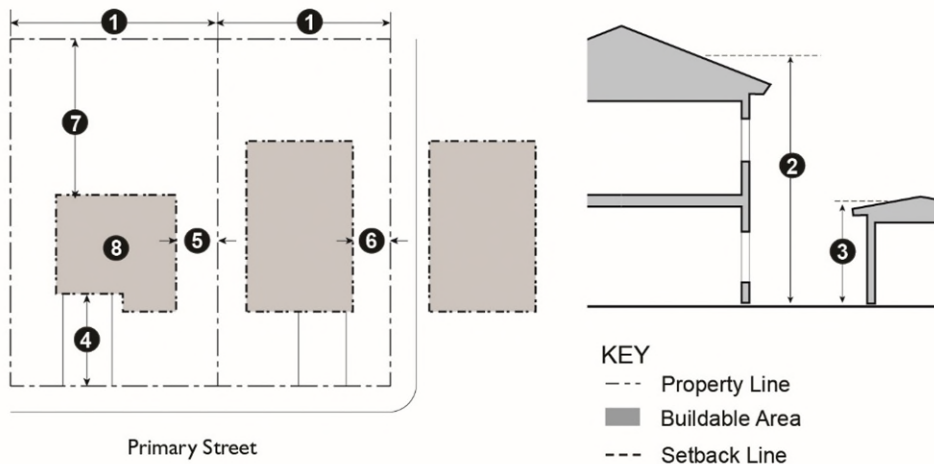


TABLE 1.070.A: PMRD DEVELOPMENT STANDARDS—SINGLE UNIT DWELLING, DETACHED AND SINGLE UNIT DWELLING, ATTACHED

Standard	Small Lot SFD	Medium Lot SFD	Townhouse / Duplex	#	Notes
<b>Site Standards</b>					
Minimum Lot Width (ft.)	30	40	50	①	
Maximum Lot Floor Area Ratio (FAR)	n/a	n/a	n/a		
Maximum Lot Coverage (% of site)	70	65	80		

<b>Building Height and Form</b>					
Maximum Number of Stories	3	3	3		
Maximum Building Length (ft.)	n/a	n/a	140		
Maximum Building Height (ft.)	40	40	40	②	3
<b>Setbacks</b>					
Project Site	n/a				
Individual Lot (Minimum ft.)					
<i>Front</i>	5; 0 for porches, stoops, and dooryards			④	
<i>Side</i>	5/6	5	5	⑤	1
<i>Side Corner</i>	7/10	7	10	⑥	1
<i>Rear (not Alley)</i>	6	10	6	⑦	
<i>Alley</i>	3	3 (garage portion only)	3		
Building Separation of Detached Units (ft.) (Minimum)	6	10	n/a		
Building Separation of Attached Units (ft.) (Minimum)	n/a	n/a	15		
<b>Parking and Access</b>					
Maximum Garage Door Width (ft.)	16				
Access Location	Alley or side street wherever possible.				
Garage Front Setback (ft.)	5			④	
<b>Building Orientation</b>					

Orientation	Facades shall be designed to orient towards the public street and a common courtyard/paseo, if provided.				
Entrance Location	The main entrance to each ground floor dwelling shall be visible to and located directly off a common courtyard/paseo or directly from the street.				
<b>Usable Open Space</b>					
Minimum Private Open Space (sq. ft. per unit)	200	300	100		2
Minimum Common Open Space (sq. ft. per unit)	n/a	n/a	n/a		
<b>Minimum Dimensions</b>					
<i>Ground floor, common (ft.)</i>	n/a	n/a	n/a		
<i>Ground floor, private (ft.)</i>	6	10	5		
<i>Balcony (ft.<sup>2</sup>)</i>	6	6	6		
<b>Additional Standards</b>					
Minimum Amount of Enclosed Personal Storage (sq. ft.)	80	80	80		

**NOTES:**

- For a detached, small-lot single-family home on a lot with two interior side yards, the total of the two side yards shall be at least six (6) feet if one side yard is zero (0) feet. On corner lots, where the interior side yard has been reduced to zero (0) feet, the side yard facing the street shall be a minimum of ten (10) feet. If a small-lot single family home is less than 25 feet in height, then the interior side setbacks can be a total of six feet, with each side yard being a minimum of three (3) feet.

On the ground-floor, only a garage of a maximum length of twenty (20) feet is allowed on the interior side without a side yard. Habitable rooms are permitted over such a garage.

On the interior side without a side yard, no windows, doors or upper floor balconies or decks are permitted within less than three (3) of the property line.



2. For balconies not contributing to the usable private minimum open space, the balcony depth should be a minimum of one (1) foot.
  
3. Height Limitations and Exceptions.
  - a. Architectural Features. A parapet wall, cornice or sloping roof or solar energy system may project up to four feet above the height limit.
  
  - b. Towers. If the project site is greater than 15,000 square feet, a tower or other projecting architectural elements may extend up to 12 feet above the top of a pitched roof, provided that the square footage of the element(s) do not total more than 15 percent of the building footprint. The area above the uppermost permitted floor of the element(s) shall not be habitable space.
    - i. The composition of the tower element shall be balanced, where the width of the tower has a proportional relationship to the height of the tower.
    - ii. The tower element shall be proportional to the rest of the building.
    - iii. The tower element shall not be stepped back at any point.
    - iv. The maximum horizontal dimension of the tower element shall not exceed 100 feet.
    - v. Fenestration at the base of the tower shall be greater than the top.
  
  - c. Roof terraces including shade structures, pergolas, and vertical circulation (stairs and elevator bulkheads) providing access.
  
  - d. Other Exceptions. Antennas, belfries, chimneys, cooling towers, cupolas, domes, elevator bulkheads, flagpoles, ornamental towers, penthouses, solar collectors, spires and standpipes and necessary mechanical equipment may exceed the height limits.

**1.070.B - Development Standards—PMM.**

All residential building types other than multifamily must comply with the PMRD development standards (PM-PAD section 1.070.A). Multifamily buildings, including multifamily buildings with non-residential uses on the ground floor, and nonresidential buildings must comply with the PMMUD development standards (PM-PAD section 1.070.C) except that the maximum building height allowed for multifamily, mixed-use, and nonresidential buildings in the PMM subdistrict is 50 feet.

**1.070.C - Development Standards for the PMMUD Subdistrict.**

Tables 1.070.C(1) through 1.070.C(5) prescribe the development standards for PMMUD subdistrict. Additional regulations are denoted in the second to the right-most column. Section numbers in this column refer to other sections of this article, while individual numbers refer to the numbers in the notes that directly follow the table. The numbers in each illustration below refer to corresponding regulations in the "#" column in the associated table.

FIGURE FOR TABLE 1.070.C(1): LOT, DENSITY, FAR, AND BUILDING PLACEMENT STANDARDS—  
 PMMUD SUBDISTRICT

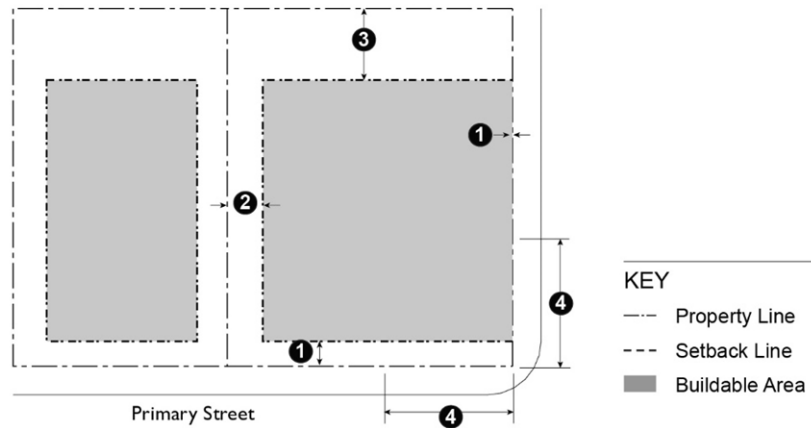


TABLE 1.070.C(1): LOT, DENSITY, FAR, AND BUILDING PLACEMENT STANDARDS— PMMUD SUBDISTRICT			
District	PMMUD	Additional Regulations	#
<b>Lot and Density Standards</b>			
Residential-Only Development	Single-family residences, duplexes, and townhomes are subject to the lot and density standards of the PMRD subdistrict. Multi-family residential buildings are subject to the lot and density standards in the PMMUD district.		
Maximum Density (dwelling units/net acre)	75		
Minimum Lot Size (sq. ft.)	3,000		
Minimum Lot Width (ft.)	30		
Maximum Non-Residential Floor Area Ratio (FAR)	2.5		

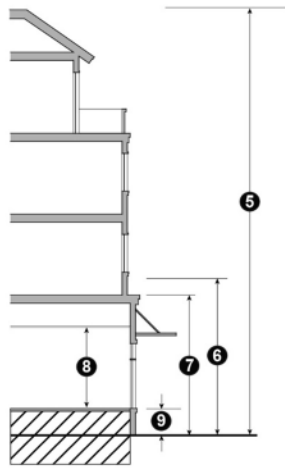
<b>Setbacks (ft.)</b>			
Residential-Only Development	Single-family residences, duplexes, and townhomes are subject to the setback requirements of the PMRD subdistrict. Multi-family residential buildings are subject to the setback standards in the PMMUD district.		
Street or Open Space Frontages, Stenmark	Planning Area A: min. 5, max. 10 Planning Areas B and C: min. 0, max. 10 Planning Areas F and G: min. 0, max. 10 on the east side. Planning Area H: min. 0, max. n/a	1, 2	①
Street or Open Space Frontages, other than Stenmark	Min: 0 Max: 10	See § 15.04.601.020 Building Projections into Yards; 2	①
Interior Side	Min. 0; 5 where abutting a Residential District	See § 15.04.601.020 Building Projections into Yards, 3	②
Rear	Min. 0; 10 where abutting Residential District	3	③
Corner Build Area (ft.)	30	3, 4	④
Minimum Building Separation for Buildings with Attached Residential Units	20		

Notes:

1. **Build-to Line.** Buildings shall be constructed at the street frontage or required setback line (the "build-to" line) for at least 60 percent of the building frontage on Stenmark Drive. This requirement may be modified or waived by the Zoning Administrator or the Design Review Board, whichever has approval authority, upon finding that:
  - a. Substantial landscaping will be located between the build-to line and ground floor residential units to soften visual impact of buildings. Transitional entries into residential units such as door yards. These are articulated in the PM Design Guidelines;

- b. Entry courtyards, plazas, entries, or outdoor eating and display areas will be located between the build-to line and building, provided that the buildings will be built to the edge of the courtyard, plaza, or outdoor dining area; or
  - c. The building will incorporate an alternative entrance design that will create a welcoming entry feature facing the street.
2. **Open Space Frontages.** In Planning Area H, parking is permitted between the street and building where the building fronts onto a publicly accessible private open space or public open space. See Table 1.050.B(4).
3. **Required Side and Rear Yards for Residential Uses.** In order to provide light and air for residential units, the following minimum setbacks apply to any building wall containing windows for residential units and facing an interior side or rear yard.
- a. For any wall containing windows, a setback of at least 5 feet shall be provided.
  - b. For any wall containing bedroom windows, a setback of at least 8 feet shall be provided.
  - c. For any wall containing living room or other primary room windows, a setback of at least 10 feet shall be provided.
  - d. The required setbacks apply to that portion of the building wall containing a window and extending three feet on either side of the window.
4. **Corner Build Area.** Buildings on corner lots must be located in accordance with the required setbacks. Any curb cuts for driveways or alleys must be at least fifty (50) feet from street corners. Publicly accessible plazas can abut street corners provided buildings are built to the edge of the public plaza, even if this causes the building to otherwise exceed the maximum allowable setback.

**FIGURE FOR TABLE 1.070.C(2): HEIGHT STANDARDS—PMMUD SUBDISTRICTS**



<b>TABLE 1.070.C(2): HEIGHT STANDARDS—PMMUD SUBDISTRICT</b>			
<i>District</i>	<i>PMMUD</i>	<i>Additional Regulations</i>	<i>#</i>
Building Maximum Height (ft.)	105	See § 15.04.601.050 Exceptions to Height Limits; 1	⑤
Building Minimum Height (ft.)	22	2	⑥
<b>Ground Floor Minimum</b>			
<i>Ground Floor Residential Uses (ft.)</i>	12		⑦
<i>Ground Floor Non-residential Uses (ft.)</i>	15		⑦
First Floor Ceiling Height, Non-residential Uses (ft. clear)	12		⑧
Parking Podium	No minimum		⑨

Notes:

**1. Height Limitations and Exceptions.**

- a. *Architectural Features.* A parapet wall, cornice or sloping roof or solar energy system may project up to four feet above the height limit.
- b. *Towers.* If the project site is greater than 15,000 square feet, a tower or other projecting architectural elements may extend up to 12 feet above the top of a pitched roof, provided that the square footage of the element(s) do not total more than 15 percent of the building footprint. The area above the uppermost permitted floor of the element(s) shall not be habitable space.
  - i. The composition of the tower element shall be balanced, where the width of the tower has a proportional relationship to the height of the tower.
  - ii. The tower element shall be proportional to the rest of the building.
  - iii. The tower element shall not be stepped back at any point.
  - iv. The maximum horizontal dimension of the tower element shall not exceed 100 feet.
  - v. Fenestration at the base of the tower shall be greater than the top.
- c. Roof terrace structures, including shade structures, pergolas, and access or overruns for vertical circulation (stairs and elevator bulkheads).
- d. *Other Exceptions.* Antennas, belfries, chimneys, cooling towers, cupolas, domes, elevator bulkheads, flagpoles, ornamental towers, penthouses, solar collectors, spires and standpipes and necessary mechanical equipment may exceed the height limits.

- 2. Minimum Building Height.** Detached accessory dwelling units can have a minimum height of 16 feet or as otherwise stated in state law.

FIGURE FOR TABLE 1.070.C(3): BUILDING FORM STANDARDS—PMMUD SUBDISTRICT

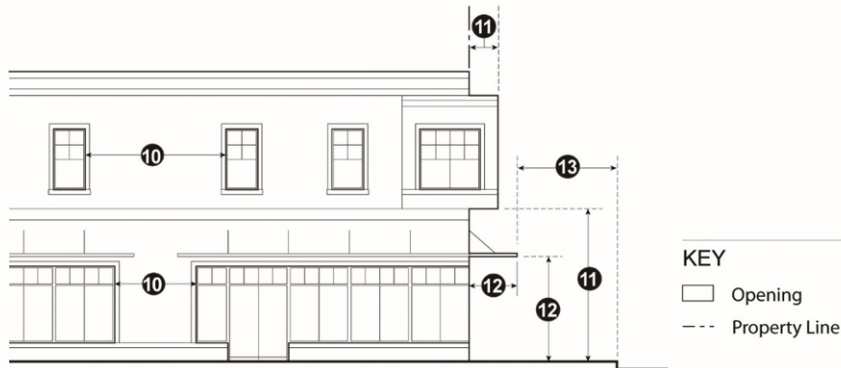


TABLE 1.070.C(3): BUILDING FORM STANDARDS—PMMUD SUBDISTRICT

<i>District</i>	<i>PMMUD</i>	<i>Additional Regulations</i>	<i>#</i>
Maximum Building Length Without Massing Break (ft.)	225	1	
Maximum Length of Blank Wall (ft.)	25	1	
Bay Window Projections (ft.)	Max. 5 feet from primary façade and min. 12 feet above sidewalk grade	2	①
Awnings and Overhangs (ft.)	Min. 4 feet from primary façade and at least 8 feet above sidewalk grade		⑫
Awning setback from Curb	Min 2 feet clear		⑬
Residential Balconies Projections (ft.)	Max. 4 feet into Setback above first story; where no Setback occurs, Max. 4 feet into ROW at least 8 feet above sidewalk grade		

Notes:

- Building Length.** A vertical massing break the entire height of the building is required at a minimum of every 200 feet of horizontal building length.
- Maximum Length of Blank Walls.** This limitation does not apply to buildings with unique design requirements, such as gyms and auditoriums.



FIGURE FOR TABLE 1.070.C(4): PARKING AND LOADING STANDARDS—PMMUD SUBDISTRICT

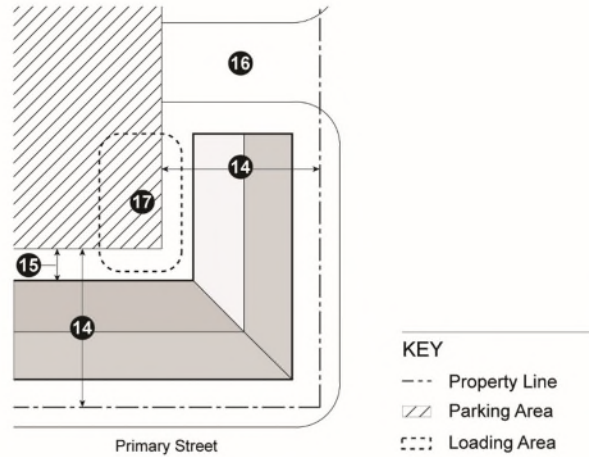


TABLE 1.070.C(4): PARKING AND LOADING STANDARDS—PMMUD SUBDISTRICT			
	<i>PMMUD</i>	<i>Additional Regulations</i>	#
Setback from Street Property Line (ft.)	Buildings shall be placed as close to the street as possible, with parking underground, behind a building, or on the interior side or rear of the site.	1, 2	⑭
Setback from Buildings and Public Plazas (ft.)	Min. 5 ft. walkway plus 3 ft. landscaping; Applicable only to above ground parking.	1	⑮
Access Location	Side street or alley wherever possible		
Curb Cuts	Minimized and in area least likely to impede pedestrian circulation; Min. 50 feet from corner	3	⑯
Loading/Service Area	Side or rear of lot; must be screened from public ROW		⑰

Notes:

1. **Building Projections.** The maximum width of any projection, including bay windows, is 12 feet, and the total of all projections along a building face may not be more than 12 feet wide or 30 percent of the building frontage, whichever is greater.
2. **Limitations on Location of Parking.** Parking may be located within 40 feet of the street facing property line in accordance with the following standards.
  - a. *Underground and Partially Submerged Parking.* Parking completely or partially underground, may match the setbacks of the main structure.
  - b. Parking Structures may not be located along Primary Streets; parking structures may match the setbacks of Secondary and Tertiary Streets, with the exception of the first 50 feet from the corner of a Primary Street.
  - c. *Surface Parking.* Minimum setback of 40 feet except in Planning Area H, where parking is permitted between the street and the building under certain conditions specified in Table 1.050.B(1), and for above-ground off-street surface parking.
    - i. In Planning Area H, when parking is located between the street and building, the parking must have screening along the public right-of-way, which can consist of a wall, hedge, trellis, or other landscaping feature.
    - ii. Above-ground off-street surface parking may be located within 40 feet of a street facing property line with the approval of an administrative use permit when the Zoning Administrator makes the following findings:
      - (a) Buildings are built close to the public sidewalk to the maximum extent feasible;
      - (b) The parking area is screened along the public right-of-way with a wall, hedge, trellis, and/or landscaping; and
      - (c) The site is small and constrained such that underground, partially submerged, or surface parking located more than 40 feet from the street frontage is not feasible.
3. **Curb Cuts.** Driveways are particularly discouraged along Stenmark Drive.

**1.070.C(5): LANDSCAPING AND OPEN SPACE STANDARDS—PMMUD SUBDISTRICT**

<b>TABLE 1.070.C(5): LANDSCAPING AND OPEN SPACE STANDARDS—PMMUD SUBDISTRICT</b>		
<i>District</i>	<i>PMMUD</i>	<i>Additional Regulations</i>
Minimum Residential Private Open Space (sq. ft. per unit)	45	1
Minimum Amount of Landscaping (% of site)	5	

Notes:

1. **Residential Open Space.** Residential open space may be provided as common or private open space. Private areas consist of balconies, decks, patios, or fenced yards directly accessible from the residence. Common areas consist of landscaped areas, walks, patios, swimming pools, barbeque areas, playgrounds, turf, rooftop areas, or other such improvements as are appropriate to enhance the outdoor living environment of the development. Landscaped courtyard entries that are oriented towards the public street which create a welcoming entry feature are also considered common areas. All areas not improved with buildings, parking, vehicular accessways, trash enclosures, and similar items or devoted to perimeter landscaping shall be developed as common areas with the types of attributes described above.
  - a. *Minimum Dimensions, Private Open Space.* Private open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimension less than five (5) feet. Private open space located above ground level (e.g., balconies) shall have no horizontal dimension less than five (5) feet. Balconies not included in private open space should be a minimum of one (1) foot wide.
  - b. *Usability.* A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. The maximum slope shall not exceed 10 percent.

- c. *Accessibility, Private Open Space.* The space shall be accessible to only one living unit by a doorway to a habitable room or hallway.

**1.070.C(6): SIGN STANDARDS—PMMUD SUBDISTRICT**

Signs within the PMMUD Subdistrict shall comply with the requirements in Article 15.04.606 for “Mixed Use Districts.” Banners attached to streetlights are permitted only on Primary Thoroughfares.

**1.070.C(7): FENCE STANDARDS—PMMUD SUBDISTRICT**

Fence design shall comply with Section 15.04.601.060, except that chain-link fence is prohibited, and the Point Molate Design Guidelines.

**1.070.D - Development Standards for PMMUD-H Subdistrict.**

1. **New Development.** The development standards for new development other than single-family homes and duplexes in the PMMUD-H subdistrict are the same as the development standards in the PMMUD subdistrict. The development standards for new single-family homes and duplexes in the PMMUD-H subdistrict are the same as the development standards in the PMRD subdistrict. New development in the PMMUD-H subdistrict also must comply with the chapter of the Historic Design Guidelines chapter of the Point Molate Design Guidelines and Sections 15.04.303.100–15.04.303.130 of this code.
2. **Existing Historic Buildings.** Existing historic buildings in the PMMUD-H subdistrict are exempt from all development standards in PM-PAD Sections 1.070.A and 1.070.C and from the requirements in Article 15.04.607. All existing historic buildings are legal, conforming structures in the PMMUD-H subdistrict and are not subject to the regulations in Article 15.04.606. Any alterations, modifications, additions, or changes to existing buildings in the PMMUD-H subdistrict must comply with the Historic Design Guidelines chapter of the Point Molate Design Guidelines and Sections 15.04.303.100–15.04.303.130 of this code.

**1.070.E - Development Standards for PMPR.** The development standards in the PMPR subdistrict are the same as the development standards for the PR district, located in Section 15.04.205.030.











**1.070.F - Development Standards for PMPR-S.**

1. **General Standards.** The development standards in the PMPR-S subdistrict are the same as the development standards for the PR district, located in Section 15.04.205.030, and the development standards and public access requirements for the -S overlay, located in Sections 15.04.306.040 and 15.04.306.050.
2. **Public Access and Public Access Staging Areas.** In compliance with Sections 15.04.306.050.B and 15.04.306.050.C, park and recreation areas in the PMPR-S subdistrict must be publicly accessible and at least two public access staging areas must be included in the PMPR-S subdistrict.

**1.070.G - Development Standards for PMOS.** The development standards in the PMOS subdistrict are the same as the development standards for the OS district, located in Section 15.04.206.030.

**1.070.H – Development Standards for PMPCI.** The development standards in the PMPCI subdistrict are the same as the development standards for the PCI district, located in section 15.04.205.030.

## Zoning Subdistricts

-  Point Molate Residential District (PMRD)
-  Point Molate Multifamily (PMM)
-  Point Molate Mixed-Use District (PMMUD)
-  Point Molate Mixed-Use District Historic (PMMUD-H)
-  Point Molate Open Space (PMOS)
-  Point Molate Parks & Recreation (PMPR)
-  Point Molate Parks & Recreation - Shoreline (PMPR-S)
-  Point Molate Public, Cultural, and Institutional (PMPCI)
-  Winehaven Historic District Boundary
-  Property Boundary

