

Attachment D

Proposed Zoning Text Amendments

**Title 17
PLANNING****Chapters:**

- 17.01 General Provisions of Planning Code and General Plan Conformity**
- 17.03 City Planning Commission**
- 17.05 Landmarks Preservation Advisory Board**
- 17.07 Title, Purpose and Scope of the Zoning Regulations**
- 17.09 Definitions**
- 17.10 Use Classifications**
- 17.11 OS Open Space Zoning Regulations**
- 17.13 RH Hillside Residential Zones Regulations**
- 17.15 RD Detached Unit Residential Zones Regulations**
- 17.17 RM Mixed Housing Type Residential Zones Regulations**
- 17.19 RU Urban Residential Zones Regulations**
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- 17.58 CBD Central Business District Zones Regulations**
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- ~~**17.68 M-20 Light Industrial Zone Regulations**~~
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17.01.050 - General Plan prevails over Planning Code and Subdivision Regulations.

Until the Planning Code is fully updated, land use designations, zoning controls and subdivision controls specified by the Planning Code and Subdivision Regulations shall apply, except where such action would expressly conflict with the Oakland General Plan. Where an express conflict does arise, the General Plan policies and land use designations shall apply. An "express conflict" shall be deemed to be any situation where a proposal clearly conforms with the General Plan but is not permitted by the Zoning and/or Subdivision Regulations, or where a proposal clearly does not conform with the General Plan but is permitted or conditionally permitted by the Zoning and/or Subdivision Regulations. The provisions of Sections 17.01.060 through 17.01.080 shall be used to determine whether an express conflict exists and the provisions of Sections 17.01.100 through 17.01.120, as applicable, shall then be followed.

17.01.080 - Appeal of Director's determination.

- B. Within ten (10) calendar days of a written determination by the Director of City Planning pursuant to Subsection 17.01.120.C. an appeal of such determination may be taken to the City Council by the applicant or any other interested party. Such appeal shall be accompanied by a fee as prescribed in the City master fee schedule. In event the last date of appeal falls on a weekend or holiday when City offices are closed, the next date such offices are open for business shall be the last date of appeal. Such appeal shall be made on a form prescribed by the Director and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Planning Director or wherein his or her decision is not supported by the evidence in the record. Upon receipt of such appeal, the Council shall set the date for consideration thereof. After the hearing date is set, the Planning Director shall refer the matter to the Planning Commission for its review and advice. The Planning Commission shall consider the matter at its next available meeting. Such referral shall be only for the purpose of issue clarification and advice to the City Council. The City Clerk shall not less than seventeen (17) days prior to the Council hearing, give written notice of the date and place of the hearing on the appeal to the applicant; the appellant in those cases where the applicant is not the appellant; adverse party or parties, or to the attorney, spokesperson, or representative of such party or parties; other interested groups and neighborhood associations who have requested notification; and to similar groups and individuals as the Secretary deems appropriate. ~~written notice of the date and place of the hearing on the appeal.~~ In considering the appeal, the Council shall determine whether the proposal conforms to the provisions of Section 17.01.120.C., and may approve or disapprove the proposed determination. The decision of the City Council shall be made by resolution and shall be final.

17.03.010 - City Planning Commission, Landmarks Preservation Advisory Board and Board of Adjustments.

- I. Removal. To assure participation of Commission and Board members, attendance by the members of the Commission and Board at all regularly scheduled and special meetings of the Commission and Board shall be recorded, and such record shall be provided semiannually to the Office of the Mayor for review. A member may be removed pursuant to Section 601 of the City Charter. Cause for removal shall include, among other things, conviction of a felony, misconduct, incompetency, inattention to or inability to perform duties, absence from three consecutive regular meetings, or, for members of the Commission's Residential Appeals Committee, absence from three (3) consecutive regular meetings of the Committee, except, in the case of absences, on account of illness or when absent from the City by permission of the Commission or Board.

17.03.040 - Residential Appeals Committee of the City Planning Commission

There is created a Residential Appeals Committee of the City Planning Commission consisting of three (3) members of the Commission. The Committee shall decide all appeals of decisions by the Director of City Planning as set forth in the Zoning Regulations. The method for appointing Committee members and the length of Committee members' terms shall be as set forth in the Commission's Rules of Procedure.

17.05.010 - Creation and membership.

There is created a Landmarks Preservation Advisory Board. It shall consist of seven (7) members appointed by the Mayor subject to the affirmative vote of five or more members of the City Council. In making appointments, the Mayor may consult persons and organizations interested in landmarks or historic preservation. The members shall include at least one architect; one landscape architect or city planner; one person having extensive knowledge of Oakland history, or of relevant architectural history; and one real estate broker or other person with significant experience in the financing or management of real estate.

17.05.040 - Removal.

Any member of the Board may be removed for cause, after hearing, by the affirmative vote of six (6) or more members of the City Council.

Chapter 17.07 - TITLE, PURPOSE AND SCOPE OF THE ZONING REGULATIONS

Sections:

17.07.010 - Title, purpose, and applicability.

17.07.020 - Title of zoning regulations.

17.07.030 - Purposes of zoning regulations.

17.07.040 - Applicability of zoning regulations.

17.07.050 - Effect of development control maps.

17.07.060 - Conformity with zoning regulations required.

17.07.065 - Permitted and conditionally permitted uses.

17.07.070 - Minimum requirements.

17.07.030 - Purposes of zoning regulations.

The general purposes of the zoning regulations are to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare and to achieve the following objectives:

- A. To promote the achievement of the proposals, policies and objectives of the Oakland General Plan;

17.07.040 - Applicability of zoning regulations.

- D. Private Agreements. The zoning regulations are not intended to abrogate, annul, or impair any easement, covenant, or other agreement between parties. However, where the zoning regulations impose a greater restriction or higher standard than that required by such agreement, the zoning regulations shall control, except as otherwise authorized under ~~Section 17.102.310~~ and the development agreement procedure in Chapter 17.138.

17.07.050 - Effect of development control maps.

Development control maps and all notations, references, and regulations shown therewith shall be considered part of the zoning regulations. Development control maps may include, but are not limited to, regulations intended to carry out any plan respecting location or type of activities; height, bulk, siting, or design of structures; location or design of open areas and landscaping; and other comparable regulations. In case of conflict with any other provision of the zoning regulations, the development control map shall take precedence, except as otherwise authorized under ~~Section 17.102.310~~ and the development agreement procedure in Chapter 17.138.

17.07.060 - Conformity with zoning regulations required.

Except as otherwise allowed by Section 17.114.030 ~~17.102.040~~ 114.030 and by the nonconforming use regulations in Chapter 17.114, or as authorized under Section 17.138.015, ~~17.102.310~~, the development agreement procedure in Chapter 17.138, or the variance procedure in Chapter 17.148, no activities or facilities shall be established, substituted, expanded, constructed, altered, moved, painted, maintained, or otherwise changed, and no lot lines shall be created or changed, except in conformity to the zoning regulations.

17.07.065 - Permitted and conditionally permitted uses.

- A. Other Uses Prohibited. Except as otherwise provided in Sections 17.114.030 and 17.154.060, the nonconforming use regulations in Chapter 17.114, and the planned unit development regulations in Chapter 17.142, or as authorized under Section 17.138.015, the development agreement procedure in Chapter 17.138, or the variance procedure in Chapter 17.148, no land shall be improved or used for any activity or facility which is not listed as permitted or conditionally permitted in the applicable individual zone regulations or development control maps.
- B. Relationship Between Activities and Facilities. A use must qualify under the zoning regulations both as an activity and as a facility. A permitted or conditionally permitted activity may be accommodated or served only by a permitted facility or, upon the granting of a conditional use permit, by a conditionally permitted facility; and a permitted or conditionally permitted facility may accommodate or serve, or be designed to accommodate or serve, only a permitted activity or, upon the granting of a conditional use permit, a conditionally permitted activity.

17.09.040 - Definitions.

"Dwelling unit" means a room or suite of rooms including one and only one kitchen, except as otherwise provided in Section 17.102.270, and designed or occupied as separate living quarters for ~~one of the persons or groups specified in Section 17.102.260. one person or family; or, where the facility occupied is a One-Family Dwelling, such family and not more than three (3) boarders, roomers, or lodgers where access to all rooms occupied by such boarders, roomers, or lodgers is had through the main entrance of the dwelling unit.~~

"Floor-Area Ratio (FAR)" means the number resulting from the division of the floor area on a lot by the lot area.

"Gross vehicle weight rating" means the vehicle weight specified by the manufacturer as the maximum loaded weight (truck plus cargo) of a single vehicle.

"Habitable room" means a space in a living unit intended for living, sleeping, eating, or cooking, including, but not limited to, living rooms, dining rooms, bedrooms, kitchens, dens, family rooms, finished recreation rooms, and enclosed porches suitable for year-round use.

To be considered an individual habitable room, a space must be either:

- 1) Entirely enclosed by partitions and connected to other rooms or spaces by doorways or open archways;
- 2) Separated from another space that both has a floor level difference of at least one (1) foot and is intended to be used for a different function; or
- 3) A kitchen area. Where there are no partitions, open archways, or a split floor level, as described in 1) and 2), the part of the kitchen space considered a habitable room includes all kitchen counters, cabinets, major appliances, and other fixtures plus the floor area within three (3) feet directly in front these items.

Specifically excluded from the definition of habitable room are bathrooms, water closets, hallways, foyers, storage closets, pantries, laundries, utility rooms, unfinished attics and basements, balconies, open porches, garages, and other unfinished spaces used for storage. See Section 17.102.280 for rules for determining the number of habitable rooms in a Residential Facility.

"Habitable rooms, number of" means the total number of habitable rooms in a Residential Facility, except:

1. A habitable room of less than fifty (50) square feet counts as half a room.
2. A habitable room larger than four hundred (400) square feet counts as one room for each four hundred (400) square feet or fraction thereof.

~~**"Gross vehicle weight"** means the vehicle weight specified by the manufacturer as the maximum loaded weight (truck plus cargo) of a single vehicle.~~

"Planned Unit Development (PUD)" means a large, integrated development adhering to a comprehensive plan and located on a single tract of land, or on two or more tracts of land which may be separated only by a street or other right-of-way.

"Potential Designated Historic Property (PDHP)" means any building or property that is determined by the City's Cultural Heritage Survey to have an existing or contingency rating of "A", "B", or "C", or to contribute or potentially contribute to an Area of Primary Importance (API) or an Area of Secondary Importance (ASI).

"Secondary unit" means a subordinate dwelling unit that is located on the same lot as a larger primary dwelling unit, is either attached or detached, and meets the standards and criteria of Section 17.102.360 17.103.080.

Chapter 17.10 - USE CLASSIFICATIONS

Sections:

Article I - General Classification Rules

- 17.10.010 - Title, purpose, and applicability.
- 17.10.020 - Definitions.
- 17.10.030 - Listing of activity classifications.
- 17.10.040 - Accessory activities.
- 17.10.050 - Classification of combinations of principal activities.
- 17.10.060 - Listing of facility classifications.
- 17.10.070 - Accessory facilities.
- 17.10.080 - Classification of combinations of principal facilities.
- 17.10.090 - Classification of unlisted uses.

Article II - Activity Types

Part 3 - Commercial Activity Types

Sections:

- 17.10.260 - General description of commercial activities.
- 17.10.270 - General food sales commercial activities.
- 17.10.272 - Full service restaurant commercial activities.
- 17.10.274 - Limited service restaurant and cafe.
- 17.10.280 - Fast-food restaurant commercial activities.
- 17.10.290 - Convenience market commercial activities.
- 17.10.300 - Alcoholic beverage sales commercial activities.
- 17.10.320 - Mechanical or electronic games commercial activities.
- 17.10.330 - Medical service commercial activities.
- 17.10.340 - General retail sales commercial activities.
- 17.10.345 - Large-scale combined retail and grocery sales commercial activities.
- 17.10.350 - Consumer service commercial activities.
- 17.10.360 - Consultative and financial service commercial activities.
- 17.10.365 - Check cashier and check cashing activity.
- 17.10.370 - Consumer cleaning and repair service commercial activities.
- 17.10.375 - Consumer dry cleaning plant commercial activities.
- 17.10.380 - Group assembly commercial activities.
- 17.10.385 - Personal instruction and improvement and small scale entertainment commercial activities.
- 17.10.390 - Administrative commercial activities.

- 17.10.400 - Business, communication, and media service commercial activities.
- 17.10.410 - Broadcasting and recording service commercial activities.
- 17.10.420 - Research service commercial activities.
- 17.10.430 - General wholesale sales commercial activities.
- 17.10.440 - Transient habitation commercial activities.
- 17.10.450 - Building material sales commercial activities.
- 17.10.460 - Automobile and other light vehicle sales and rental commercial activities.
- 17.10.470 - Automobile and other light vehicle gas station and servicing commercial activities.
- 17.10.480 - Automobile and other light vehicle repair and cleaning commercial activities.
- 17.10.485 - Taxi and light fleet-based service commercial activities.
- 17.10.490 - Automotive fee parking commercial activities.
- ~~17.10.500 - Transport and warehousing commercial activities (does not apply to the CIX-1, CIX-2, IG, or IO zones).~~
- 17.10.505 - Animal boarding commercial activities.
- 17.10.510 - Animal care commercial activities.
- 17.10.520 - Undertaking service commercial activities.

Part 2 - Nonresidential Facility Types

Sections:

- 17.10.710 - General description of Nonresidential Facilities.
- 17.10.720 - Enclosed Nonresidential Facilities.
- 17.10.730 - Open Nonresidential Facilities.
- 17.10.740 - Drive-In Nonresidential Facilities.
- 17.10.750 - Sidewalk Cafe, Nonresidential Facilities, facility.
- ~~17.10.760 - Shopping Center Facility.~~
- 17.10.770 - Drive-Through Nonresidential Facilities.

17.10.030 - Listing of activity classifications.

All activities are classified into the following activity types, which are described in Article II of this chapter. (See Section 17.10.050 for classification of combinations of activities resembling different types.) The names of these activity types start with capital letters throughout the zoning regulations.

A. Residential Activities:

Permanent

Residential Care

Service-Enriched Permanent Housing

Transitional Housing

- Emergency Shelter
- Semi-Transient
- Bed and Breakfast
- B. Civic Activities:
 - Essential Service
 - Limited Child-Care
 - Community Assembly
 - Recreational Assembly
 - Community Education
 - Nonassembly Cultural
 - Administrative
 - Health Care
 - Special Health Care
 - Utility and Vehicular
 - Extensive Impact
- C. Commercial Activities:
 - General Food Sales
 - Full Service Restaurant
 - Limited Service Restaurant and Cafe
 - Fast-Food Restaurant
 - Convenience Market
 - Alcoholic Beverage Sales
 - Mechanical or Electronic Games
 - Medical Service
 - General Retail Sales
 - Large-Scale Combined Retail and Grocery Sales
 - Consumer Service
 - Consultative and Financial Service
 - Check Cashier and Check Cashing
 - Consumer Cleaning and Repair Service

- Consumer Dry Cleaning Plant
- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- Administrative
- Business, Communication, and Media Service
- Broadcasting and Recording Service
- Research Service
- General Wholesale Sales
- Transient Habitation
- Building Material Sales
- Automobile and Other Light Vehicle Sales and Rental
- Automobile and Other Light Vehicle Gas Station and Servicing
- Automotive and Other Light Vehicle Repair and Cleaning
- Taxi and Light Fleet-Based Service
- Automotive Fee Parking
- Transport and Warehousing
- Animal Boarding
- Animal Care
- Undertaking Service
- D. Industrial Activities:
 - Custom Manufacturing
 - Light Manufacturing
 - General Manufacturing
 - Heavy/High Impact Manufacturing
 - Research and Development
 - Construction Operations
 - Warehousing, Storage and Distribution
 - Regional Freight Transportation
 - Trucking and Truck-Related
 - Recycling and Waste-Related

Hazardous Materials Production, Storage and Waste Management

E. Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

Mining and Quarrying

17.10.040 - Accessory activities.

- K. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five (5) or more lots;

17.10.060 - Listing of facility classifications.

All facilities are classified into the following facility types, which are described in Section Article III of this chapter. (See Section 17.10.080 for classification of combinations of facilities resembling different types.) The names of these facility types start with capital letters throughout the zoning regulations.

A. Residential Facilities:

One-Family Dwelling

One-Family Dwelling with Secondary Unit

Two-Family Dwelling

Multifamily Dwelling

Rooming House

Mobile Home

B. Nonresidential Facilities:

Enclosed

Open

Drive-in

Sidewalk Cafe Nonresidential Facilities

Drive-Through Nonresidential Facilities

C. Signs:

Residential

Special

Development

Realty

Civic

Business

Advertising

D. Telecommunications Facilities:

Micro

Mini

Macro

Monopole

Tower

17.10.110 - Permanent residential activities.

Permanent Residential Activities include the occupancy of living accommodations on a weekly or longer basis, with none of the living units under the same ownership or management on the same lot being occupied on a shorter basis; but exclude institutional living arrangements other than state-licensed residential care facilities for six (6) or fewer residents including family foster care homes. However, such residential care facilities shall be subject to the three hundred (300) foot separation requirement in Section ~~17.102.212~~ 17.103.010(B). This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.112 - Residential care residential activities.

Residential Care Residential Activities include all residential care facilities that require a state license or are state licensed for seven or more residents which provide twenty-four (24) hour primarily nonmedical care and supervision. Occupancy of living accommodations by six (6) or fewer disabled persons, elderly persons, or persons in need of support services for chemical dependency recovery; or a family foster care home; or occupancy of any facilities supervised by or under contract with the State Department of Corrections, are excluded. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. State licensed residential care facilities for six (6) or fewer residents shall be treated as Permanent Residential Activities except with regard to the three hundred (300) foot separation requirement in Section ~~17.102.212~~ 17.103.010(B).

17.10.120 - Semi-transient residential activities.

Semi-Transient Residential Activities include the occupancy of living accommodations partly on a weekly or longer basis and partly for a shorter time period, but with less than thirty 30-percent (30%) of the living units under the same ownership or management on the same lot being occupied on a less-than-weekly basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.125 - Bed and breakfast residential activities.

The provision of lodging services to transient guests on a less-than-weekly basis, other than in the case of activities classified by another Residential Activity (Sections 17.10.100 through 17.10.120) that have each of the following characteristics:

- A. The activity occupies a One-Family Dwelling Residential Facility, One-Family Dwelling with Secondary Unit Residential Facility, or a Two-Family Dwelling Residential Facility;
- B. The activity allows no more than twelve (12) adult paying guests at any time and contains no more than six (6) guest units;

- C. The activity is located in a facility that is owner occupied;
- D. The activity is located in a facility on a property with an existing or contingency historic rating of "A", "B", "C", or "D" or is a Landmark according to the City of Oakland Office of Historic Preservation
- E. The facility includes incidental eating and drinking services for lodgers only that are provided from a single kitchen per bed and breakfast establishment.

This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.150 - Limited child-care activities.

Limited Child-Care Civic Activities include the provision of day-care service for fourteen (14) or fewer children, provided, however, that care for six (6) or more children be provided only in facilities licensed by a state or county agency. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.170 - Recreational assembly civic activities.

Recreational Assembly Civic Activities include the provision of recreational activities, typically performed by participants within public facilities. Examples of activities in this classification include but are not limited to the following:

- Food service and other concessions located within public parks;
- Public and parochial playgrounds and playing fields;
- Temporary nonprofit festivals;
- Basketball courts, tennis courts, handball courts, lawn bowling, leisure areas, and similar outdoor park and recreational facilities;
- Community outdoor swimming and wading pools, and other water play features;
- Picnic areas.

This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.180 - Community education civic activities.

Community Education Civic Activities include the activities typically performed by the following institutions:

- A. Public and private day-care centers for fifteen (15) or more children;
- B. Public and private nursery schools and kindergartens;
- C. Public and private elementary, junior high, and high schools;
- D. Support services provided for independent living skills development including self-improvement education, employment and job training for both on-site and off-site residents in conjunction with Service-Enriched Permanent Housing and Transitional Housing Residential Activities.

This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

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- 17.10.485 - Taxi and light fleet-based service commercial activities.**
- 17.10.490 - Automotive fee parking commercial activities.**
- ~~**17.10.500 - Transport and warehousing commercial activities (does not apply to the CIX-1, CIX-2, IG, or IO zones).**~~
- 17.10.505 - Animal boarding commercial activities.**
- 17.10.510 - Animal care commercial activities.**
- 17.10.520 - Undertaking service commercial activities.**

17.10.272 - Full service restaurant commercial activities.

Restaurants providing food or beverage services to patrons who order and are served while seated (table service), and pay after eating. Only a minor proportion, if any, of the food is sold for consumption off-premises. These restaurants have kitchens that contain equipment suitable for cooking an assortment of foods. Also, see ~~17.102.240~~ Section 17.103.030 and 17.156.070 for definitions of a full-service restaurant in relation to Alcoholic Beverage Sales. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.280 - Fast-food restaurant commercial activities.

- A. Fast-Food Restaurant Commercial Activities include the retail sale of ready-to-eat prepared foods and beverages, for on- or off-premises consumption, whenever the foods and beverages are available upon a short waiting time and are primarily served in or on disposable wrappers, containers, or plates. Fast-Food Restaurants may also exhibit other design and operating characteristics, including: (1A) a limited menu; (2B) food is typically ordered and served at a service counter; (3C) food is paid for prior to consumption; (4D) the facility in which the activity/use is occurring provides a take-out counter space and space for customer queuing. They also include certain activities accessory to the above, as specified in Section 17.10.040.
- B. Except as may otherwise be allowed in Oakland Municipal Code (OMC) Chapters 5.49, 5.51, 8.09, and 9.52, tThe sale of ready-to-consume prepared foods from trucks, pushcarts or other movable equipment located on public or private property on a semi-permanent basis during hours of operation. Vehicular food vending generally has the following characteristics:
- Food is ordered and served from a take-out counter that is integral to the catering truck;
 - Food is paid for prior to consumption;
 - Catering trucks, pushcarts or other movable equipment from which the food is sold typically have a take-out counter and space for customer queuing;
 - Food and beverages are served in disposable wrappers, plates or containers; and
 - Food and beverages are prepared and sold for off-site consumption.

This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.350 - Consumer service commercial activities.

Consumer Service Commercial Activities include the provision of services of a personal nature, but exclude activities more specifically classified elsewhere. Examples of activities in this classification include, but are not limited to the following:

- Barber shops;
- Beauty salons;
- Laundromats;
- Nail salons;
- Full service laundry service and dry cleaners (not including dry cleaning plants);
- Shoe shine stands;
- Tailors;
- Tanning salons;
- Tattoo parlors;

- A pharmacy that exclusively sells prescription drugs, non-prescription drugs, and other medical related products.
- Massage services.

This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.380 - Group assembly commercial activities.

Group Assembly Commercial Activities include the provision of instructional, amusement, and or similar other services of a similar nature to group assemblages of people. This classification does not include any activity classified in Section 17.10.160 Community Assembly Civic Activities, Section 17.10.170 Recreational Assembly Civic Activities, or Section 17.10.180 Community Education Civic Activities. Examples of activities in this classification include, but are not limited to the following:

- Yoga, martial arts, driving school, job training, and other instructional classes in facilities with two thousand (2,000) square feet or more of classroom or instructional space;
- Drive-in theaters;
- Theaters or venues with three thousand (3,000) square feet or more of performance, lobby space, and audience floor area;
- Temporary carnivals, fairs, and circuses;
- Cabarets, night clubs, dance halls, adult entertainment, and pool halls;
- Banquet halls;
- Fitness clubs with two thousand (2,000) square feet or more of floor area.

This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.385 - Personal instruction and improvement and small scale entertainment commercial activities.

The provision of informational, instructional, personal improvement, and other similar services of a similar nature. ~~This classification also includes theaters where less than three hundred (300) people are viewing an individual stage or screen.~~ This classification does not include any activity classified as Section 17.10.180 Community Education Civic Activities or Section 17.10.380 Group Assembly Civic Activities. Examples of activities in this classification include but are not limited to the following:

- Yoga, martial arts, driving school, job training, and other instructional classes in facilities with less than two thousand (2,000) square feet of classroom or instructional space;
- Fitness clubs with less than two thousand (2,000) square feet of floor area;
- Theaters or venues with less than three thousand (3,000) square feet of performance, lobby space, and audience floor area.

This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.440 - Transient habitation commercial activities.

Transient Habitation Commercial Activities include the provision of lodging services to transient guests on a less-than-weekly basis, other than in the case of activities classified by Section 17.10.120

Semi-Transient Residential Activities or Section 17.10.125 Bed and Breakfast Commercial ~~Residential~~ Activities. Examples include hotels and motels. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.460 - Automobile and other light vehicle sales and rental commercial activities.

Automobile and ~~Other Light Vehicle~~ ~~Light Truck Sales, and Rental, and Delivery~~ Commercial Activities include the sale, rental, leasing and incidental cleaning, servicing, and repair of small passenger vehicles and light trucks that have a gross vehicle weight rating of less than fourteen thousand (14,000) pounds such as cars, sports utility vehicles, motorcycles, pickup trucks, vans, ~~light tow trucks,~~ light trucks, boats and RVs. This classification also includes the retail or wholesale sale or rental, from the premises, of any type of goods where orders are placed predominantly by telephone or mail order with delivery being provided by motor vehicle. Delivery activities that include use of more than two (2) on-site tow trucks are excluded from this classification ~~and included in the Warehousing, Distribution and Storage or Outdoor Storage classification.~~ This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.480 - Automobile and other light vehicle repair and cleaning commercial activities.

Automobile and Other Light Vehicle Repair and Cleaning Commercial Activities include the major repair or painting of motor vehicles that have a gross vehicle weight rating of less than fourteen thousand (14,000) pounds, including body work and installation of major accessories, as well as the washing and polishing of motor vehicles. This classification does not include vehicle dismantling or salvage and tire re-treading or recapping. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

17.10.485 - Taxi and light fleet-based service commercial activities.

Passenger transportation services, local delivery services, and other businesses that rely on fleets of three (3) or more vehicles with a gross vehicle weight rating rated capacity of less than twelve thousand five hundred fourteen thousand (14,000) (12,500) pounds. This classification includes parking, dispatching, and offices for taxicab and limousine operations, airport shuttles, medical transport, local messenger and document delivery services, janitorial services, and similar businesses. This classification ~~does not only include towing operations when except for tow truck services where vehicles are taken to off-site locations and the tow trucks do not exceed the above gross vehicle weight rating.~~ This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

~~17.10.500 - Transport and warehousing commercial activities (does not apply to the CIX-1, CIX-2, IG, or IO zones).~~

~~Transport and Warehousing Commercial Activities include the provision of warehousing and storage, freight handling, shipping, and trucking services. This classification does not apply to the CIX-1, CIX-2, IG, or IO zones. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~

17.10.550 - Custom manufacturing industrial activities.

Custom Manufacturing Industrial Activities include the small-scale production of artisan and/or custom products. This activity typically includes the production of finished parts or products by hand, involving the use of hand tools and small-scale equipment within enclosed buildings. Custom Manufacturing Industrial Activities do not produce noise, vibration, air pollution, fire hazard or noxious

emission that will disturb or endanger neighboring properties. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. This classification includes but is not limited to the production of:

- A. Beverages (including alcoholic) and food (excluding the production of highly pungent, odor-causing items, such as vinegar and yeast) with less than ten thousand (10,000) square feet of floor area;
- B. Cameras and photographic equipment;
- C. Custom sign-making;
- D. Custom clothing;
- E. Custom furniture building and refinishing;
- F. Professional, scientific, measuring, and controlling instruments;
- G. Musical instruments;
- H. Medical, dental, optical and orthopedic instruments and appliances, and similar items;
- I. Handicraft, art objects, and jewelry.

17.10.560 - Light manufacturing industrial activities.

Light Manufacturing Industrial Activities include the manufacturing, compounding, processing, assembling, packaging, or treatment of components or products, primarily from previously prepared materials, and typically within enclosed buildings. Light Manufacturing Industrial Activities do not produce noise, vibration, air pollution, fire hazard or noxious emission that will disturb or endanger neighboring properties. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. This classification includes but is not limited to the production or assembly of:

- A. Production apparel manufacturing;
- B. Computer and electronic products;
- C. Pharmaceutical production;
- D. Beverages (including alcoholic) and food (excluding the production of highly pungent, odor-causing items, such as vinegar and yeast) with ten thousand (10,000) square feet or more of floor area;
- E. Electrical equipment, appliances, and components;
- F. Furniture and related products;
- G. Pharmaceutical production;
- H. Sporting and athletic goods.

17.10.570 - General manufacturing industrial activities.

General Manufacturing Industrial Activities include the manufacturing, compounding, processing, assembling, packaging or treatment of products from extracted, raw, recycled or secondary materials; they may have some or all activities conducted outdoors. This classification excludes all activities under Intermediate Recycling Processing Facilities. The Zoning Administrator or his/her designee may place an activity that otherwise fits this description, but does not produce noise, vibration, air pollution, fire hazard, or noxious emission that will violate standard in Chapter 17.120, or an other federal, State or local standards into the Light Manufacturing Industrial Activities classification. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. Examples of activities in this classification include but are not limited to the following:

- A. Chemical manufacturing (except for the chemical products listed under Heavy/High/Impact Manufacturing);
- B. Glass manufacturing;
- C. Metal foundries;
- D. Wood product manufacturing;
- E. Heavy equipment and manufacturing;
- F. Paper finishing;
- G. Pipe production facilities;
- H. Textile mills;
- I. Tire retreading and recapping;
- J. Wood product manufacturing.

17.10.580 - Heavy/high impact manufacturing industrial activities.

Heavy/High Impact Manufacturing Industrial Activities include high impact or hazardous manufacturing processes. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. Examples of activities in this classification include but are not limited to the following:

- A. Any manufacturing use with large-scale facilities for outdoor oil and gas storage;
- B. Any biotechnology research, development or production activities involving materials defined by the National Institute of Health as Risk Group 4 or Restricted Agents (commonly known as "bio-safety level 4");
- C. Battery manufacturing and storage;
- D. Lime and gypsum products manufacturing;
- E. Non-ferrous metals production, processing, smelting and refining;
- F. Painting, coating and adhesive manufacturing;
- G. Synthetic dye and pigment manufacturing;
- H. Urethane and other open-cell foam product manufacturing;
- I. Petroleum and coal products manufacturing and refining;
- J. Primary metal smelting;
- K. Vinegar, yeast and other pungent, odor-causing items production;
- L. Leather tanning;
- M. Cement and asphalt manufacturing;
- N. Explosives manufacturing;
- O. Fertilizer and other agricultural chemical manufacturing.

17.10.584 - Regional freight transportation industrial activities.

Regional Freight Transportation Activities include the provision of freight handling and shipping services by water and rail. They include the inter- and intra-regional transportation of goods. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

- A. Seaport. The accommodation of freight service and operations by ship. This classification includes piers, wharves ~~&and~~ docks, marine terminals, container and break-bulk storage areas (where container storage is an accessory, rather than principal activity), related inter-modal facilities, and support services such as port and harbor operations and navigational services.
- B. Rail yard. Accommodation of freight service and operations by rail.

17.10.585 - Trucking and truck-related industrial activities.

Trucking and Truck-Related Activities include the provision of freight handling and shipping services by trucks as well as parking, maintenance, and services for trucks and other heavy vehicles and equipment. Each classification involves the use of trucks and other heavy vehicles that have a gross vehicle weight rating greater than or equal to fourteen thousand (14,000) pounds. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

- A. Freight/Truck Terminal. The accommodation of local or worldwide freight by truck. This classification includes facilities used primarily for transfer, breaking-down, and/or consolidation of freight, as well as parking and dispatch of trucks.
- B. Truck Yard. Parking, dispatch, refueling, and incidental repair of trucks, buses, or other fleets of heavy vehicles, where there is no on-site freight storage or transfer. This classification includes corporation yards operated by public and private towing operations. This classification does not include local courier and delivery services; towing operations as an accessory activity to Automotive and Other Light Vehicle Repair and Cleaning (see Section 17.10.480).
- C. Truck Weigh Stations. The weighing of commercial trucks in truck weighing facilities.
- D. Truck and Other Heavy Vehicle Sales, Rental, and Leasing. Sales, rental, and leasing of medium and heavy trucks, truck tractors, construction or agricultural equipment, buses, commercial boats, heavy equipment, and other commercial vehicles. ~~that have gross vehicle weight ratings greater than fourteen thousand (14,000) pounds.~~ This classification includes ing the sale, installation, accessory repair and servicing of related equipment and parts. This classification does not include vehicle dismantling or salvage and tire re-treading or recapping (See Salvage/Junk Yards, Section 17.10.583).
- E. Truck and Other Heavy Vehicle Service, Repair, and Refueling. Repair, fueling, and other servicing of medium and heavy trucks, truck tractors, construction or agricultural equipment, buses, boats, heavy equipment, and similar vehicles. ~~that generally have gross vehicle weights greater than fourteen thousand (14,000) pounds.~~ This classification includesing the sale, installation, and servicing of related equipment and parts. This classification includes fueling stations, repair shops, body and fender shops, wheel and brake shops, engine repair and rebuilding, welding, major painting service, tire sales and installation, and upholstery shops for trucks and other heavy vehicles. This classification does not include vehicle dismantling or salvage (See Salvage/Junk Yards, Section 17.10.583E).

17.10.586 - Recycling and waste-related industrial activities.

Recycling and Waste-Related Industrial Activities include recycling collection, intermediate processing, and other activities related to the storage and processing of used and waste materials. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

- B. Primary Recycling Collection Centers. An activity accepting recyclable non-hazardous materials by donation, redemption, or purchase at facilities occupying an area of more than 500 square feet that are not operated incidental to a host use and that may have a permanent building. Primary collection centers typically use power-driven equipment to sort and condense material for shipment to an intermediate processor or other user. Primary Recycling Collection Centers may have a combination of outdoor processing and storage.

Part 2 - Nonresidential Facility Types

17.10.710 - General description of Nonresidential Facilities.

17.10.720 - Enclosed Nonresidential Facilities.

17.10.730 - Open Nonresidential Facilities.

17.10.740 - Drive-In Nonresidential Facilities.

17.10.750 - Sidewalk Cafe, Nonresidential Facilitiesy.

~~17.10.760 - Shopping Center Facility.~~

17.10.770 - Drive-Through Nonresidential Facilities.

17.10.750 - Sidewalk Cafe, Nonresidential Facilitiesy.

A Sidewalk Café Nonresidential Facility "~~sidewalk cafe~~" is either a General Food Sales Commercial, Full Service Restaurant, Limited Service Restaurant and Cafe, Fast-Food Restaurant, or Alcoholic Beverage Sales Commercial Activity located on private property with a dining area which encroaches within the sidewalk area of the public right-of-way. Such dining area shall be defined by design elements which separate the establishment from the remainder of the sidewalk.

~~17.10.760 - Shopping Center Facility.~~

~~A Shopping Center Nonresidential Facility is a complex of one or more retail buildings and related facilities forming a central retail market within a given area and having a common parking area.~~

~~(Prior planning code § 2614)~~

17.10.810 - Development Signs.

Development Signs are temporary Signs which announce the anticipated sale, lease, rental, or character of facilities being constructed or altered, or of facilities or lots in a real estate development or subdivision, development, or which identify persons or firms engaged in the promotion, design, construction, or alteration thereof.

17.11.020 - Designation and mapping of parks by category.

- A. All parks and public open space lands in the City of Oakland shall be classified using the categories listed below:

RCA	Resource Conservation Area
RSP	Region-Serving Park
CP	Community Park
NP	Neighborhood Park
AMP	Active Mini-Park
PMP	Passive Mini-Park
LP	Linear Park
SU	Special Use Park
AF	Athletic Field Park

- B. Designation of each park on the zoning maps shall be followed by the two- or three-letter abbreviation corresponding to each park type in parentheses.
- C. If a new park is developed or acquired or if an existing park is to be changed to a new category, the Parks and Recreation Advisory Commission (PRAC) shall make a recommendation on the designation to the City Council, consistent with the park type definitions contained in the Open Space Conservation and Recreation (OSCAR) Element of the Oakland General Plan. The City Council shall hold a noticed public hearing prior to making a decision on the recommendation.

Chapter 17.13 - RH HILLSIDE RESIDENTIAL ZONES REGULATIONS

Sections:

- 17.13.010 - Title, intent, and description.
- 17.13.020 - Required design review process.
- 17.13.030 - Permitted and conditionally permitted activities.
- 17.13.040 - Permitted and conditionally permitted facilities.
- 17.13.050 - Property development standards.
- 17.13.060 - Special regulations for ~~mini-lot and planned unit developments~~.
- 17.13.070 - Other zoning provisions.

17.13.010 - Title, intent, and description.

- A. Title and Intent. The provisions of this Chapter shall be known as the Hillside Residential (RH) regulations. The intent of the RH regulations is to create, maintain, and enhance residential areas that are primarily characterized by detached, single unit structures on hillside lots.
- B. Description of Zones. This Chapter establishes land use regulations for the following four (4) zones:
1. **RH-1 Hillside Residential Zone - 1.** The intent of the RH-1 zone is to create, maintain, and enhance areas for single-family living on lots of one acre or more, and is appropriate in portions of the Oakland Hills.
 2. **RH-2 Hillside Residential Zone - 2.** The intent of the RH-2 zone is to create, maintain, and enhance areas for single-family living on lots of at least twenty-five thousand (25,000) square feet, and is appropriate in portions of the Oakland Hills.
 3. **RH-3 Hillside Residential Zone - 3.** The intent of the RH-3 zone is to create, maintain, and enhance areas for single-family dwellings on lots of at least twelve thousand (12,000) square feet and is appropriate in portions of the Oakland Hills.
 4. **RH-4 Hillside Residential Zone - 4.** The intent of the RH-4 zone is to create, maintain, and enhance areas for single-family dwellings on lots of six thousand five hundred (6,500) to eight thousand (8,000) square feet and is typically appropriate in already developed areas of the Oakland Hills.

17.13.030 - Permitted and conditionally permitted activities.

Table 17.13.01 lists the permitted, conditionally permitted, and prohibited activities in the RH zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

Table 17.13.01: Permitted and Conditionally Permitted Activities

Activities	Zones				Additional Regulations
	RH-1	RH-2	RH-3	RH-4	

Residential Activities					
Permanent	P(L1)	P(L1)	P(L1)	P(L1)	17.102.212
Residential Care	— P(L1)	— PL1)	— P(L1)	— P(L1)	17.103.010
Service-Enriched Permanent Housing	—	—	—	—	
Transitional Housing	—	—	—	—	
Emergency Shelter	—	—	—	—	
Semi-Transient	—	—	—	—	
Bed and Breakfast	—	—	—	—	
Civic Activities					
Essential Service	P	P	P	P	
Limited Child-Care Activities	P	P	P	P	
Community Assembly	C	C	C	C	
Recreational Assembly	C	C	C	C	
Community Education	C	C	C	C	
Nonassembly Cultural	C	C	C	C	
Administrative	C	C	C	C	
Health Care	—	—	—	—	
Special Health Care	—	—	—	—	
Utility and Vehicular	C	C	C	C	
Extensive Impact	C	C	C	C	
Commercial Activities (all)	—	—	—	—	17.112
Industrial Activities (all)	—	—	—	—	
Agriculture and Extractive Activities					
Crop and animal raising	C(L2)	C(L2)	C(L2)	C(L2)	
Plant nursery	C	C	C	C	
Mining and Quarrying	—	—	—	—	
Accessory off-street parking serving prohibited activities	C	C	C	C	17.102.100 17.116.075
Additional Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone, on lots near the boundary thereof.	C	C	C	C	17.102.110

Limitations on Table 17.13.01:

L1. Residential Care is only permitted in a One-Family Dwelling Residential Facility. No state licensed residential care facility shall be located closer than three hundred (300) feet from any other state licensed residential care facility or Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity. See Section 17.102.212 17.103.010 for other regulations regarding these activities.

17.13.040 - Permitted and conditionally permitted facilities.

Table 17.13.02 lists the permitted, conditionally permitted, and prohibited facilities in the RH zones. The descriptions of these facilities are contained in Chapter 17.10. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates facilities subject to certain limitations listed at the bottom of the table.

"—" designates facilities that are prohibited.

Table 17.13.02: Permitted and Conditionally Permitted Facilities

Facilities	Zones				Additional Regulations
	RH-1	RH-2	RH-3	RH-4	
Residential Facilities					
One-Family Dwelling	P	P	P	P	
One-Family Dwelling with Secondary Unit	P	P	P	P	17.102.360 17.103.080
Two-Family Dwelling	—	—	—	—	
Multifamily Dwelling	—	—	—	—	
Rooming House	—	—	—	—	
Mobile Home	—	—	—	—	
Nonresidential Facilities					
Enclosed Nonresidential	P	P	P	P	
Open Nonresidential	P	P	P	P	
Sidewalk Cafe	—	—	—	—	
Drive-In Nonresidential	—	—	—	—	
Drive-Through Nonresidential	—	—	—	—	
Telecommunications Facilities					
Micro Telecommunications	C	C	C	C	17.128
Mini Telecommunications	C	C	C	C	17.128
Macro Telecommunications	C	C	C	C	17.128
Monopole Telecommunications	C(L1)	C(L1)	C(L1)	C(L1)	17.128
Tower Telecommunications	—	—	—	—	17.128
Sign Facilities					
Residential Signs	P	P	P	P	17.104
Special Signs	P	P	P	P	17.104
Development Signs	P	P	P	P	17.104
Realty Signs	P	P	P	P	17.104
Civic Signs	P	P	P	P	17.104
Business Signs	—	—	—	—	17.104
Advertising Signs	—	—	—	—	17.104

17.13.050 - Property development standards.

- A. Zone Specific Standards. Table 17.13.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

Table 17.13.03: Property Development Standards

Development Standards	Zones				Additional Regulations
	RH-1	RH-2	RH-3	RH-4	

Minimum Lot Dimensions					
Width mean	100 ft	100 ft	90 ft	45 ft	1
Frontage	25 ft	25 ft	25 ft	25 ft	1
Lot area	43,560 sf	25,000 sf	12,000 sf	6,500 sf or 8,000 sf	1, 2, 3
Maximum Density	1 primary unit per lot				4
Minimum Setbacks					
Minimum front (<20% street-to-setback gradient)	25 ft	25 ft	20 ft	20 ft	<u>5</u> , <u>65</u>
Minimum front (>20% street-to-setback gradient)	5 ft	5 ft	5 ft	5 ft	<u>5</u> , <u>56</u> , <u>76</u>
Minimum interior side <20% footprint slope	6 ft/15%	6 ft/15%	6 ft/10%	5 ft	<u>78</u> , <u>98</u>
Minimum interior side >20% footprint slope	6 ft/15%	6 ft/15%	6 ft/10%	5 ft/10%	<u>78</u> , <u>98</u>
Minimum street side	6 ft	6 ft	6 ft	5 ft	<u>95</u> , <u>10</u>
Rear	35 ft	35 ft	25 ft	20 ft	7, 10, 11
Maximum Lot Coverage and Floor Area Ratio (FAR)	See Table 17.13.04				
Height Regulations for All Lots with a Footprint Slope of <20%					
Maximum wall height primary building	25 ft	25 ft	25 ft	25 ft	<u>4213</u> , <u>4314</u>
Maximum pitched roof height primary building	30 ft	30 ft	30 ft	30 ft	<u>4213</u> , <u>4314</u>
Maximum height for accessory structures	15 ft	15 ft	15 ft	15 ft	<u>4213</u> , <u>4314</u>
Height Regulations for all Lots with a Footprint Slope of >20%	See Table 17.13.05 for Height regulations for all lots with a footprint slope of >20%				
Maximum Wall Length Before Articulation Required	40 ft	40 ft	40 ft	40 ft	<u>44</u> , <u>15</u>
Minimum Parking					
Minimum parking spaces required per unit	2	2	2	2	<u>4516</u>
Additional parking spaces required for secondary unit	1	1	1	1	<u>4516</u> , <u>4617</u>

Additional Regulations for Table 17.13.03:

2. In the RH-4 Zone, for Subdivision Maps of 4 or fewer lots where each lot created has a buildable area slope of less than or equal to twenty percent (20%), the minimum lot size is six thousand five hundred (6,500) square feet. For Subdivision Maps where any one lot buildable area slope is greater than twenty percent (20%) or for Subdivision Maps of 5 or more lots, the minimum lot size is increased to eight thousand (8,000) square feet.

a. In order to determine buildable area slope of a subdivision, each lot shown on the Subdivision Map shall indicate the buildable area in dashed lines. The buildable area slope is measured at the steepest point between the front and rear setbacks (not included within the side setbacks).

4. A Secondary Unit may be permitted when there is no more than one unit on a lot, subject to the provisions of ~~Section 17.102.360~~ 17.103.080. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms.

5. On lots with only residential facilities, paved surfaces within required street-fronting yards, and any unimproved rights-of-way of adjacent streets, shall be limited to fifty percent (50%) on interior lots and

thirty percent (30%) on corner lots. Exceptions: The maximum percentages of paved surfaces specified in this additional regulation may be exceeded within unimproved rights-of-way in the following cases upon issuance of a private construction of public improvements (P-job) permit or if undertaken directly by the City or by a private contractor under contract to the City:

- a. Roadway construction or widening;
- b. Sidewalk construction or widening; and
- c. Any work pursuant to an approved final map, parcel map or final development plan pursuant to a planned unit development permit.

For purposes of this additional regulation, an unimproved right-of-way is the portion of a street or alley right-of-way that is not paved.

67. The minimum front setback depth required by the applicable individual zone shall be reduced to five (5) feet on any lot with a street-to-setback gradient that exceeds twenty ~~(20)~~ percent (20%), provided, however, that the distance from the edge of the pavement to a garage or carport elevation containing one or more vehicular entries shall be at least eighteen (18) feet (see Illustration for Table 17.13.03, [Additional Regulation 6], below). See Section 17.108.130 for allowed projections into setbacks.

78. See Section 17.108.080 for the required interior side and rear setbacks on a lot containing two or more living units and opposite a legally-required living room window.

89. The minimum interior side setback is the greater of the two listed setbacks. Also, see Section 17.108.130 for allowed projections into setbacks.

910. In all residential zones, on every corner lot which abuts to the rear a key lot which is in a residential zone, there shall be provided on the street side of such corner lot a side setback with a minimum width equal to one-half ($\frac{1}{2}$) of the minimum front setback depth required on the key lot and no less than the minimum side setback width required along an interior side lot line of the corner lot. However, such side setback shall not be required to exceed five (5) feet in width if it would reduce to less than twenty-five (25) feet the buildable width of any corner lot. Such setback shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130 (see Illustration for Table 17.13.03, [Additional Regulation 9], below). See also Section 17.110.040 C for special controls on location of detached accessory buildings on such corner lots. See Section 17.108.130 for allowed projections into setbacks.

1011. Wherever a rear lot line abuts an alley, one-half ($\frac{1}{2}$) of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum rear setback depth actually on the lot itself shall not be reduced to less than ten (10) feet. Also, see Section 17.108.130 for allowed projections into setbacks.

12.4 For lots which abut an adjoining rear setback, the minimum rear setback depth shall be increased by an additional one-half ($\frac{1}{2}$) foot of rear setback depth for each additional one foot of lot depth over one hundred (100) feet, up to a maximum rear setback depth of forty (40) feet.

1213. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.

4314. If at least sixty ~~(60)~~ percent (60%) of the buildings in the immediate context are no more than one story in height, the maximum wall height shall be fifteen (15) feet within the front twelve (12) feet of buildable area. The immediate context shall consist of the five closest lots on each side of the project site plus the ten closest lots on the opposite side of the street; however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any approval of any variance, conditional use permit, design review, determination of exemption from design review, or other special zoning approval or, if no special zoning approval is required, part of any Planning Department approval of a building permit application.

145. If the total wall length within ten (10) feet of the side lot line exceeds forty (40) feet, then the building wall shall be articulated by at least one section of additional setback. See design guidelines for more specific bulk and context standards.

165. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117. Additional parking standards apply within the S-11 Zone, as prescribed in Section 17.92.

17.6 One parking space for the Secondary Unit is required in addition to any required parking spaces for the Primary Unit. Additional parking regulations that apply to Secondary Units are provided in Section 17.102.360 17.103.080.

Table 17.13.04 Floor Area Ratio (FAR) and Lot Coverage

Regulation	Lot Size in Square Feet					Additional Regulations
	< 5,000	> 5,000 and <12,000	> 12,000 and <25,000	> 25,000 and <43,560	> 43,560	
Maximum FAR	0.55	0.50	0.45	0.30	0.20	1
Maximum Lot Coverage (%)	40%	40%	30%	20%	15%	2

Additional Regulations for Table 17.13.04:

1. Lots with less than five thousand (5,000) square feet in area may have a dwelling with at least two thousand (2,000) square feet, regardless of FAR listed.
 2. Lots with less than five thousand (5,000) square feet in area may have a lot coverage of up to two thousand (2,000) square feet regardless of lot coverage percentage (%) listed.
- C. Height. Table 17.13.05 below prescribes height standards associated with different sloped lots. The numbers in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

Table 17.13.05 Height Regulations for all Lots with a Footprint Slope of >20%

Regulation	Downslope Lot Height Regulations With a Footprint Slope of:			Upslope Lot Height Regulations With a Footprint Slope of:	Additional Regulations
	> 20% and < 40%	> 40% and < 60%	> 60%	> 20%	
Maximum Height for Detached Accessory Structures	15 ft	15 ft	15 ft	15 ft	1
Maximum Wall Height Primary Building	32 ft	34 ft	36 ft	32 ft	1, 2
Maximum Wall Height Primary Building with a CUP	36 ft	38 ft	40 ft	35 ft	1
Maximum Pitched Roof Height Primary Building	36 ft	38 ft	40 ft	35 ft	1, 2
Maximum Height Above Edge of Pavement	18 ft	18 ft	18 ft	N/A	1
Maximum Height Above the Ground Elevation at the Rear Setback Line	N/A	N/A	N/A	24 ft	1
Maximum Height from Finished or Existing Grade (whichever is lower) Within 20' of the Front Property Line	N/A	N/A	N/A	24 ft	1, 3

Additional Regulations for Table 17.13.05:

2. On a downslope lot greater than forty (40) percent (40%) footprint slope, the rear wall of an attached garage or carport may exceed the wall height and roof height by five (5) feet, but may not exceed eighteen (18) feet above ground elevation at edge of pavement, if the garage or carport conforms with all of the following criteria:

- a. Maximum width is twenty-two (22) feet and maximum depth is twenty (20) feet; and
- b. Garage or carport floor is at the same level as the edge of the street pavement resulting from the project at the center point of the driveway entrance or is at a lower level; and
- c. Maximum height above the garage or carport floor is ten (10) feet for walls to the top of the plate or flat roof and twelve (12) feet for pitched roofs.

See Illustration for Table 17.13.05 [Additional Regulation 2], below.

3. The building height is measured from finished or existing grade, whichever is lower.

17.13.060 - Special regulations for mini-lot and planned unit developments.

~~A. Mini-lot Developments. In mini-lot developments, certain regulations that otherwise apply to individual lots in the RH zones may be waived or modified when and as prescribed in Section 17.102.320~~

B. ~~Planned Unit Developments.~~ Large integrated developments shall be subject to the Planned Unit Development regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the RH zones, and certain of the other regulations applying in said zone may be waived or modified.

17.13.070 - Other zoning provisions.

- E. Landscaping and Screening Standards. The landscaping and screening regulations set forth in Chapter 17.124 and ~~Chapter 17.102.400, screening of utility meters, etc.,~~ shall apply in the RH zones.

17.15.010 - Title, intent, and description.

- A. Title and Intent. The provisions of this Chapter shall be known as the Detached Unit Residential (RD) regulations. The intent of the RD regulations is to create, maintain, and enhance residential areas primarily characterized by detached, single-unit structures.
- B. Description of Zones. This Chapter establishes land use regulations for the following two zones:
- RD-1 Detached Unit Residential Zone - 1.** The intent of the RD-1 zone is to create, maintain, and enhance areas with detached, single unit structures. A limited number of commercial uses will be permitted or conditionally permitted in existing non-residential facilities.
 - RD-2 Detached Unit Residential Zone - 2.** The intent of the RD-2 zone is to create, maintain, and enhance areas with detached, single unit structures, with allowances for two-family structures on lots larger than six thousand (6,000) square feet. A limited number of commercial uses will be permitted or conditionally permitted in existing non-residential facilities.

17.15.030 - Permitted and conditionally permitted activities.

Table 17.15.01 lists the permitted, conditionally permitted, and prohibited activities in the RD zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

Table 17.15.01: Permitted and Conditionally Permitted Activities

Activities	Zones		Additional Regulations
	RD-1	RD-2	
Residential Activities			
Permanent	P(L1)	P(L1)	47.402.24217.103.010
Residential Care	P(L1)—	CP(L1)	47.402.24217.103.010
Service-Enriched Permanent Housing	—	C(L1)	47.402.24217.103.010
Transitional Housing	—	C(L1)	47.402.24217.103.010
Emergency Shelter	—	—	
Semi-Transient	—	—	
Bed and Breakfast	C	C	17.10.125
Civic Activities			
Essential Service	P	P	
Limited Child-Care Activities	P	P	
Community Assembly	C	C	
Recreational Assembly	C	C	
Community Education	C	C	
Nonassembly Cultural	C	C	
Administrative	C	C	

Health Care	—	—	
Special Health Care	—	—	
Utility and Vehicular	C	C	
Extensive Impact	C	C	
Commercial Activities			
General Food Sales	C(L2)(L3)	C(L2)(L3)	
Full Service Restaurants	C(L2)(L3)	C(L2)(L3)	
Limited Service Restaurant and Cafe	C(L2)(L3)	C(L2)(L3)	
Fast-Food Restaurant	—	—	
Convenience Market	—	—	
Alcoholic Beverage Sales	—(L4)	—(L4)	
Mechanical or Electronic Games	—	—	
Medical Service	—	—	
General Retail Sales	C(L2)(L3)	C(L2)(L3)	
Large-Scale Combined Retail and Grocery Sales	—	—	
Consumer Service	—	—	
Consultative and Financial Service	—	—	
Check Cashier and Check Cashing	—	—	
Consumer Cleaning and Repair Service	—	—	
Consumer Dry Cleaning Plant	—	—	
Group Assembly	—	—	
Personal Instruction and Improvement Services	—	—	
Administrative	P(L3)(L5)	P(L3)(L5)	
Business, Communication, and Media Services	—	—	
Broadcasting and Recording Services Commercial Activities	—	—	
Research Service	—	—	
General Wholesale Sales	—	—	
Transient Habitation	—	—	
Wholesale and Professional Building Material Sales	—	—	
Automobile and Other Light Vehicle Sales and Rental	—	—	
Automobile and Other Light Vehicle Gas Station and Servicing	—	—	
Automobile and Other Light Vehicle Repair and Cleaning	—	—	
Taxi and Light Fleet-Based Services	—	—	
Automotive Fee Parking	—	—	
Animal Boarding	—	—	
Animal Care	—	—	
Undertaking Service	—	—	
Industrial Activities (all)	—		
Agriculture and Extractive Activities			
Crop and animal raising	C(L6)	C(L6)	
Plant nursery	C	C	

Mining and Quarrying	—	—	
Accessory off-street parking serving prohibited activities	C	C	17.102.10017.116.075
Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof	C	C	17.102.110

Limitations on Table 17.15.01:

L1. Residential Care is only permitted in a One-Family Dwelling Residential Facility. No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such activity. See Section 17.102.21217.103.010 for other regulations regarding these activities. Also, Residential Care is only permitted in a One-Family Dwelling Residential Facility.

17.15.040 - Permitted and conditionally permitted facilities.

Table 17.15.02 lists the permitted, conditionally permitted, and prohibited facilities in the RD zones. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates facilities subject to certain limitations listed at the bottom of the table.

"—" designates facilities that are prohibited.

Table 17.15.02: Permitted and Conditionally Permitted Facilities

Facilities	Zones		Additional Regulations
	RD-1	RD-2	
Residential Facilities			
One-Family Dwelling	P	P	
One-Family Dwelling with Secondary Unit	P	P	17.102.360 17.103.080
Two-Family Dwelling	—	C(L1)	
Multifamily Dwelling	—	—	
Rooming House	—	—	
Mobile Home	—	—	
Nonresidential Facilities			
Enclosed Nonresidential	P	P	
Open Nonresidential	P	P	
Sidewalk Cafe	P(L2)	P(L2)	17.102.335 17.103.090
Drive-In Nonresidential	—	—	
Drive-Through Nonresidential	—	—	
Telecommunications Facilities			
Micro Telecommunications	C	C	17.128
Mini Telecommunications	C	C	17.128
Macro Telecommunications	C	C	17.128

Monopole Telecommunications	C	C	17.128
Tower Telecommunications	—	—	17.128
Sign Facilities			
Residential Signs	P	P	17.104
Special Signs	P	P	17.104
Development Signs	P	P	17.104
Realty Signs	P	P	17.104
Civic Signs	P	P	17.104
Business Signs	P(L3)	P(L3)	17.104
Advertising Signs	—	—	17.104

Limitations on Table 17.15.02:

L2. Sidewalk cafes are allowed only as an accessory facility to an already approved Full Service Restaurant or Limited Service Restaurant and Cafe. The sidewalk cafe may only operate within the hours of 7:00 a.m. to 10:00 p.m. No more than three (3) tables and no more than ten (10) chairs or seats are allowed. If more tables or chairs are requested, a Conditional Use Permit (CUP) is required (see Chapter 17.134 for the CUP procedure). See ~~17.102.335~~ Section 17.103.090 for other regulations regarding Sidewalk Cafes; however, the regulations in this section supersede any contradicting regulations in ~~Section 17.102.335~~ 17.103.090.

17.15.050 - Property development standards.

- A. Zone Specific Standards. Table 17.15.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

Table 17.15.03: Property Development Standards

Development Standards	Zones		Additional Regulations
	RD-1	RD-2	
Minimum Lot Dimensions			
Width mean	45 ft	45 ft	1
Frontage	25 ft	25 ft	1
Lot area	5,000 sf	5,000 sf	1, 2
Maximum Density			
Permitted density	1 primary unit per lot	1 primary unit per lot	3, 4
Conditionally permitted density	—	2 units on lots 6,000 sf or greater	3, 5
Minimum Setbacks			
Minimum front (<20% street-to-setback gradient)	20 ft	20 ft	6
Minimum front (>20% street-to-setback gradient)	5 ft	5 ft	6, 7, 8
Minimum interior side <20% footprint slope	5 ft	5 ft	8, 9, 10
Minimum interior side >20% footprint slope	5 ft/10%	5 ft	8, 9, 10, 11
Minimum street side	5 ft	5 ft	8, 9, 11, 12
Rear	20 ft	15 ft	8, 9, 11, 13, 14
Side and Rear Setbacks for Smaller Lots	See Table 17.15.04 for setbacks for smaller lots		

Floor Area Ratio (FAR) and Lot Coverage	See Table 17.15.05		
Height Regulations for All Lots with a Footprint Slope of <20%			
Maximum wall height primary building	25 ft	25 ft	14, 15 16
Maximum pitched roof height primary building	30 ft	30 ft	14, 15 16
Maximum height for accessory structures	15 ft	15 ft	14, 15 16
Height Regulations for all Lots with a Footprint Slope of >20%	See Table 17.15.06 for Height regulations for all lots with a footprint slope of >20%		
Maximum Wall Length Before Articulation Required	40 ft	40 ft	16 17
Minimum Parking			
Minimum parking spaces required per unit	2	1.5	17 18
Additional parking spaces required for secondary unit	1	1	17 , 18, 19
Minimum Open Space			
Group open space per unit	N/A	300 sf	19 20
Group open space per unit when private open space substituted	N/A	100 sf	19 20

Additional Regulations for Table 17.15.03:

4. A Secondary Unit may be permitted when there is no more than one unit on a lot, subject to the provisions of Section ~~17.102.360~~ 17.103.080.

5. A minimum lot size of six thousand (6,000) square feet is required in order to apply for a conditional use permit for a second primary dwelling in the RD-2 Zone. A conditional use permit for a Two-Family Dwelling Residential Facility or for two (2) dwelling units on a lot may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional use Permit (CUP) procedure in Chapter 17.134 and to all of the following additional use permit criteria:

- a. That the proposed development will not adversely affect adjoining property, nor the surrounding neighborhood, with consideration to be given to density; to the availability of neighborhood facilities and play space; to the generation of traffic and the capacity of surrounding streets; and to all other similar, relevant factors;
- b. That the site design and landscaping and the scale, height, length and width, bulk, coverage, and exterior treatment of structures are in harmony with neighborhood character and with facilities on nearby lots;
- c. That the shape and siting of the facilities, and especially of any portions thereof which exceed one story in height, are such as to minimize blocking of views and direct sunlight from nearby lots and from other Residential Facilities in the surrounding neighborhood;
- d. That the design and site planning of the buildings, open areas, parking and service areas, and other facilities provide a convenient, attractive, and functional living environment; and that paths, stairways, accessways, and corridors are designed to ensure privacy;
- e. That lot shape, size, and dimensions allow a development which will provide satisfactory internal living conditions without adversely affecting the privacy, safety, or residential amenity of adjacent residences.

8. On lots with only residential facilities, paved surfaces within required street-fronting yards, and any unimproved rights-of-way of adjacent streets, shall be limited to fifty percent (50%) on interior lots and

thirty percent (30%) on corner lots. Exceptions: The maximum percentages of paved surfaces specified in this additional regulation may be exceeded within unimproved rights-of-way in the following cases upon issuance of a private construction of public improvements (P-job) permit or if undertaken directly by the City or by a private contractor under contract to the City:

a. Roadway construction or widening;

b. Sidewalk construction or widening; and

c. Any work pursuant to an approved final map, parcel map or final development plan pursuant to a planned unit development permit.

For purposes of this additional regulation, an unimproved right-of-way is the portion of a street or alley right-of-way that is not paved.

89. See additional reduced side, and rear setbacks for smaller lots, Table 17.15.04. See Section 17.108.130 for allowed projections into setbacks.

910. See Section 17.108.080 for the required interior side and rear setback on a lot containing two or more living units and opposite a legally-required living room window.

4011. For RD-1, the minimum interior side setback is the greater of the two listed setbacks, either five (5) feet or ten ~~(10)~~-percent (10%) of the lot width, whichever is greater.

4412. In all residential zones, on every corner lot which abuts to the rear a key lot which is in a residential zone, there shall be provided on the street side of such corner lot a side setback with a minimum width equal to one-half ($\frac{1}{2}$) of the minimum front setback depth required on the key lot and no less than the minimum side setback width required along an interior side lot line of the corner lot. However, such side setback shall not be required to exceed five (5) feet in width if it would reduce to less than twenty-five (25) feet the buildable width of any corner lot. Such setback shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130 (see Illustration for Table 17.15.03 [Additional Regulation 11], below). See also Section 17.110.040 C for special controls on location of detached accessory buildings on such corner lots.

4213. Wherever a rear lot line abuts an alley, one-half ($\frac{1}{2}$) of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum rear setback depth actually on the lot itself shall not be so reduced to less than ten feet. Also, see Section 17.108.130 for allowed projections into setbacks.

4314. In the RD-1 zone, for lots which abut an adjoining rear setback, the minimum rear setback depth shall be increased by an additional one-half ($\frac{1}{2}$) foot of rear setback depth for each additional one foot of lot depth over one hundred (100) feet, up to a maximum rear setback depth of forty (40) feet.

4415. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.

4516. If at least sixty ~~(60)~~-percent (60%) of the buildings in the immediate context are no more than one story in height, the maximum wall height shall be fifteen (15) feet within the front twelve (12) feet of buildable area. The immediate context shall consist of the five closest lots on each side of the project site plus the ten closest lots on the opposite side of the street; however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any approval of any variance, conditional use permit, design review, determination of exemption from design review, or other special zoning approval or, if no special zoning approval is required, part of any Planning Department approval of a building permit application.

4617. If the total wall length within ten (10) feet of the side lot line exceeds forty (40) feet, then the building wall shall be articulated by at least one section of additional setback. See design guidelines for more specific bulk regulations and context standards.

1718. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117. Also, additional parking standards apply within the S-11 and S-12 Zones, as prescribed in Section 17.92 and Section 17.94.

1819. One parking space for the Secondary Unit is required in addition to any required parking spaces for the Primary Unit. Additional parking regulations that apply to Secondary Units are provided in Section ~~17.102.360~~ 17.103.080.

1920. Each square foot of private usable open space equals two (2) square feet towards the total usable open space requirement, except that actual group space shall be provided in the minimum amount of one hundred (100) square feet per dwelling unit. All usable open space shall meet the standards contained in Chapter 17.126.

B. Setbacks for Smaller Lots. Table 17.15.04 below prescribes reduced setback standards for lots less than four thousand (4,000) square feet. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

Table 17.15.04 Setbacks for Smaller Lots

Regulation	Lot Size			Additional Regulations
	< 4,000 sf or < 40 feet wide	< 3,000 sf or < 35 feet wide		
Minimum Setbacks				
Minimum interior side	4 ft	3 ft	1	
Minimum street side	4 ft	3 ft	1	
Rear	15 ft	15 ft	1	

Table 17.15.05 Floor Area Ratio (FAR) and Lot Coverage

Regulation	Lot Size in Square Feet					Additional Regulations
	< 5,000	> 5,000 and < 12,000	> 12,000 and < 25,000	> 25,000 and < 43,560	> 43,560	
Maximum FAR for Lots with a Footprint Slope > 20%	0.55	0.50	0.45	0.30	0.20	1
Maximum Lot Coverage (%)	40%	40%	30%	20%	15%	2

Additional Regulations for Table 17.15.05:

1. FAR only applies to lots that have a footprint slope of greater than twenty percent (20%). Lots less than 5,000 square feet may have a dwelling with a minimum of 2,000 square feet of floor area, regardless of FAR listed.

D. Height. Table 17.15.06 below prescribes height standards associated with different sloped lots. The numbers in the right-hand column refer to the additional regulations listed at the end of the Table.

Table 17.15.06 Height Regulations for all Lots with a Footprint Slope of >20%

Regulation	Downslope Lot Height Regulations With a Footprint Slope of:			Upslope Lot Height Regulations With a Footprint Slope of:	Additional Regulations
	>20% and <40%	>40% and <60%	>60%	>20%	
Maximum Height for Detached Accessory	15 ft	15 ft	15 ft	15 ft	1

Structures					
Maximum Wall Height Primary Building	32 ft	34 ft	36 ft	32 ft	1, 2
Maximum Wall Height Primary Building with a CUP	36 ft	38 ft	40 ft	35 ft	1
Maximum Pitched Roof Height Primary Building	36 ft	38 ft	40 ft	35 ft	1, 2
Maximum Height Above Edge of Pavement	18 ft	18 ft	18 ft	N/A	1
Maximum Height Above the Ground Elevation at the Rear Setback Line	N/A	N/A	N/A	24 ft	1
Maximum Height from Finished or Existing Grade (whichever is greater) Within 20' of the Front Property Line	N/A	N/A	N/A	24 ft	1, 3

Additional Regulations for Table 17.15.06:

2. On a downslope lot greater than forty (40) percent (40%) footprint slope, the rear wall of an attached garage or carport may exceed the wall height and roof height by five (5) feet, but may not exceed eighteen (18) feet above ground elevation at edge of pavement, if the garage or carport conforms with all of the following criteria:

- a. Maximum width is twenty-two (22) feet and maximum depth is twenty (20) feet; and
- b. Garage or carport floor is at the same level as the edge of the street pavement resulting from the project at the center point of the driveway entrance or is at a lower level; and
- c. Maximum height above the garage or carport floor is ten (10) feet for walls to the top of the plate or flat roof and twelve (12) feet for pitched roofs (see Illustration for Table 17.15.06 [Additional Regulation 2], below).

17.15.060 - Special regulations for mini-lot and planned unit developments.

- A. Mini-Lot Developments. In mini-lot developments, certain regulations that otherwise apply to individual lots in the RD-1 zones may be waived or modified when and as prescribed in ~~Section 17.102.320~~ Chapter 17.142.
- B. Planned Unit Developments. Large integrated developments shall be subject to the Planned Unit Development regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the RH zones, and certain of the other regulations applying in said zone may be waived or modified.

17.15.070 - Other zoning provisions.

- A. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.
- B. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.
- E. Landscaping and Screening Standards. The landscaping and screening regulations set forth in Chapter 17.124 shall apply in ~~The regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the RD zones.~~

17.17.030 - Permitted and conditionally permitted activities.

Table 17.17.01 lists the permitted, conditionally permitted, and prohibited activities in the RM zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

Table 17.17.01: Permitted and Conditionally Permitted Activities

Activities	Primary Zones				Combining Zone*	Additional Regulations
	RM-1	RM-2	RM-3	RM-4	C	
Residential Activities						
Permanent	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	17.102.21217.103.010
Residential Care	PC(L1)	PC(L1)	PC(L1)	PC(L1)	PC(L1)	17.102.21217.103.010
Service-Enriched Permanent Housing	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.21217.103.010
Transitional Housing	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.21217.103.010
Emergency Shelter	—	—	—	—	—	
Semi-Transient	—	—	—	—	—	
Bed and Breakfast	C	C	C	C	P	17.10.125
Civic Activities						
Essential Service	P	P	P	P	P	
Limited Child-Care Activities	P	P	P	P	P	
Community Assembly	C	C	C	C	C	
Recreational Assembly	C	C	C	C	C	
Community Education	C	C	C	C	C	
Nonassembly Cultural	C	C	C	C	C	
Administrative	C	C	C	C	C	
Health Care	C	C	C	C	C	
Special Health Care	—	—	—	—	—	
Utility and Vehicular	C	C	C	C	C	
Extensive Impact	C	C	C	C	C	
Commercial Activities						
General Food Sales	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	P(L4)	
Full Service Restaurants	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	P(L4)	
Limited Service Restaurant and Cafe	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	P(L4)	
Fast-Food Restaurant	—	—	—	—	—	
Convenience Market	—	—	—	—	—	

Alcoholic Beverage Sales	—(L5)	—(L5)	—(L5)	—(L5)	—(L5)	
Mechanical or Electronic Games	—	—	—	—	—	
Medical Service	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C P(L6)	
General Retail Sales	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	P(L4)	
Large-Scale Combined Retail and Grocery Sales	—	—	—	—	—	
Consumer Service	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	P C(L6)	
Consultative and Financial Service	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	P(L4)	
Check Cashier and Check Cashing	—	—	—	—	—	
Consumer Cleaning and Repair Service	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	P(L4)	
Consumer Dry Cleaning Plant	—	—	—	—	—	
Group Assembly	—	—	—	—	C(L6) (L7)	
Personal Instruction and Improvement Services	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	P(L4)	
Administrative	P(L2)(L3) (L87)	P(L2)(L3) (L87)	P(L2)(L3) (L87)	P(L2)(L3) (L7L8)	P(L4)	
Business, Communication, and Media Services	—	—	C(L2)(L3)	C(L2)(L3)	P(L4)	
Broadcasting and Recording Services	—	—	—	—	—	
Commercial Activities	—	—	—	—	—	
Research Service	—	—	—	—	—	
General Wholesale Sales	—	—	—	—	—	
Transient Habitation	—	—	—	—	—	
Wholesale and Professional Building Material Sales	—	—	—	—	—	
Automobile and Other Light Vehicle Sales and Rental	—	—	—	—	—	
Automobile and Other Light Vehicle Gas Station and Servicing	—	—	—	—	—	
Automobile and Other Light Vehicle Repair and Cleaning	—	—	—	—	—	
Taxi and Light Fleet-Based Services	—	—	—	—	—	
Automotive Fee Parking	—	—	—	—	—	
Animal Boarding	—	—	—	—	—	
Animal Care	—	—	—	—	—	
Undertaking Service	—	—	—	—	—	
Industrial Activities (all)	—	—	—	—	—	
Agriculture and Extractive Activities						
Crop and animal raising	C(L8L9)	C(L98)	C(L98)	C(L98)	C(L98)	
Plant nursery	C	C	C	C	C	
Mining and Quarrying	—	—	—	—	—	
Accessory off-street parking serving prohibited activities	—	—	—	—	—	17.102.100 17.116.075
Activities that are listed as prohibited but are permitted or conditionally permitted on nearby lots in an adjacent zone Additional	C	C	C	C	C	17.102.110

activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof						
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Limitations on Table 17.17.01:

* If a base zone (RM-1, RM-2, RM-3, or RM-4) also has the C combining zone, the C regulations supersede the base zone.

L1. Residential Care is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when not located in a One-Family Dwelling Residential Facility. No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such activity. See Section 17.102.242 17.103.010 for other regulations regarding these activities. Also, Residential Care is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when not located in a One-Family Dwelling Residential Facility.

L4. These activities may only be located on the ground floor of an existing or new nonresidential facility and may only operate within the hours of 7:00 a.m. and 10:00 p.m.; a Conditional Use Permit (CUP) is required if the facility exceeds three thousand (3,000) square feet (see Chapter 17.134 for the CUP procedure).

L7. Adult entertainment activities are prohibited.

L78. These activities may only be located in an existing ground floor of nonresidential facility that was both built prior to the effective date of this chapter (April 15, 2011) and not original used for a Civic Activity. For the purposes of this limitation, a facility is considered built if it received its certificate of occupancy or passed its final building inspection on its building permit. Also, these activities may only operate within the hours of 7:00 a.m. and 10:00 p.m.; a Conditional Use Permit (CUP) is required if the ground floor nonresidential facility exceeds 1,500 square feet (see Chapter 17.134 for the CUP procedure).

L8L9. Crop and Animal Raising is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;
2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and
3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

17.17.040 - Permitted and conditionally permitted facilities.

Table 17.17.02 lists the permitted, conditionally permitted, and prohibited facilities in the RM zones. The descriptions of these facilities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates facilities subject to certain limitations listed at the bottom of the table.

"—" designates facilities that are prohibited.

Table 17.17.02: Permitted and Conditionally Permitted Facilities

Facilities	Zones					Additional Regulations
	RM-1	RM-2	RM-3	RM-4	C*	
Residential Facilities						
One-Family Dwelling	P	P	P	P	P	
One-Family Dwelling with Secondary Unit	P	P	P	P	P	17.102.360 17.103.080
Two-Family Dwelling	C(L1)	P	P	P	Same as underlying zone	
Multifamily Dwelling	—	C(L1)	C(L1)	CP(L1)	Same as underlying zone	
Rooming House	—	—	—	—	—	
Mobile Home	—	—	—	—	—	
Nonresidential Facilities						
Enclosed Nonresidential	P	P	P	P	P	
Open Nonresidential	P	P	P	P	C	
Sidewalk Cafe	P(L2)	P(L2)	P(L2)	P(L2)	P(L2)	17.102.335 17.103.090
Drive-In Nonresidential	—	—	—	—	—	
Drive-Through Nonresidential	—	—	—	—	—	
Telecommunications Facilities						
Micro Telecommunications	C	C	C	C	C	17.128
Mini Telecommunications	C	C	C	C	C	17.128
Macro Telecommunications	C	C	C	C	C	17.128
Monopole Telecommunications	C	C	C	C	C	17.128
Tower Telecommunications	—	—	—	—	—	17.128
Sign Facilities						
Residential Signs	P	P	P	P	P	17.104
Special Signs	P	P	P	P	P	17.104
Development Signs	P	P	P	P	P	17.104
Realty Signs	P	P	P	P	P	17.104
Civic Signs	P	P	P	P	P	17.104
Business Signs	P(L3)	P(L3)	P(L3)	P(L3)	P(L4)	17.104
Advertising Signs	—	—	—	—	—	17.104

Limitations on Table 17.17.02:

* If a base zone (RM-1, RM-2, RM-3, or RM-4) also has the C combining zone, the C regulations supersede the base zone.

L1. See Table 17.17.03, Property Development Standards, for additional regulations on this conditionally permitted density.

L2. Sidewalk cafes are allowed only as an accessory facility to an already approved Full Service Restaurant or Limited Service Restaurant and Cafe. The sidewalk cafe may only operate within the hours of 7:00 a.m. to 10:00 p.m. No more than three (3) tables and no more than ten (10) chairs or seats are allowed. If more tables or chairs are requested, a Conditional Use Permit (CUP) is required (see Chapter 17.134 for the CUP procedure). See ~~17.102.335~~ Section 17.103.090 for other regulations regarding Sidewalk Cafes; however, the regulations in this section supersede any contradicting regulations in ~~17.102.335~~ Section 17.103.090.

17.17.050 - Property development standards.

- A. Zone Specific Standards. Table 17.17.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

Table 17.17.03: Property Development Standards

Development Standards	Zones				Additional Regulations
	RM-1	RM-2	RM-3	RM-4	
Minimum Lot Dimensions					
Width mean	45 ft	45 ft	25 ft	25 ft	1
Frontage	25 ft	25 ft	25 ft	25 ft	1
Lot area	5,000 sf	5,000 sf	4,000 sf	4,000 sf	1
Maximum Density					
Permitted density	1 primary unit per lot	1 unit on lots less than 4,000 sf; 2 units on lots 4,000 sf or greater	1 unit on lots less than 4,000 sf; 2 units on lots 4,000 sf or greater	1 unit on lots less than 4,000 sf; For 1 — 4 units, 1 unit per 1,100 sf of lot area; only on lots 4,000 sf or greater	2
Conditionally permitted density (only for lots 4,000 sf or greater)	2 units	For 3 or more units, 1 unit per 2,500 sf of lot area	For 3 or more units, 1 unit per 1,500 sf of lot area	For 5 or more units, 1 unit per 1,100 sf of lot area;	2, 3
Minimum Setbacks					
Minimum front (<20% street-to-setback gradient)	20 ft	20 ft	15 ft	15 ft	4, 54
Minimum front (>20% street-to-setback gradient)	5 ft	5 ft	5 ft	5 ft	4, 54, 65
Minimum interior side	5 ft	5 ft	4 ft	4 ft	76, 87, 98
Minimum street side	5 ft	5 ft	4 ft	4 ft	4, 76, 87, 910
Rear	15 ft	15 ft	15 ft	15 ft	110
Side and Rear Setbacks for Smaller Lots	See Table 17.17.04 for setbacks for smaller lots				
Floor Area Ratio (FAR) and Lot Coverage for 1 or 2 Units	See Table 17.17.05 for FAR and maximum lot coverage for 1 or 2 units				
Maximum Lot Coverage for 3 or More Units	N/A	40%	50%	N/A	
Height Regulations for All Lots with a Footprint Slope of <20%					
Maximum wall height primary building	25 ft	25 ft	30 ft	35 ft	124, 132, 143
Maximum pitched roof	30 ft	30 ft	30 ft	35 ft	124, 132,

height primary building					143
Maximum height for accessory structures	15 ft	15 ft	15 ft	15 ft	124
Height Regulations for all Lots with a Footprint Slope of > 20%	See Table 17.17.06 for Height regulations for all lots with a footprint slope of >20%				
Maximum Wall Length Before Articulation Required	40 ft	40 ft	40 ft	40 ft	154
Minimum Parking					
Minimum parking spaces required per unit	1.5	1.5	1	1	165, 4617
Additional parking spaces required for secondary unit	1	1	1	1	165, 4718
Minimum Parking Spaces for Nonresidential Activities	See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking				
Minimum Open Space					
Group open space per unit	300 sf	300 sf	200 sf	175 sf	4819
Group open space per unit when private open space substituted	100 sf	100 sf	85 sf	70 sf	4819
Courtyard Regulations	See Section 17.108.120				

Additional Regulations for Table 17.17.03:

2. See Chapter 17.107 for affordable and senior housing incentives. A Secondary Unit may be permitted when there is no more than one unit on a lot, subject to the provisions of Section ~~17.102.360~~ 17.103.080. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms.

3. A Conditional Use Permit (CUP) for density may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the CUP procedure in Chapter 17.134. In addition, the CUP in the RM-1 and RM-2 Zones may only be granted upon determination that the proposal conforms to the following additional use permit criteria. In the RM-3 Zone, this CUP may only be granted upon determination that the proposal conforms to additional criteria a, d, and e.

a. That the proposed development will not adversely affect adjoining property, nor the surrounding neighborhood, with consideration to be given to density; to the availability of neighborhood facilities and play space to the generation of traffic and the capacity of surrounding streets; and to all other similar, relevant factors;

b. That the site design and landscaping and the scale, height, length and width, bulk, coverage, and exterior treatment of structures are in harmony with neighborhood character and with facilities on nearby lots;

c. That the shape and siting of the facilities are such as to minimize blocking of views and direct sunlight from nearby lots and from other Residential Facilities in the surrounding neighborhood;

d. That the design and site planning of the buildings, open areas, parking and service areas, and other facilities provide a convenient, attractive, and functional living environment; and that paths, stairways, accessways, and corridors are designed to minimize privacy impacts;

e. That lot shape, size, and dimensions allow a development which will provide satisfactory internal living conditions without adversely affecting the privacy, safety, or residential amenity of adjacent residences.

5. On lots with only residential facilities, paved surfaces within required street-fronting yards, and any unimproved rights-of-way of adjacent streets, shall be limited to fifty percent (50%) on interior lots and thirty percent (30%) on corner lots. Exceptions: The maximum percentages of paved surfaces specified in this additional regulation may be exceeded within unimproved rights-of-way in the following cases upon issuance of a private construction of public improvements (P-job) permit or if undertaken directly by the City or by a private contractor under contract to the City:

a. Roadway construction or widening;

b. Sidewalk construction or widening; and

c. Any work pursuant to an approved final map, parcel map or final development plan pursuant to a planned unit development permit.

For purposes of this additional regulation, an unimproved right-of-way is the portion of a street or alley right-of-way that is not paved.

56. In all residential zones the minimum front setback depth otherwise required by the applicable individual zone regulations shall be reduced to five (5) feet on any lot with a street-to-setback gradient that exceeds twenty (20) percent (20%), provided, however, that the distance from the edge of the pavement to a garage or carport elevation containing one or more vehicular entries shall be at least eighteen (18) feet (see Illustration for Table 17.17.03 [Additional Regulation 5], below). See Section 17.108.130 for allowed projections into setbacks.

67. No front or side setbacks are required for commercial facilities in the C combining zone except wherever an interior side lot line of any lot located in the C combining zone abuts an interior side lot line of any lot that is not located in an C combining zone or commercial zone, there shall be provided on the former lot, along the abutting portion of its side lot line, a side yard with a minimum width of five (5) feet. (Where it abuts a rear lot line, no yard is required). Section 17.108.080 still applies. Also, see Section 17.108.130 for allowed projections into setbacks.

78. See additional reduced side, and rear setbacks for smaller lots, Table 17.17.04. See Section 17.108.130 for allowed projections into setbacks.

89. See Section 17.108.080 for the required interior side and rear setbacks on a lot containing two or more living units and opposite a legally-required living room window.

910. In all residential zones, on every corner lot which abuts to the rear a key lot which is in a residential zone, there shall be provided on the street side of such corner lot a side setback with a minimum width equal to one-half ($\frac{1}{2}$) of the minimum front setback depth required on the key lot and no less than the minimum side setback width required along an interior side lot line of the corner lot. However, such side setback shall not be required to exceed five (5) feet in width if it would reduce to less than twenty-five (25) feet the buildable width of any corner lot. Such setback shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130. This does not apply to lots within the C combining zone (see Illustration for Table 17.17.03 [Additional Regulation 9], below). See also Section 17.110.040(C) for special controls on location of detached accessory buildings on such corner lots.

1011. Wherever a rear lot line abuts an alley, one-half of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum

rear setback depth actually on the lot itself shall not be reduced to less than ten (10) feet. Also, see Section 17.108.130 for allowed projections into setbacks.

124. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.

132. In the RM-1 and RM-2 Zones if at least sixty ~~(60)~~-percent (60%) of the buildings in the immediate context are no more than one story in height, the maximum wall height shall be fifteen (15) feet within the front twelve (12) feet of buildable area. The immediate context shall consist of the five closest lots on each side of the project site plus the ten closest lots on the opposite side of the street; however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any approval of any variance, conditional use permit, design review, determination of exemption from design review, or other special zoning approval or, if no special zoning approval is required, part of any Planning Department approval of a building permit application.

14.3 In the RM-2 Zone, the maximum pitched roof height may be increased to thirty-five (35) feet and maximum wall height may increase to thirty (30) feet upon the granting of a Conditional Use Permit (CUP) (see Chapter 17.134 for the CUP procedure). An increased wall height shall only be permitted in conjunction with a project with a pitched roof (a "pitched roof," as used in this section, is defined as having a vertical to horizontal ratio of a minimum of four in twelve (4:12) slope). In addition to the criteria contained in Section 17.136.050, any proposed increase in roof height must also meet the following use permit criteria:

- a. The additional pitched roof height is required to accommodate a roof form that is consistent with the historic context in the neighborhood; and
- b. In conjunction with an increased pitched roof height, the additional wall height is required to accommodate a wall height that is consistent with the historic context in the neighborhood.

15.4 If the total wall length within ten (10) feet of the side lot line exceeds forty (40) feet, then the building wall shall be articulated by at least one section of additional setback. See design guidelines for more specific bulk regulations and context standards.

165. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117. Also, additional parking standards apply within the S-11 and S-12 Zones, as prescribed in Chapters Section 17.92 and Section 17.94.

167. In the RM-2 Zone when the lot is less than 4,000 square feet in size or forty-five (45) feet in width only one (1) parking space is required per unit.

187. One parking space for the Secondary Unit is required in addition to any required parking spaces for the Primary Unit. Additional regulations that apply to Secondary Units are provided in Section 17.102.360 17.103.080.

198. Each square foot of private usable open space equals two (2) square feet towards the total usable open space requirement, except that actual group space shall be provided in the minimum amount specified in the table per dwelling unit. All usable open space shall meet the standards contained in Chapter 17.126.

- B. Setbacks for Smaller Lots. Table 17.17.04 below prescribes reduced setback standards for lots less than four thousand (4,000) square feet. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

Additional Regulations for Table 17.17.04:

1. See Section 17.108.130 for allowed projections into setbacks.

- C. Floor Area Ratio (FAR) and Lot Coverage for One and Two-Family Dwelling Units Only. Table 17.17.05 below prescribes FAR and lot coverage standards associated with lot sizes. The numbers in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

Table 17.17.05 Floor Area Ratio (FAR) and Lot Coverage Regulations for One and Two-Family Dwelling Units Only

Regulation	Lot Size in Square Feet					Additional Regulations
	< 5,000	> 5,000 and < 12,000	> 12,000 and < 25,000	> 25,000 and < 43,560	> 43,560	
Maximum FAR for Lots with a Footprint Slope >20%	0.55	0.50	0.45	0.30	0.20	1, 2
Maximum Lot Coverage (%)	40%	40%	30%	20%	15%	2

Additional Regulations for Table 17.17.05:

1. Floor Area Ratio (FAR) only applies to lots that have a footprint slope of greater than twenty (20) percent (20%). Lots less than five thousand (5,000) square feet may have a dwelling with a minimum of two thousand (2,000) square feet of floor area, regardless of FAR listed.
 3. Lots less than five thousand (5,000) square feet may have a lot coverage of up to two thousand (2,000) square feet regardless of lot coverage percentage (%) listed.
- D. Height. Table 17.17.06 below prescribes height standards associated with different sloped lots. The numbers in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

Table 17.17.06 Height Regulations for all Lots With a Footprint Slope of >20%

Regulation	Downslope Lot Height Regulations With a Footprint Slope of:			Upslope Lot Height Regulations With a Footprint Slope of:	Additional Regulations
	> 20% and < 40%	> 40% and < 60%	> 60%	> 20%	
Maximum Height for Detached Accessory Structures	15 ft	15 ft	15 ft	15 ft	1
Maximum Wall Height Primary Building	32 ft	34 ft	36 ft	32 ft	1, 2
Maximum Wall Height Primary Building with a CUP	36 ft	38 ft	40 ft	35 ft	1
Maximum Pitched Roof Height Primary Building	36 ft	38 ft	40 ft	35 ft	1, 2
Maximum Height Above Edge of Payment	18 ft	18 ft	18 ft	N/A	1
Maximum Height Above the Ground Elevation at the Rear Setback Line	N/A	N/A	N/A	24 ft	1
Maximum Height from Finished or Existing Grade (whichever is lower) Within 20' of the Front Property Line	N/A	N/A	N/A	24 ft	1, 3

Additional Regulations for Table 17.17.06:

2. On a downslope lot greater than forty (40) percent (40%) footprint slope, the rear wall of an attached garage or carport may exceed the wall height and roof height by five (5) feet, but may not exceed

eighteen (18) feet above ground elevation at edge of pavement, if the garage or carport conforms with all of the following criteria:

- a. Maximum width is twenty-two (22) feet and maximum depth is twenty (20) feet; and
- b. Garage or carport floor is at the same level as the edge of the street pavement resulting from the project at the center point of the driveway entrance or is at a lower level; and
- c. Maximum height above the garage or carport floor is ten (10) feet for walls to the top of the plate or flat roof, and twelve (12) feet for pitched roofs (see Illustration for Table 17.17.06 [Additional Regulation 2], below).

17.17.060 - Special regulations for mini-lot and planned unit developments.

- A. Mini-Lot Developments. In mini-lot developments, certain regulations that otherwise apply to individual lots in the RM zones may be waived or modified when and as prescribed in ~~Section 17.102.320~~ Chapter 17.142.

17.17.070 - Other zoning provisions.

- A. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.
- B. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.
- E. Landscaping and Screening Standards. The landscaping and screening regulations set forth in Chapter 17.124 shall apply in ~~The regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the RM zones.~~
- F. Buffering. All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, storage areas, control of artificial illumination, and other matters specified therein.

17.19.030 - Permitted and conditionally permitted activities.

Table 17.19.01 lists the permitted, conditionally permitted, and prohibited activities in the RU zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

Table 17.19.01: Permitted and Conditionally Permitted Activities

Activities	Zones					Additional Regulations
	RU-1	RU-2	RU-3	RU-4	RU-5	
Residential Activities						
Permanent	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	17.102.212 17.103.010
Residential Care	PC(L1)	CP(L1)	GP(L1)	GP(L1)	GP(L1)	17.102.212 17.103.010
Service-Enriched Permanent Housing	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212 17.103.010
Transitional Housing	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212 17.103.010
Emergency Shelter	—	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212 17.103.010
Semi-Transient	—	—	—	C(L1)	C(L1)	
Bed and Breakfast	C	C	C	C	C	17.10.125
Civic Activities						
Essential Service	P	P	P	P	P	
Limited Child-Care Activities	P	P	P	P	P	
Community Assembly	C	C	C	C	C	
Recreational Assembly	P	P	P	P	P	
Community Education	C	C	C	P(L2)	P(L2)	
Nonassembly Cultural	P(L2)	P(L2)	P(L2)	P(L2)	P(L2)	
Administrative	C	C	C	P(L2)(L3)	P(L2)(L4)	
Health Care	C	C	C	P(L2)(L3)	P(L2)(L4)	
Special Health Care	—	—	—	—	—	
Utility and Vehicular	C	C	C	C	C	
Extensive Impact	C	C	C	C	C	
Commercial Activities						
General Food Sales	C(L5)(L6)	C(L5)(L6)	C(L5)(L6)	P(L2)(L3)	P(L2)(L4)	
Full Service Restaurants	C(L5)(L6)	C(L5)(L6)	C(L5)(L6)	P(L2)(L3)	P(L2)(L4)	
Limited Service Restaurant and Cafe	C(L5)(L6)	C(L5)(L6)	C(L5)(L6)	P(L2)(L3)	P(L2)(L4)	

Fast-Food Restaurant	—	—	—	—	C(L4)	17.102.210 17.103.030
Convenience Market	—	—	—	—	C(L4)	17.102.210 17.103.030
Alcoholic Beverage Sales	—(L7)	—(L7)	—(L7)	C(L3)	C(L4)	17.102.210 17.103.030 and 17.102.040 17.114.030
Mechanical or Electronic Games	—	—	—	—	C(L4)	17.102.210
Medical Service	P(L6)(L8)	P(L6)(L8)	P(L6)(L8)	P(L2)(L3)	P(L2)(L4)	
General Retail Sales	P(L6)(L8)	P(L6)(L8)	P(L6)(L8)	P(L2)(L3)	P(L2)(L4)	
Large-Scale Combined Retail and Grocery Sales	—	—	—	—	—	
Consumer Service	C(L5)(L6)(L9)	P(L6)(L8) (L9)	P(L6)(L8)(L9)	P(L2)(L3) (L9)	P(L2)(L4) (L9)	
Consultative and Financial Service	P(L6)(L8)	P(L6)(L8)	P(L6)(L8)	P(L2)(L3)	P(L2)(L4)	
Check Cashier and Check Cashing	—	—	—	—	—	
Consumer Cleaning and Repair Service	P(L6)(L8)	P(L6)(L8)	P(L6)(L8)	P(L2)(L3)	P(L2)(L4)	
Consumer Dry Cleaning Plant	—	—	—	C(L3)	C(L4)	
Group Assembly	—	—	C(L5)(L6)(L10)	C(L3)(L10)	C(L4)(L10)	
Personal Instruction and Improvement Services	P(L6)(L8)	P(L6)(L8)	P(L6)(L8)	P(L2)(L3)	P(L2)(L4)	
Administrative	P(L6)(L9L11)	P(L6)(L9L11)	P(L6)(L9L11)	P(L2)(L3)	P(L2)(L4)	
Business, Communication, and Media Services	P(L6)(L8)	P(L6)(L8)	P(L6)(L8)	P(L2)(L3)	P(L2)(L4)	
Broadcasting and Recording Services	—	—	—	P(L2)(L3)	P(L2)(L4)	
Commercial Activities	—	—	—	—	—	
Research Service	—	—	—	P(L2)(L3)	P(L2)(L4)	
General Wholesale Sales	—	—	—	—	—	
Transient Habitation	—	—	—	—	—	
Wholesale and Professional Building Material Sales	—	—	—	—	—	
Automobile and Other Light Vehicle Sales and Rental	—	—	—	—	—	
Automobile and Other Light Vehicle Gas Station and Servicing	—	—	—	—	—	
Automobile and Other Light Vehicle Repair and Cleaning	—	—	—	—	—	
Taxi and Light Fleet-Based Services	—	—	—	—	—	
Automotive Fee Parking	—	—	—	—	—	
Animal Boarding	—	—	—	—	—	
Animal Care	—	—	—	—	—	
Undertaking Service	—	—	—	—	—	
Industrial Activities (all)	—	—	—	—	—	
Agriculture and Extractive Activities						
Crop and animal raising	C(L10L12)	C(L10L12)	C(L10L12)	C(L10L12)	C(L10L12)	

Plant nursery	C	C	C	C	C	
Mining and Quarrying	—	—	—	—	—	
Accessory off-street parking serving prohibited activities	C	C	C	C	C	17.102.100 17.116.075
Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone. Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof	C	C	C	C	C	17.102.110

Limitations on Table 17.19.01:

L1. Residential Care is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when not located in a One-Family Dwelling Residential Facility. No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such activity. See Section 17.102.242 17.103.010 for other regulations regarding these activities. ~~Also, Residential Care is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when not located in a One-Family Dwelling Residential Facility.~~

L8. These activities may only be located in an existing ground floor of nonresidential facility that was both built prior to the effective date of this chapter (April 14, 2011) and not originally used for a Civic Activity. For the purposes of this limitation, a facility is considered built if it received its certificate of occupancy or passed its final building inspection on its building permit. These activities may only operate within the hours of 7:00 a.m. and 10:00 p.m.; a Conditional Use Permit (CUP) is required if the facility exceeds three thousand (3,000) square feet (see Chapter 17.134 for the CUP procedure).

L9. See Section 17.102.170 for special regulations relating to massage services. Also, no new or expanded laundromat shall be located closer than five-hundred (500) feet from any existing laundromat. See Section 17.102.450 for further regulations regarding laundromats.

L10. Adult entertainment activities are prohibited.

L119. These activities may only be located in an existing ground floor of nonresidential facility that was both built prior to the effective date of this chapter (April 14, 2011) and not originally used for a Civic Activity. These activities may only operate within the hours of 7:00 a.m. and 10:00 p.m.; a Conditional Use Permit is required if the facility exceeds one thousand five hundred (1,500) square feet (see Chapter 17.134 for the CUP procedure).

L120. Crop and Animal Raising is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;
2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and
3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

17.19.040 - Permitted and conditionally permitted facilities.

Table 17.19.02 lists the permitted, conditionally permitted, and prohibited facilities in the RU zones. The descriptions of these facilities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates facilities subject to certain limitations listed at the bottom of the table.

"—" designates facilities that are prohibited.

Table 17.19.02: Permitted and Conditionally Permitted Facilities

Facilities	Zones					Additional Regulations
	RU-1	RU-2	RU-3	RU-4	RU-5	
Residential Facilities						
One-Family Dwelling	P	P	P	—(L1)	—(L1)	
One-Family Dwelling with Secondary Unit	P	P	P	—(L1)	—(L1)	17.102.360 17.103.080
Two-Family Dwelling	P	P	P	P	P	
Multifamily Dwelling	P	P	P	P	P	
Rooming House	—	C	C	P	P	
Mobile Home	—	—	—	—	—	
Nonresidential Facilities						
Enclosed Nonresidential	P	P	P	P(L2)	P(L3)	
Open Nonresidential	P	P	P	P	P	
Sidewalk Cafe	P(L4)	P(L4)	P(L4)	P	P	17.102.335 17.103.090
Drive-In Nonresidential	—	—	—	—	—	
Drive-Through Nonresidential	—	—	—	—	—	
Telecommunications Facilities						
Micro Telecommunications	C	C	C	C	C	17.128
Mini Telecommunications	C	C	C	C	C	17.128
Macro Telecommunications	C	C	C	C	C	17.128
Monopole Telecommunications	C	C	C	C	C	17.128
Tower Telecommunications	—	—	—	—	—	17.128
Sign Facilities						
Residential Signs	P	P	P	P	P	17.104
Special Signs	P	P	P	P	P	17.104
Development Signs	P	P	P	P	P	17.104
Realty Signs	P	P	P	P	P	17.104
Civic Signs	P	P	P	P	P	17.104
Business Signs	P(L5)	P(L5)	P(L5)	P	P	17.104
Advertising Signs	—	—	—	—	—	17.104

Limitations on Table 17.19.02:

L4. Sidewalk cafes are allowed only as an accessory facility to an already approved Full Service Restaurant or Limited Service Restaurant and Cafe. The sidewalk cafe may only operate within the hours of 7:00 a.m. to 10:00 p.m. No more than three (3) tables and no more than ten (10) chairs or seats are allowed. If more tables or chairs are requested, a Conditional Use Permit (CUP) is required (see Chapter 17.134 for the CUP procedure). See ~~17.102.335~~ Section 17.103.090 for other regulations regarding Sidewalk Cafes; however, the regulations in this section supersede any contradicting regulations in ~~17.102.335~~ Section 17.103.090.

L5. Business Signs are only allowed on existing nonresidential facilities built prior to the effective date of this chapter (April 14, 2011); otherwise Chapter 17.104 applies. For the purposes of this limitation, a facility is considered built if it received its certificate of occupancy or passed its final building inspection on its building permit. The maximum aggregate area of display surface of all business, civic, and residential signs on any one lot shall be 0.5 square foot for each one foot of lot frontage in the case of an interior lot, or 0.25 square feet for each one foot of lot frontage in the case of a corner lot. The aggregate shall include only one face of a double-faced sign. The total amount of aggregate sign area shall not exceed one hundred (100) square feet on any one property. See Chapter 17.104 for other regulations regarding Business Signs; however, the regulations in this section supersede any contradicting regulations in Chapter 17.104.

17.19.050 - Property development standards.

A. Zone Specific Standards. Table 17.19.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

Table 17.19.03: Property Development Standards

Development Standards	Zones					Additional Regulations
	RU-1	RU-2	RU-3	RU-4	RU-5	
Minimum Lot Dimensions						
Width mean	25 ft	25 ft	25 ft	25 ft	25 ft	1
Frontage	25 ft	25 ft	25 ft	25 ft	25 ft	1
Lot area	4,000 sf	4,000 sf	4,000 sf	4,000 sf	4,000 sf	1
Maximum Density						
Permitted density for regular dwelling units	1 unit per 1,100 sf	1 unit per 800 sf	1 unit per 450 sf	See Table 17.19.04	See Table 17.19.04	2
Permitted density for rooming units	N/A	1 unit per 800 sf	1 unit per 450 sf	See Table 17.19.04	See Table 17.19.04	
Minimum Setbacks						
Minimum front (<20% street-to-setback gradient) for residential facilities	15 ft	10 ft	10 ft	5 ft	0 ft	3, 4, 54, 65
Minimum front (>20% street-to-setback gradient) for residential facilities	5 ft	5 ft	5 ft	5 ft	5 ft	3, 4, 54, 65
Minimum front for commercial facilities	15 ft	10 ft	10 ft	0 ft	0 ft	3
Minimum interior side	4 ft	4 ft	0 ft	0 ft	0 ft	3, 76, 87
Minimum street side	4 ft	4 ft	4 ft	0 ft	0 ft	3, 4, 76, 98
Rear (Residential Facilities)	15 ft	15 ft	15 ft	10/15 ft	10/15 ft	3, 76, 109, 110

Rear (Nonresidential Facilities)	15 ft	15 ft	15 ft	0/10/15 ft	0/10/15 ft	3, <u>910</u> , <u>1140</u>
Setbacks for Smaller Lots < 3,000 sf or < 35 ft wide						
Minimum interior side	3 ft	3 ft	0 ft	NA	NA	3, <u>87</u>
Minimum street side	3 ft	3 ft	3 ft	NA	NA	<u>3</u> , <u>4</u> , <u>87</u>
Height Regulations						
Minimum height of ground floor nonresidential facilities	0 ft	0 ft	0 ft	12 ft	12 ft	<u>124</u>
Minimum separation between the grade and ground floor living space	0 ft	0 ft	0 ft	2.5 ft	2.5 ft	<u>132</u>
Maximum height primary building	40 ft	50 ft	60 ft	See Table 17.19.04	See Table 17.19.04	<u>134</u> , <u>154</u>
Maximum height for accessory structures	15 ft	15 ft	15 ft	See Table 17.19.04	See Table 17.19.04	
Parking Requirements						
Minimum Parking Spaces Required per Regular Residential Unit	1	1	1	1	1	<u>165</u>
Additional Parking Spaces Required for Secondary Unit	1	1	1	1	1	<u>165</u> , <u>176</u>
Parking and driveway location requirements	No	No	No	Yes	Yes	<u>178</u>
Minimum Parking Spaces for Nonresidential Activities	See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking					
Minimum Usable Open Space						
Group usable open space per regular unit	175 sf	175 sf	150 sf	See Table 17.19.04	See Table 17.19.04	<u>1948</u>
Group usable open space per regular unit when private open space is substituted	50 sf	30 sf	30 sf	See Table 17.19.04	See Table 17.19.04	<u>1948</u>
Group usable open space per rooming unit	85 sf	85 sf	75 sf	See Table 17.19.04	See Table 17.19.04	<u>1948</u>
Group usable open space per rooming unit when private open space substituted	15 sf	15 sf	15 sf	See Table 17.19.04	See Table 17.19.04	<u>198</u>
Courtyard Regulations	See Section 17.108.120					

Additional Regulations for Table 17.19.03:

1. See Sections 17.106.010 and 17.106.020 for exceptions to lot area, width mean and street frontage regulations.
2. See Chapter 17.107 for affordable and senior housing incentives. A Secondary Unit may be permitted when there is no more than one unit on a lot, subject to the provisions of Section 17.102.360 17.103.080. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five (5) or more bedrooms.
3. See Section 17.108.130 for allowed projections into setbacks.
4. On lots with only residential facilities, paved surfaces within required street-fronting yards, and any unimproved rights-of-way of adjacent streets, shall be limited to fifty percent (50%) on interior lots and thirty percent (30%) on corner lots. Exceptions: The maximum percentages of paved surfaces specified in this additional regulation may be exceeded within unimproved rights-of-way in the following cases upon

issuance of a private construction of public improvements (P-job) permit or if undertaken directly by the City or by a private contractor under contract to the City:

- a. Roadway construction or widening;
- b. Sidewalk construction or widening; and
- c. Any work pursuant to an approved final map, parcel map or final development plan pursuant to a planned unit development permit.

For purposes of this additional regulation, an unimproved right-of-way is the portion of a street or alley right-of-way that is not paved.

54. In the RU-1 zone, if adjacent lots abutting the side lot lines of the subject lot both contain principal Residential Facilities that have front setbacks with a depth of less than fifteen (15) feet, the minimum front setback may be reduced for buildings and other structures on the subject lot up to a line parallel to the front lot line and extended from the most forward projection of the principal Residential Facility on the adjacent lots having the deeper front setback depth, provided such projection is enclosed, has a wall height of at least eight (8) feet, and has a width of at least five (5) feet. In the case of a corner lot or lot that has a vacant parcel next to it, this same principal may apply if the two lots adjacent to the corner lot or lot along its front lot line have less than a fifteen (15) foot front setback (see Illustration for Table 17.19.03 [Additional Regulation 4], below). Also, see Section 17.108.130 for allowed projections into setbacks.

65. In all residential zones, the minimum front setback otherwise required by the applicable individual zone regulations shall be reduced to five (5) feet on any lot with a street-to-setback gradient that exceeds twenty (20) percent (20%), provided, however, that the distance from the edge of the pavement to a garage or carport elevation containing one or more vehicular entries shall be at least eighteen (18) feet (see Illustration for Table 17.19.03 [Additional Regulation 5], below). See Section 17.108.130 for allowed projections into setbacks.

67. See Section 17.108.080 for the required interior side and rear setbacks on a lot containing two or more living units and opposite a legally-required living room window.

87. Wherever an interior side lot line of any lot located in the RU-3, RU-4, or RU-5 zone abuts an interior side lot line of any lot located in an RH or RD zone, the setback of the abutting portion of its side lot line is ten (10) feet. In the case where an interior side lot line of any lot located in the RU-3, RU-4, or RU-5 zone abuts an interior side lot line in an RM zone, the setback of the abutting portion of its side lot line is five (5) feet. In the case where an interior side lot line in an RU-3, RU-4, or RU-5 lot abuts a side yard of an RU-1 or RU-2 lot, a side setback of four (4) feet is required (see Illustration for Table 17.19.03 [Additional Regulation 7] below).

98. When the rear yard of a reversed corner lot abuts a key lot that is in an RH, RD, or RM zone or the RU-1 zone, the required street side yard setback in the rear twenty (20) feet of the reversed corner lot is one-half of the minimum front yard required on the key lot (see Illustration for Table 17.19.03 [Additional Regulation 8], below)

910. Wherever a rear lot line abuts an alley, one-half (½) of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum rear setback actually on the lot itself shall not be so reduced to less than ten (10) feet. Also, see Section 17.108.130 for allowed projections into setbacks.

1140. When a rear lot line in the RU-4 or RU-5 zone is adjacent to an RH, RD, or RM zone or the RU-1 zone, the required rear setback for both residential and nonresidential facilities is ten (10) feet if the lot depth is one-hundred (100) feet or less and fifteen (15) feet if the lot depth is more than one-hundred (100) feet. When a rear lot line of a lot in these zones is not adjacent to an RH, RD, or RM zone or the RU-1 zone, the required rear setback is ten (10) feet for residential facilities and there is no required setback for nonresidential facilities.

1244. This height is only required for new principal buildings and is measured from the sidewalk grade to the ground floor ceiling.

1342. This regulation only applies to new residential facilities and ground floor living space located within fifteen (15) feet of a street frontage.

1443. Buildings in the RU-1, RU-2, RU-3, RU-4, and RU-5 zones shall have a thirty (30) foot maximum height at the setback line associated with any rear or interior side lot line that abut a lot in an RU-1 zone or an RH, RD, or RM zone; this maximum height may increase one foot for every foot of distance from this setback line (see Illustration for Table 17.19.13 [Additional Regulation 11], below). Also, see Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.

154. In the RU-2 and RU-3 zone, a building may only exceed forty (40) feet in height up to the maximum height if each portion above forty (40) feet is: Set back from the inner line of each of the minimum side setbacks, if any, required by Section 17.28.150(C)(1) a minimum horizontal distance equal to one (1) foot for each four (4) feet by which it extends above the height of forty (40) feet; and set back from the inner line of the minimum rear yard required by Section 17.28.150D a minimum horizontal distance equal to one (1) foot for each two (2) feet by which it extends above the height of forty (40) feet, provided, however, that such setback from the inner line of the minimum rear yard need not exceed forty (40) feet (see Illustration for Table 17.19.03 [Additional Regulation 14], below).

165. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117. Also, additional parking standards apply within the S-11 and S-12 zones, as prescribed in Chapters Section 17.92 and Section 17.94.

176. One parking space for the Secondary Unit is required in addition to any required parking spaces for the Primary Unit. Additional regulations that apply to Secondary Units are provided in Section 17.102.360 17.103.080.

187. For the new construction of principal buildings in the RU-4 and RU-5 zones, access to parking and loading facilities through driveways, garage doors, or other means shall not be from the principal street when alternative access is feasible from another location such as a secondary frontage or an alley. Where this is not feasible, every reasonable effort shall be made to share means of vehicular access with abutting properties. Open parking areas shall not be located between the sidewalk and a principal building.

198. Each square foot of private usable open space equals two (2) square feet towards the total usable open space requirement, except that actual group space shall be provided in the minimum amount specified in the table per dwelling unit. All usable open space shall meet the standards contained in Chapter 17.126.

B. Height, Floor Area Ratio (FAR), Density, and Open Space for the RU-4 and RU-5 Zones Only. Table 17.19.04 below prescribes height, FAR, intensity, and open space standards associated with the Height Areas described in the Zoning Maps. The number designations in the "Additional Regulations" column refer to regulations below the table.

Table 17.19.04 Height, Floor Area Ratio (FAR), Density, and Open Space Regulations for the RU-4 and RU-5 Zones Only

Regulation	Height Area						Additional Regulations
	35	45	60	75	90	120	
Maximum Height	35 ft	45 ft	60 ft	75 ft	90 ft	90 ft	1, 2
Height Minimum							
Permitted height minimum	0 ft	0 ft	35 ft	35 ft	35 ft	35 ft	3

Conditionally permitted height minimum	NA	NA	25 ft	25 ft	25 ft	25 ft	3
Maximum Residential Density (square feet of lot area required per unit)	550 sf	450 sf	375 sf	275 sf	225 sf	225 sf	4, 5
Maximum Nonresidential FAR	2.0	2.5	3.0	4.0	4.0	4.0	4, 5
Maximum Number of Stories (not including underground construction)	3	4	5	7	8	11	
Minimum Usable Open Space							
Group usable open space per regular unit	150 sf	150 sf	150 sf	150 sf	100 sf	100 sf	6
Group usable open space per regular unit when private open space substituted	30 sf	30 sf	30 sf	30 sf	20 sf	20 sf	6
Group usable open space per rooming unit	75 sf	75 sf	75 sf	75 sf	50 sf	50 sf	6
Group usable open space per rooming unit when private open space is substituted	15 sf	15 sf	15 sf	15 sf	10 sf	10 sf	6

Additional Regulations for Table 17.19.04:

3. This minimum height requirement only applies to the new construction of a principal building that is located on parcels adjacent to a street right-of-way that is one hundred (100) feet wide or more. Buildings constructed to accommodate Essential Service, Utility and Vehicular, or Extensive Impact Civic Activities are exempted from the height minimum regulation. The allowed projections into the height limits contained in Section 17.108.030 are not counted towards the height minimum.

4. See Chapter 17.107 for affordable and senior housing incentives. A Secondary Unit may be permitted when there is no more than one unit on a lot, subject to the provisions of ~~Section 17.102.360~~ 17.103.080. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five (5) or more bedrooms.

5. No portion of lot area used to meet the residential density requirements shall be used as a basis for computing the maximum nonresidential FAR unless the total nonresidential floor area on the lot is less than three thousand (3,000) square feet.

17.19.060 - Special regulations for mini-lot and planned unit developments.

- A. Mini-Lot Developments. In mini-lot developments, certain regulations that apply to individual lots in the RU zones may be waived or modified when and as prescribed in ~~Section 17.102.320~~ Chapter 17.142.

17.19.070 - Other zoning provisions.

- A. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.
- B. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.
- E. Landscaping and Screening Standards. The landscaping and screening regulations set forth in Chapter 17.124 shall apply in the ~~The regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the RU zones.~~

17.30.060 - Conditionally permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

A. Residential Activities:

Residential Care, except when occupying a One-Family Dwelling Residential Facility

Service-Enriched Permanent Housing

Transitional Housing

Emergency Shelter

B. Civic Activities:

Administrative

Health Care

Utility and Vehicular

Extensive Impact

C. Commercial Activities:

General Food Sales

Full Service Restaurant

Limited Service Restaurant and Cafe

Convenience Market

Alcoholic Beverage Sales

Medical Service

Consumer Service (see Section 17.102.170 for special regulations relating to massage services and Section 17.102.450 for special regulations related to laundromats)

Consultative and Financial Service, but limited to the provision of advice, designs, information, or consultation of a professional nature

D. Agricultural and Extractive Activities:

Crop and Animal Raising

E. Off-street parking serving activities other than those listed above or in Section 17.30.050, subject to the conditions set forth in Section ~~17.102.400~~ 17.116.075.

F. Activities that are listed neither as permitted nor conditionally permitted, but are permitted or conditionally permitted on nearby lots in an adjacent zone~~Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof,~~ subject to the conditions set forth in Section 17.102.110.

17.30.070 - Permitted facilities.

The following facilities, as described in the use classifications in Chapter 17.10, are permitted:

A. Residential Facilities:

One-Family Dwelling

One-Family Dwelling with Secondary Unit, subject to the provisions specified in Section ~~17.102.360~~ 17.103.080

Two-Family Dwelling

Multifamily Dwelling

Rooming House

B. Nonresidential Facilities:

Enclosed

Open

C. Signs:

Residential

Special

Development

Realty

Civic

17.30.090 - Special regulations applying to certain commercial activities.

All General Food Sales, Full Service Restaurant, Limited Service Restaurant and Cafe, Convenience Market, Alcoholic Beverage Sales, and Consumer Service Commercial Activities shall, except for off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed portions of Multifamily Dwelling or Rooming House Residential Facilities, with customer access only through the lobby of such a facility. The maximum floor area devoted to such activities by any single establishment shall be one thousand five hundred (1,500) square feet. No Business Signs or display windows shall be provided for such activities. See also Section ~~17.102.210~~ 17.103.030.

17.30.110 - Use permit criteria for commercial activities.

- A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Cafe, Convenience Market, Fast-Food Restaurant, Alcoholic Beverage Sales, or Consumer Service. A conditional use permit for General Food Sales, Full Service Restaurant, Limited Service Restaurant and Cafe, Convenience Market, Fast-Food Restaurant, Alcoholic Beverage Sales, or Consumer Service Commercial Activities may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134, and that the proposed activities are intended primarily to serve residents of the facility within which the activities are to be located. See also Section ~~17.102.240~~ 17.103.030.

17.30.130 - Minimum lot area, width, and frontage.

Every lot shall have a minimum lot area of four thousand (4,000) square feet and a minimum lot width of twenty-five (25) feet, except as a lesser area or width is allowed by Section 17.106.010. Every lot shall have a minimum frontage of twenty-five (25) feet upon a street, except as this requirement is modified by Section 17.106.020.

17.30.140 - Maximum residential density.

The maximum density of Residential Facilities shall be as set forth below, subject to the provisions of Section 17.106.030 with respect to maximum density on lots containing both Residential and Nonresidential Facilities. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms. No residential facility shall be permitted to have both an additional kitchen as provided for in Subsection 17.102.270B and a Secondary Unit.

- A. Permitted Density. One regular dwelling unit is permitted for each three hundred (300) square feet of lot area, provided that one extra such unit is permitted if a remainder of 200 square feet or more is obtained after division of the lot area by three hundred (300) square feet. One efficiency dwelling unit is permitted for each two hundred (200) square feet of lot area, provided that one extra such unit is permitted if a remainder of one hundred fifty (150) square feet or more is obtained after division of the lot area by two hundred (200) square feet. One rooming unit is permitted for each one hundred fifty (150) square feet of lot area, provided that one extra such unit is permitted if a remainder of 100 square feet or more is obtained after division of the lot area by one hundred fifty (150) square feet. For a combination of different types of living units, the total required lot area shall be the sum of the above requirements for each. The number of living units permitted heretofore may be exceeded by ten percent on any corner lot, and may also be exceeded by ten percent on any lot which faces or abuts a public park at least as wide as the lot. A One-Family Dwelling or a One-Family Dwelling with Secondary Unit is permitted on any lot which qualifies under Section 17.106.010 as an existing buildable parcel and that contains no other dwelling units.
- B. Conditionally Permitted Density. The number of living units permitted by Subsection A. of this Section may be increased by not to exceed fifty 50-percent (50%) upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, in each of the following situations:
 1. In the case of a Residential Facility with more than four (4) stories containing living units, subject to the provisions of Section 17.106.040.
 2. Upon the acquisition of development rights from nearby lots, subject to the provisions of Section 17.106.050.

The number of living units may also be increased, as prescribed in Section 17.106.060, in certain special housing.

17.30.150 - Maximum floor-area ratio.

The maximum floor-area ratio of any facility shall be as set forth below, subject to the provisions of Section 17.106.030 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

- A. Permitted Floor-Area Ratio (FAR). The maximum permitted floor-area ratio is 3.50, except that this ratio may be exceeded by ten percent (10%) on any corner lot and may also be exceeded by ten percent (10%) on any lot which faces or abuts a public park at least as wide as the lot.
- B. Conditionally Permitted Floor-Area Ratio (FAR). The floor-area ratio permitted by Subsection A. of this Section may be increased by not to exceed fifty 50-percent (50%) upon the granting of a

conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, in each of the following situations:

1. In the case of a Residential Facility with more than four (4) stories containing living units, subject to the provisions of Section 17.106.040.
2. For any facility, upon the acquisition of development rights from nearby lots, subject to the provisions of Section 17.106.050.

17.30.170 - Minimum yards and courts.

The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130:

- A. Front Yard. The minimum front yard depth on every lot shall be ten (10) feet, ~~except as a lesser depth is allowed by Section 17.108.050 on steep lots.~~
- B. ~~Side Yard—Street Side of Corner Lot. A side yard shall be provided on the street side of a corner lot when and as prescribed in Section 17.108.060~~
- CB. Side Yard—Interior Lot Line. No side yard is generally required along an interior side lot line except as follows:
 1. A side yard shall be provided, when and as prescribed in Section 17.108.080, opposite a living room window which faces an interior side lot line and which is located on a lot containing Residential Facilities with a total of two or more living units.
 2. ~~A side yard shall be provided, as prescribed in Section 17.108.090, along an interior side lot line lying along a boundary of any of certain other zones.~~
- DC. Rear Yard. The minimum rear yard depth on every lot shall be ten (10) feet, ~~except as a lesser depth is allowed by Section 17.108.110~~
- ED. Courts. On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 17.108.120.

17.30.180 - Minimum usable open space.

On each lot containing Residential Facilities with a total of two or more living units, group usable open space shall be provided for such facilities in the minimum amount of one hundred fifty (150) square feet per regular dwelling unit plus one hundred (100) square feet per efficiency dwelling unit plus seventy-five (75) square feet per rooming unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 17.126.020. All required space shall conform to the standards for required usable open space in Chapter 17.126.

17.30.200 - Special regulations for mini-lot developments, planned unit developments, and large-scale developments.

- A. Mini-Lot Developments. In mini-lot developments, certain of the regulations otherwise applying to individual lots in the R-80 zone may be waived or modified when and as prescribed in ~~Section 17.102.320~~ Chapter 17.142.
- C. Large-Scale Developments. No development which involves more than one hundred thousand (100,000) square feet of new floor area, or a new building or portion thereof of more than one hundred twenty (120) feet in height, shall be permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134. This requirement shall not apply to developments where a valid planned unit development permit is in effect.

17.33.030 - Permitted and conditionally permitted activities.

Table 17.33.01 lists the permitted, conditionally permitted, and prohibited activities in the CN zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

Table 17.33.01: Permitted and Conditionally Permitted Activities

Activities	Zones				Additional Regulations
	CN-1	CN-2	CN-3	CN-4	
Residential Activities					
Permanent	P(L1)(L2)(L3)	P(L1)(L2)(L3)	P(L1)(L3)	P(L1)(L3)	
Residential Care	P(L1)(L2)(L3)	P(L1)(L2)(L3)	P(L1)(L3)	P(L1)(L3)	17.102.242 17.103.010
Service-Enriched Permanent Housing	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)	17.102.242 17.103.010
Transitional Housing	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)	17.102.242 17.103.010
Emergency Shelter	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)	17.102.242 17.103.010
Semi-Transient	—	—	—	—	
Bed and Breakfast	C(L3)(L4)	C(L3)(L4)	C(L3)(L4)	C(L3)	17.10.125
Civic Activities					
Essential Service	P	P	P	P	
Limited Child-Care Activities	P(L2)	P(L2)	P(L5)	P(L5)	
Community Assembly	C(L4)	C(L4)	C(L4)	C	
Recreational Assembly	P(L2)	P(L2)	P(L5)	P(L5)	
Community Education	C(L4)	C(L4)	C(L4)	C	
Nonassembly Cultural	P(L5)	P(L5)	P(L5)	P(L5)	
Administrative	P(L2)	P(L2)	P(L5)	P(L5)	
Health Care	C(L4)	C(L4)	C(L4)	C	
Special Health Care	C(L4)(L6)	C(L4)(L6)	C(L4)(L6)	C(L6)	17.102.390 17.103.020
Utility and Vehicular	C(L4)	C(L4)	C(L4)	C	
Extensive Impact	C(L4)	C(L4)	C(L4)	C	
Commercial Activities					
General Food Sales	P(L5)	P(L5)	P(L7)	P(L7)	
Full Service Restaurants	C(L4)	P(L5)	P(L5)	P(L5)	
Limited Service Restaurant and Cafe	C(L4)	P(L5)	P(L5)	P(L5)	
Fast-Food Restaurant	C(L4)	C(L4)	C(L4)	C	17.102.240

					17.103.030 and 8.09
Convenience Market	C(L4)	C(L4)	C(L4)	C	17.102.210 17.103.030
Alcoholic Beverage Sales	C(L4)	C(L4)	C(L4)	C	17.102.210 17.103.030 and 17.102.040 17.114.030
Mechanical or Electronic Games	C(L4)	C(L4)	C(L4)	C	17.102.210
Medical Service	P(L2)	P(L6L7)	P(L76)	P(L5)	
General Retail Sales	P(L5)	P(L5)	P(L5L8)	P(L5L8)	
Large-Scale Combined Retail and Grocery Sales	—	—	—	—	
Consumer Service	P(L5)(L9)	P(L5)(L9)	P(L5)(L9)	P(L5)(L9)	
Consultative and Financial Service	P(L2)	P(L8L10)	P(L5)	P(L5)	
Check Cashier and Check Cashing	—	—	—	—	
Consumer Cleaning and Repair Service	P(L5)	P(L5)	P(L5)	P(L5)	
Consumer Dry Cleaning Plant	C(L4)	C(L4)	C(L4)	C	
Group Assembly	C(L4)(L11)	C(L4)(L11)	C(L4)(L11)	C(L11)	
Personal Instruction and Improvement Services	P(L2)	P(L5)	P(L5)	P(L5)	
Administrative	P(L2)	P(L2)	P(L5)	P(L5)	
Business, Communication, and Media Services	P(L2)	P(L2)	P(L5)	P(L5)	
Broadcasting and Recording Services	P(L2)	P(L2)	P(L5)	P(L5)	
Research Service	C(L4)	C(L4)	P(L5)	P(L5)	
General Wholesale Sales	—	—	—	—	
Transient Habitation	—	—	—	—	
Wholesale and Professional-Building Material Sales	—	—	—	—	
Automobile and Other Light Vehicle Sales and Rental	—	—	—	—	
Automobile and Other Light Vehicle Gas Station and Servicing	—	—	—	C	
Automobile and Other Light Vehicle Repair and Cleaning	—	—	—	—	
Taxi and Light Fleet-Based Services	—	—	—	—	
Automotive Fee Parking	C(L4)	C(L4)	C(L4)	C	
Animal Boarding	—	—	—	—	
Animal Care	C(L4)	C(L4)	P(L5)	P(L5)	
Undertaking Service	—	—	—	—	
Industrial Activities					
Custom Manufacturing	C(L4)(L912)	C(L4)(L129)	C(L124)	C	17.102.040
Light Manufacturing	—	—	—	—	
General Manufacturing	—	—	—	—	
Heavy/High Impact	—	—	—	—	
Research and Development	—	—	—	—	

Construction Operations	—	—	—	—	
Warehousing, Storage, and Distribution					
A. General Warehousing, Storage and Distribution	—	—	—	—	
B. General Outdoor Storage	—	—	—	—	
C. Self- or Mini-Storage	—	—	—	—	
D. Container Storage	—	—	—	—	
E. Salvage/Junk Yards	—	—	—	—	
Regional Freight Transportation	—	—	—	—	
Trucking and Truck-Related	—	—	—	—	
Recycling and Waste-Related					
A. Satellite Recycling Collection Centers	—	—	—	—	
B. Primary Recycling Collection Centers	—	—	—	—	
Hazardous Materials Production, Storage, and Waste Management	—	—	—	—	
Agriculture and Extractive Activities					
Crop and animal raising	C(L40L13)	C(L40L13)	C(L40L13)	C(L40L13)	
Plant nursery	C(L4)	C(L4)	C(L4)	C	
Mining and Quarrying	—	—	—	—	
Accessory off-street parking serving prohibited activities	C(L4)	C(L4)	C(L4)	C	17.102.100 17.116.075
Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone. Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof	C(L4)	C(L4)	C(L4)	C	17.102.110

Limitations on Table 17.33.01:

L1. Residential Care is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when not located in a One-Family Dwelling Residential Facility. No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such activity. See Section ~~17.102.242~~ 17.103.010 for other regulations regarding these activities.

L6. No new or expanded Special Health Care Civic Activity shall be located closer than two thousand five hundred (2,500) feet from any other such activity or five hundred (500) feet from any K-12 school or Transitional Housing, Enriched Housing, or Licensed Emergency Shelters Civic Activity. See Section 17.103.020 for further regulations regarding Special Health Care Civic Activities.

L6L7. A Medical Service Commercial Activity that occupies more than thirty-five (35) feet of frontage facing the principal street is not permitted except upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). All window space facing the principal street shall be clear, non-reflective, and allow views into the indoor space.

L87. The total floor area devoted to these activities on the ground floor by any single establishment may only exceed fifteen_-thousand (15,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, these conditionally permitted ground floor activities must also meet the criteria contained in L4, above.

L9. See Section 17.102.170 for special regulations relating to massage services. Also, no new or expanded laundromat shall be located closer than five hundred (500) feet from any existing laundromat. See Section 17.102.450 for further regulations regarding laundromats.

L108. With the exception of retail bank branches, these activities are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when located on the ground floor of a building. Incidental pedestrian entrances that lead to one of these activities elsewhere in the building are exempted from this Conditional Use Permit requirement. In addition to the CUP criteria contained in Section 17.134.050, these conditionally permitted ground floor activities must also meet the criteria contained in L4, above. The size limitation described in L5, above, shall apply to retail bank branches.

L11. No new or expanded adult entertainment activity shall be located closer than one thousand (1,000) feet to the boundary of any residential zone or three hundred (300) feet from any other adult entertainment activity. See Section 17.102.160 for further regulations regarding adult entertainment activities.

L129. Not permitted on the gGround fFloor except when associated with a full service restaurant or retail store.

L130. Crop and Animal Raising is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;
2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and
3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

17.33.040 - Permitted and conditionally permitted facilities.

Table 17.33.02 lists the permitted, conditionally permitted, and prohibited facilities in the CN zones. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates facilities subject to certain limitations listed at the bottom of the table.

"—" designates facilities that are prohibited.

Table 17.33.02: Permitted and Conditionally Permitted Facilities

Facilities	Zones				Additional Regulations
	CN-1	CN-2	CN-3	CN-4	
Residential Facilities					
One-Family Dwelling	—(L1)	—(L1)	—(L1)	—(L1)	
One-Family Dwelling with Secondary Unit	—(L1)	—(L1)	—(L1)	—(L1)	17.102.360 17.103.080
Two-Family Dwelling	P(L2)	P(L2)	P(L3)	P	
Multifamily Dwelling	P(L2)	P(L2)	P(L3)	P	
Rooming House	P(L2)	P(L2)	P(L3)	P	

Mobile Home	—	—	—	—	
Nonresidential Facilities					
Enclosed Nonresidential	P	P	P	P	
Open Nonresidential	C(L4)	C(L4)	C(L4)	C(L4)	
Sidewalk Cafe	P	P	P	P	17.102.335 17.103.090
Drive-In	—	—	—	C	
Drive-Through	—	—	—	C(L5)	17.103.100
Telecommunications Facilities					
Micro Telecommunications	P(L65)	P(L65)	P(L65)	P(L65)	17.128
Mini Telecommunications	P(L65)	P(L65)	P(L65)	P(L65)	17.128
Macro Telecommunications	C	C	C	C	17.128
Monopole Telecommunications	C	C	C	C	17.128
Tower Telecommunications	—	—	—	—	17.128
Sign Facilities					
Residential Signs	P	P	P	P	17.104
Special Signs	P	P	P	P	17.104
Development Signs	P	P	P	P	17.104
Realty Signs	P	P	P	P	17.104
Civic Signs	P	P	P	P	17.104
Business Signs	P	P	P	P	17.104
Advertising Signs	—	—	—	—	17.104

Limitations on Table 17.33.02:

L4. No conditional use permit is required for Open Nonresidential Facilities to accommodate either seasonal sales and/or special event activities.

L5. No new or expanded Fast-Food Restaurants with Drive-Through Nonresidential Facilities shall be located closer than five hundred (500) feet of an elementary school, park, or playground. See Sections 17.103.030 and 17.103.100 for further regulations regarding Drive-Through Nonresidential Facilities.

L65. See Section 17.128.025 for restrictions on Telecommunication Facilities near residential or HBX zones.

17.33.050 - Property development standards.

- A. Zone Specific Standards. Table 17.33.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

Table 17.33.03: Property Development Standards

Development Standards	Zones				Additional Regulations
	CN-1	CN-2	CN-3	CN-4	
Minimum Lot Dimensions					
Width Mean	25 ft	25 ft	25 ft	25 ft	1
Frontage	25 ft	25 ft	25 ft	25 ft	1

Lot area	4,000 sf	4,000 sf	4,000 sf	4,000 sf	1
Minimum/Maximum Setbacks					
Minimum front	0 ft	0 ft	0 ft	0 ft	2
Maximum front	10 ft	10 ft	10 ft	None	3
Minimum interior side	0 ft	0 ft	0 ft	0 ft	4, 5
Minimum street side	0 ft	0 ft	0 ft	0 ft	6
Rear (Residential Facilities)	10/15 ft	10/15 ft	10/15 ft	10/15 ft	7, 8
Rear (Nonresidential Facilities)	0/10/15 ft	0/10/15 ft	0/10/15 ft	0/10/15 ft	8
Design Regulations					
Minimum ground floor nonresidential facade transparency	65%	65%	65%	None	9
Minimum height of ground floor nonresidential facilities	12 ft	12 ft	12 ft	12 ft	10
Minimum separation between the grade and ground floor living space	—	—	2.5 ft	2.5 ft	11
Parking and driveway location requirements	Yes	Yes	Yes	No	12
Ground floor active space requirement	Yes	Yes	Yes	No	13
Height, Floor Area Ratio, Density, and Open Space Regulations	See Table 17.33.04				
Minimum required parking	See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking				
Courtyard regulations	See Section 17.108.120				

Additional Regulations for Table 17.33.03:

1. See Sections 17.106.010 and 17.106.020 for exceptions to lot area, width, and street frontage regulations.
2. If ~~fifty (50)~~ percent (50%) or more of the frontage on one side of the street between two intersecting streets is in any residential zone and all or part of the remaining frontage is in any commercial or industrial zone, the required front setback of the commercially or industrially zoned lots is one-half of the minimum front setback required in the residential zone. If ~~fifty 50~~ percent (50%) or more of the total frontage is in more than one residential zone, then the minimum front setback on the commercially or industrially zoned lots is one-half of that required in the residential zone with the lesser front setback (see Illustration for Table 17.33.03 [Additional Regulation 2]). Also, see Section 17.108.130 for allowed projections into setbacks.

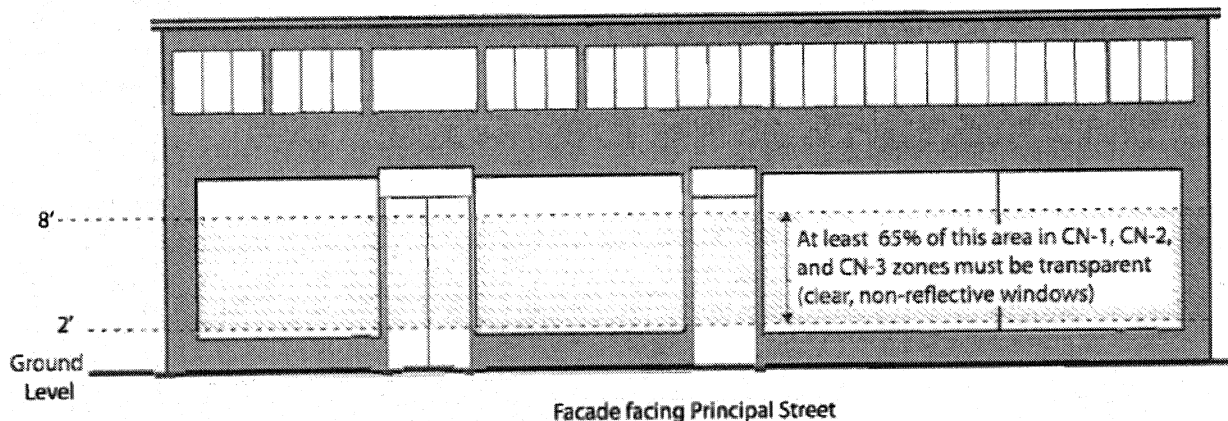
Illustration for Table 17.33.03 [Additional Regulation 2]
*for illustration purposes only

3. The following notes apply to the maximum front yard requirement:
 - a. The requirements only apply to the construction of new principal buildings.
 - b. The requirements do not apply to lots containing Recreational Assembly, Community Education, Utility and Vehicular, or Extensive Impact Civic Activities or Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities as principal activities.

c. Maximum yards apply to seventy-five ~~(75)~~ percent (75%) of the street frontage on the principal street and fifty ~~(50)~~ percent (50%) on other streets, if any. All percentages, however, may be reduced to fifty ~~(50)~~ percent (50%) upon the granting of regular design review approval (see Chapter 17.136 for the design review procedure). In addition to the CUP criteria contained in Section 17.136.035, the proposal to reduce to fifty ~~(50)~~ percent (50%) must also meet each of the following criteria:

- i. The additional yard area abutting the principal street is designed to accommodate publicly accessible plazas, cafes, or restaurants;
- ii. The proposal will not impair a generally continuous wall of building facades;
- iii. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and
- iv. The proposal will not interfere with the movement of people along an important pedestrian street.

9. This percentage of transparency is only required for principal buildings that include ground floor nonresidential facilities and only apply to the facade facing the principal street. The regulations only apply to facades located within twenty (20) feet of a street frontage. The area of required transparency is between two (2) feet and nine (9) feet in height of the ground floor and must be comprised of clear, nonreflective windows that allow views out of indoor commercial space, residential space, or lobbies (see Illustration for Table 17.33.03 [Additional Regulation 9], below). Areas required for garage doors shall not be included in the calculation of facade area (see Note 12 for limitations on the location of parking access). Glass block does not qualify as a transparent window. Exceptions to this regulation may be allowed by the Planning Director for unique facilities such as convention centers, gymnasiums, parks, gas stations, theaters and other similar facilities.



3. This minimum height requirement only applies to the new construction of a principal building that is located on parcels adjacent to a street right-of-way that is one hundred (100) feet wide or more. Buildings constructed to accommodate Essential Service, Utility and Vehicular, or Extensive Impact Civic Activities or Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities may be exempted from the height minimum regulation by the Planning Director. The allowed projections into the height limits contained in Section 17.108.030 are not counted towards the height minimum.

4. See Chapter 17.107 for affordable and senior housing incentives. A Secondary Unit may be permitted when there is no more than one unit on a lot, subject to the provisions of Section 17.102.360 17.103.080. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling

unit, and the provisions of Section 17.102.300 with respect to dwelling units with five (5) or more bedrooms.

5. No portion of lot area used to meet the residential density requirements shall be used as a basis for computing the maximum nonresidential Floor Area Ratio (FAR) unless the total nonresidential floor area on the lot is less than three thousand (3,000) square feet.

17.33.060 - Special regulations for mini-lot and planned unit developments.

A. Mini-Lot Developments. In mini-lot developments, certain regulations that apply to individual lots in the CN zones may be waived or modified when and as prescribed in ~~Section 17.102.320~~ Chapter 17.142.

17.33.070 - Other zoning provisions.

A. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

B. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

E. Landscaping and Screening Standards. The landscaping and screening regulations set forth in Chapter 17.124 shall apply in the~~The regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the CN zones.~~

17.35.030 - Permitted and conditionally permitted activities.

Table 17.35.01 lists the permitted, conditionally permitted, and prohibited activities in the CC zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

Table 17.35.01: Permitted and Conditionally Permitted Activities

Activities	Zones			Additional Regulations
	CC-1	CC-2	CC-3	
Residential Activities				
Permanent	P(L1)(L2)(L3)	P(L1)(L2)(L3)	C(L1)(L3)	
Residential Care	P(L1)(L2)(L3)	P(L1)(L2)(L3)	C(L1)(L3)	<u>17.102.212 17.103.010</u>
Service-Enriched Permanent Housing	C(L1)(L3)	C(L1)(L3)	C(L1)(L3)	<u>17.102.212 17.103.010</u>
Transitional Housing	C(L1)(L3)	C(L1)(L3)	C(L1)(L3)	<u>17.102.212 17.103.010</u>
Emergency Shelter	C(L1)(L3)	C(L1)(L3)	C(L1)(L3)	<u>17.102.212 17.103.010</u>
Semi-Transient	—	—	—	
Bed and Breakfast	C	C	C	<u>17.10.125</u>
Civic Activities				
Essential Service	P	P	P	
Limited Child-Care Activities	P	P	C	
Community Assembly	C	C	C	
Recreational Assembly	P	P	P	
Community Education	P	P	P	
Nonassembly Cultural	P	P	P	
Administrative	P	P	P	
Health Care	P	P	P	
Special Health Care	<u>C(L4)</u>	<u>C(L4)</u>	<u>C(L4)</u>	<u>17.102.390 17.103.020</u>
Utility and Vehicular	C	C	C	
Extensive Impact	C	C	C	
Commercial Activities				
General Food Sales	P	P	P	
Full Service Restaurants	P	P	P	
Limited Service Restaurant and Cafe	P	P	P	
Fast-Food Restaurant	C	C	C	<u>17.102.210 17.103.030 and 8.09</u>
Convenience Market	C	C	C	<u>17.102.210 17.103.030</u>
Alcoholic Beverage Sales	C	C	C	<u>17.102.210 17.103.030 and 17.102.040</u>

				17.114.030
Mechanical or Electronic Games	C	C	C	17.102.210
Medical Service	P	P	P	
General Retail Sales	P	P	P	
Large-Scale Combined Retail and Grocery Sales	—	—	—	
Consumer Service	P(L5)	P(L5)	P(L5)	
Consultative and Financial Service	P	P	P	
Check Cashier and Check Cashing	C(L6)	C(L6)	C(L6)	17.102.430 17.103.040
Consumer Cleaning and Repair Service	P	P	P	
Consumer Dry Cleaning Plant	P	C	P	
Group Assembly	C(L7)	C(L7)	C(L7)	
Personal Instruction and Improvement Services	P	P	P	
Administrative	P	P	P	
Business, Communication, and Media Services	P	P	P	
Broadcasting and Recording Services	P	P	P	
Research Service	P	P	P	
General Wholesale Sales	—	—	P	
Transient Habitation	—	—	—	
Wholesale and Professional Building Material Sales	—	—	P	
Automobile and Other Light Vehicle Sales and Rental	C	P(L4L8)	P	
Automobile and Other Light Vehicle Gas Station and Servicing	P	C	P	
Automobile and Other Light Vehicle Repair and Cleaning	C(L5L9)	C(L5L9)	P	
Taxi and Light Fleet-Based Services	—	—	C	
Automotive Fee Parking	C	C	C	
Animal Boarding	C	C	C	
Animal Care	P	P	P	
Undertaking Service	—	—	—	
Industrial Activities				
Custom Manufacturing	C	C	P	17.102.040
Light Manufacturing	—	C	P(L6L10)	17.102.040
General Manufacturing	—	—	—	
Heavy/High Impact	—	—	—	
Research and Development	—	—	—	
Construction Operations	—	—	—	
Warehousing, Storage, and Distribution				
A. General Warehousing, Storage and Distribution	—	—	P	
B. General Outdoor Storage	—	—	—	
C. Self-or Mini Storage	—	—	—	
D. Container Storage	—	—	—	
E. Salvage/Junk Yards	—	—	—	
Regional Freight Transportation	—	—	—	

Trucking and Truck-Related	—	—	—	
Recycling and Waste-Related				
A. Satellite Recycling Collection Centers	—	—	—	17.10.040
B. Primary Recycling Collection Centers	—	—	—	
Hazardous Materials Production, Storage, and Waste Management	—	—	—	
Agriculture and Extractive Activities				
Crop and animal raising	C(L7L11)	C(L7L11)	C(L7L11)	
Plant nursery	C	C	C	
Mining and Quarrying	—	—	—	
Accessory off-street parking serving prohibited activities	C	C	C	17.102.100116.075
Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zoneAdditional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof	C	C	C	17.102.110

Limitations on Table 17.35.01:

L1. Residential Care is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when not located in a One-Family Dwelling Residential Facility. No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such activity. See Section 17.102.212 17.103.010 for other regulations regarding these activities.

L4. No new or expanded Special Health Care Civic Activity shall be located closer than two thousand five hundred (2,500) feet from any other such activity or five hundred (500) feet from any K-12 school or Transitional Housing, Enriched Housing, or Licensed Emergency Shelters Civic Activity. See Section 17.103.020 for further regulations regarding Special Health Care Civic Activities.

L5. See Section 17.102.170 for special regulations relating to massage services. Also, no new or expanded laundromat shall be located closer than five hundred (500) feet from any existing laundromat. See Section 17.102.450 for further regulations regarding laundromats.

L6. No new or expanded Check Cashier and Check Cashing Commercial Activity shall be located closer than one thousand (1,000) feet from any other such activity or five hundred (500) feet from any Community Education, Community Assembly, or Recreational Assembly Civic Activity; state or federally chartered bank, savings association, credit union, or industrial loan company; or certain Alcoholic Beverage Sales Commercial Activities. See Section 17.103.040 for further regulations regarding Check Cashier and Check Cashing Commercial Activities.

L7. No new or expanded adult entertainment activity shall be located closer than one thousand (1,000) feet to the boundary of any residential zone or three hundred (300) feet from any other adult entertainment activity. See Section 17.102.160 for further regulations regarding adult entertainment activities.

L8. Automobile and Other Light Vehicle Sales and Rental is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when located on Telegraph Avenue between 28th Street and I-580.

L9. This Conditional Use Permit may only be granted upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit procedure in Chapter 17.134 and to the following additional use permit criteria:

1. That all repair and servicing is performed in an enclosed building;

2. That a minimum six (6) -foot tall masonry or decorative screening wall is provided at all parcels lines adjacent to an RH-, RD- or RM-zone;

3. That a landscape buffering is at all parcels lines adjacent to an RH-, RD- or RM-zone; and

4. That no auto repair activities shall be conducted before 7:00 a.m. or after 9:00 p.m. on any day of the week;

L6L10. This activity is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when located on a lot that is within three hundred (300) feet of an RH, RD, or RM zone.

L7L11. Crop and Animal Raising is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;

2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and

3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

17.35.040 - Permitted and conditionally permitted facilities.

Table 17.35.02 lists the permitted, conditionally permitted, and prohibited facilities in the CC zones. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates facilities subject to certain limitations listed at the bottom of the Table.

"—" designates facilities that are prohibited.

Table 17.35.02: Permitted and Conditionally Permitted Facilities

Facilities	Zones			Additional Regulations
	CC-1	CC-2	CC-3	
Residential Facilities				
One-Family Dwelling	—(L1)	—(L1)	—(L1)	
One-Family Dwelling with Secondary Unit	—(L1)	—(L1)	—(L1)	17.102.360 17.103.080
Two-Family Dwelling	P(L2)	P(L3)	—	
Multifamily Dwelling	P(L2)	P(L3)	—	
Rooming House	P(L2)	P(L3)	—	
Mobile Home	—	—	—	
Nonresidential Facilities				
Enclosed Nonresidential	P	P	P	
Open Nonresidential	P	P	P	
Sidewalk Cafe	P	P	P	17.102.336 17.103.090

Drive-In	C	C	C	
Drive-Through	C(L4)	C(L4)	C(L4)	
Telecommunications Facilities				
Micro Telecommunications	P(L4L5)	P(L4L5)	P(L4L5)	17.128
Mini Telecommunications	P(L54)	P(L54)	P(L54)	17.128
Macro Telecommunications	C	C	C	17.128
Monopole Telecommunications	C	C	C	17.128
Tower Telecommunications	—	—	—	17.128
Sign Facilities				
Residential Signs	P	P	P	17.104
Special Signs	P	P	P	17.104
Development Signs	P	P	P	17.104
Realty Signs	P	P	P	17.104
Civic Signs	P	P	P	17.104
Business Signs	P	P	P	17.104
Advertising Signs	—	—	—	17.104

Limitations on Table 17.35.02:

L4. No new or expanded Fast-Food Restaurants with Drive-Through Nonresidential Facilities shall be located closer than five hundred (500) feet of an elementary school, park, or playground. See Sections 17.103.030 and 17.103.100 for further regulations regarding Drive-Through Nonresidential Facilities.

L54. See Section 17.128.025 for restrictions on Telecommunication Facilities near residential or HBX zones.

17.35.050 - Property development standards.

- A. Zone Specific Standards. Table 17.35.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

Table 17.35.03: Property Development Standards

Development Standards	Zones			Additional Regulations
	CC-1	CC-2	CC-3	
Minimum Lot Dimensions				
Width mean	50 ft	25 ft	25 ft	1
Frontage	50 ft	25 ft	25 ft	1
Lot area	7,500 sf	4,000 sf	4,000 sf	1
Minimum/Maximum Setbacks				
Minimum front	0 ft	0 ft	0 ft	2
Maximum front	N/A	10 ft	N/A	3
Minimum interior side	0 ft	0 ft	0 ft	4, 5
Minimum street side	0 ft	0 ft	0 ft	6

Rear (Residential Facilities)	10/15 ft	10/15 ft	10/15 ft	7, 8
Rear (Nonresidential Facilities)	0/10/15 ft	0/10/15 ft	0/10/15 ft	8
Design Regulations				
Minimum ground floor nonresidential facade transparency	N/A	55%	N/A	9
Minimum height of ground floor nonresidential facilities	N/A	12 ft	N/A	10
Parking and driveway location requirements	No	Yes	No	11
Ground floor active space requirement	No	Yes	No	12
Height, Floor Area Ratio, Density, and Open Space Regulations	See Table 17.35.04			
Minimum Required Parking	See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking			
Courtyard Regulations	See Section 17.108.120			

Additional Regulations for Table 17.35.03:

2. If fifty ~~(50)~~-percent (50%) or more of the frontage on one side of the street between two intersecting streets is in any residential zone and all or part of the remaining frontage is in any commercial or industrial zone, the required front setback of the commercially or industrially zoned lots is one-half of the minimum front setback required in the residential zone. If ~~fifty 50~~-percent (50%) or more of the total frontage is in more than one residential zone, then the minimum front setback on the commercially or industrially zoned lots is one-half of that required in the residential zone with the lesser front setback (see Illustration for Table 17.35.03 [Additional Regulation 2], below).

3. The following notes apply to the maximum front yard requirement:

- a. The requirements only apply to the construction of new principal buildings.
- b. The requirements do not apply to lots containing the following principal activities: Recreational Assembly, Community Education, Utility and Vehicular, or Extensive Impact Civic Activities or Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities as principal activities.
- c. Maximum yards apply to seventy-five ~~(75)~~-percent (75%) of the street frontage on the principal street and fifty ~~(50)~~-percent (50%) on other streets, if any. All percentages, however, may be reduced to fifty ~~(50)~~-percent (50%) upon the granting of Regular Design Review approval (see Chapter 17.136 for the design review procedure). In addition to the CUP criteria contained in Section 17.136.035, the proposal to reduce to fifty ~~(50)~~-percent (50%) must also meet each of the following criteria:
 - i. The additional yard area abutting the principal street is designed to accommodate publicly accessible plazas, cafes, or restaurants;
 - ii. The proposal will not impair a generally continuous wall of building facades;
 - iii. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and
 - iv. The proposal will not interfere with the movement of people along an important pedestrian street.

8. When a rear lot line is adjacent to an RH, RD, RM, or RU-1 zone, the required rear setback for both residential and nonresidential facilities is ten (10) feet if the lot depth is one-hundred (100) feet or less and fifteen (15) feet if the lot depth is more than one-hundred (100) feet. When a rear lot line is not adjacent to an RH, RD, RM, or RU-1 zone, the required rear setback is ten (10) feet for residential facilities and there is no required setback for nonresidential facilities.

12. For the new construction of principal buildings in the CC-2 zone, ground level parking spaces, locker areas, mechanical rooms, and other non-active spaces shall not be located within thirty (30) feet from the front of the principal building except for incidental entrances to such activities elsewhere in the building. Exceptions to this regulation may be permitted by the Planning Director for utilities and trash enclosures that cannot be feasibly placed in other locations of the building. Driveways, garage entrances, or other access to parking and loading facilities may be located on the ground floor of this area as regulated by Note 11, above.

C. Height, Floor Area Ratio (FAR), Density, and Open Space. Table 17.35.04 below prescribes height, FAR, density, and open space standards associated with the Height Areas described in the Zoning Maps. The number designations in the "Additional Regulations" column refer to regulations below the table.

Table 17.35.04 Height, Floor Area Ratio (FAR), Density, and Open Space Regulations

Regulation	Height Area							Additional Regulations
	35	45	60	75	90	120	160	
Maximum Height	35 ft	45 ft	60 ft	75 ft	90 ft	120 ft	160 ft	1, 2
Height Minimum								
Permitted height minimum	0 ft	0 ft	35 ft	35 ft	35 ft	35 ft	35 ft	3
Conditionally permitted height minimum	NA	NA	25 ft	25 ft	25 ft	25 ft	25 ft	3
Maximum Residential Density (square feet of lot area required per dwelling unit)								
Regular units	550	450	375	275	225	225	225	4, 5
Rooming units	275	225	185	135	110	$\frac{110}{225}$	$\frac{110}{225}$	4, 5
Maximum Nonresidential FAR	2.0	2.5	3.0	4.0	4.5	5.0	5.0	4, 5
Maximum number of stories (not including underground construction)	3	4	5	7	8	11	15	
Minimum Usable Open Space								
Group usable open space per regular unit	150	150	150	150	100	100	100	6
Group usable open space per regular unit when private open space substituted	30	30	30	30	20	20	20	6
Group usable open space per rooming unit	75	75	75	75	50	50	50	6
Group usable open space per rooming unit when private open space is substituted	15	15	15	15	10	10	10	6

Additional Regulations for Table 17.35.04:

3. This minimum height requirement only applies to the new construction of a principal building that is located on parcels adjacent to a street right-of-way that is one hundred (100) feet wide or more. Buildings in the CC-1 zone and buildings constructed to accommodate Essential Service, Utility and Vehicular, or Extensive Impact Civic Activities or Automobile and Automobile and Other Light Vehicle Sales and

Rental, Automobile and Other Light Vehicle Gas Station and Servicing or Automobile and Other Light Vehicle Repair and Cleaning Commercial Activities may be exempted from the height minimum regulation by the Planning Director. The allowed projections into the height limits contained in Section 17.108.030 are not counted towards the height minimum.

4. See Chapter 17.107 for affordable and senior housing incentives. A Secondary Unit may be permitted when there is no more than one unit on a lot, subject to the provisions of Section ~~17.102.360~~ 17.103.080. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five (5) or more bedrooms.

5. No portion of lot area used to meet the residential density requirements shall be used as a basis for computing the maximum nonresidential FAR unless the total nonresidential floor area on the lot is less than three thousand (3,000) square feet.

17.35.060 - Special regulations for mini-lot and planned unit developments.

A. Mini-Lot Developments. In mini-lot developments, certain regulations that apply to individual lots in the CC zones may be waived or modified when and as prescribed in ~~Section 17.102.320~~ Chapter 17.142.

17.35.070 - Other zoning provisions.

A. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

B. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

D. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the CN zones.

E. Landscaping and Screening Standards. The landscaping and screening regulations set forth in Chapter 17.124 shall apply in the ~~The regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the CC zones.~~

17.37.030 - Permitted and conditionally permitted activities.

Table 17.37.01 lists the permitted, conditionally permitted, and prohibited activities in the CR-1 zone. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

Table 17.37.01: Permitted and Conditionally Permitted Activities

Activities	Zone	Additional Regulations
	CR-1	
Residential Activities		
Permanent	—	
Residential Care	—	
Service-Enriched Permanent Housing	—	
Transitional Housing	C(L1)	17.102.212 17.103.010
Emergency Shelter	C(L1)	17.102.212 17.103.010
Semi-Transient	C(L1)	
Bed and Breakfast	—	17.10.125
Civic Activities		
Essential Service	P	
Limited Child-Care Activities	P	
Community Assembly	P	
Recreational Assembly	P	
Community Education	C	
Nonassembly Cultural	P	
Administrative	P	
Health Care	C	
Special Health Care	C(L2)	17.102.390 17.103.020
Utility and Vehicular	C	
Extensive Impact	C	
Commercial Activities		
General Food Sales	P	
Full Service Restaurants	P	
Limited Service Restaurant and Cafe	P	
Fast-Food Restaurant	C	17.102.210 17.103.030 and 8.09
Convenience Market	C	17.102.210 17.103.030
Alcoholic Beverage Sales	C	17.102.210 17.103.030 and 17.102.040

		17.114.030
Mechanical or Electronic Games	C	17.102.210
Medical Service	P	
General Retail Sales	P	
Large-Scale Combined Retail and Grocery Sales	—	
Consumer Service	P(L3)	
Consultative and Financial Service	P	
Check Cashier and Check Cashing	—	
Consumer Cleaning and Repair Service	P(L2L4)	
Consumer Dry Cleaning Plant	C	
Group Assembly	C(L5)	
Personal Instruction and Improvement Services	P	
Administrative	P	
Business, Communication, and Media Services	P	
Broadcasting and Recording Services	P	
Research Service	P	
General Wholesale Sales	C	
Transient Habitation	C	17.102.370 17.103.050
Wholesale and Professional Building Material Sales	P(L2L4)	
Automobile and Other Light Vehicle Sales and Rental	P(L2L4)	
Automobile and Other Light Vehicle Gas Station and Servicing	P(L2L4)	
Automobile and Other Light Vehicle Repair and Cleaning	P(L2L4)	
Taxi and Light Fleet-Based Services	P(L2L4)	
Automotive Fee Parking	—(L3L6)	
Animal Boarding	C	
Animal Care	P	
Undertaking Service	—	
Industrial Activities		
Custom Manufacturing	P(L2L4)	17.102.040
Light Manufacturing	P(L2L4)	17.102.040
General Manufacturing	C(L2L4)	17.102.040
Heavy/High Impact	—	
Research and Development	P	
Construction Operations	—	
Warehousing, Storage, and Distribution		
A. General Warehousing, Storage and Distribution	P(L2L4)	
B. General Outdoor Storage	C(L2L4)	
C. Self-or Mini Storage	C(L2L4)	
D. Container Storage	C(L2L4)	
E. Salvage/Junk Yards	—	
Regional Freight Transportation	C(L2L4)	
Trucking and Truck-Related	C(L2L4)	

Recycling and Waste-Related		
A. Satellite Recycling Collection Centers	C(L2L4)	17.10.040
AB. Primary Recycling Collection Centers	C(L2L4)	17.103.060
Hazardous Materials Production, Storage, and Waste Management	—	
Agriculture and Extractive Activities		
Crop and animal raising	C(L2L4)(L4L7)	
Plant nursery	C(L2L4)	
Mining and Quarrying	—	
Accessory off-street parking serving prohibited activities	P	17.102.100 17.116.075
<u>Activities that are listed as prohibited but are permitted or conditionally permitted on nearby lots in an adjacent zone</u> <u>Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof</u>	C	17.102.110

Limitations on Table 17.37.01:

L1. No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity shall be located closer than three-hundred (300) feet from any other such activity. See Section 17.102.212 17.103.010 for other regulations regarding these activities.

L2. No new or expanded Special Health Care Civic Activity shall be located closer than two thousand five hundred (2,500) feet from any other such activity or five hundred (500) feet from any K-12 school or Transitional Housing, Enriched Housing, or Licensed Emergency Shelters Civic Activity. See Section 17.103.020 for further regulations regarding Special Health Care Civic Activities.

L3. See Section 17.102.170 for special regulations relating to massage services. Also, no new or expanded laundromat shall be located closer than five hundred (500) feet from any existing laundromat. See Section 17.102.450 for further regulations regarding laundromats.

L42. These activities are not permitted within three hundred (300) feet of a lot line adjacent to the Hegenberger Road right-of-way.

L5. No new or expanded adult entertainment activity shall be located closer than one thousand (1,000) feet to the boundary of any residential zone or three hundred (300) feet from any other adult entertainment activity. See Section 17.102.160 for further regulations regarding adult entertainment activities.

L63. Existing fee parking lots may be reconfigured to increase the number of parking spaces and make more efficient use of the existing parking area. Expansion of existing facilities to include structured parking or expanding the size of the parcel with the parking constitutes an expansion of a nonconforming use and is not permitted.

L74. Crop and Animal Raising is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, this activity must meet the following criteria:

1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;
2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and

3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

17.37.040 - Permitted and conditionally permitted facilities.

Table 17.37.02 lists the permitted, conditionally permitted, and prohibited facilities in the CR-1 zone. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

"L" designates facilities subject to certain limitations listed at the bottom of the Table.

"—" designates facilities that are prohibited.

Table 17.37.02: Permitted and Conditionally Permitted Facilities

Facilities	Zone	Additional Regulations
	CR-1	
Residential Facilities		
One-Family Dwelling	—(L1)	
One-Family Dwelling with Secondary Unit	—(L1)	
Two-Family Dwelling	—(L1)	
Multifamily Dwelling	—(L1)	
Rooming House	—(L1)	
Mobile Home	—(L1)	
Nonresidential Facilities		
Enclosed Nonresidential	P	
Open Nonresidential	P	
Sidewalk Cafe	P	17.102.335 17.103.090
Drive-In	C	
Drive Through	C	
Telecommunications Facilities		
Micro Telecommunications	P(L2)	17.128
Mini Telecommunications	P(L2)	17.128
Macro Telecommunications	C	17.128
Monopole Telecommunications	C	17.128
Tower Telecommunications	—	17.128
Sign Facilities		
Residential Signs	P	17.104
Special Signs	P	17.104
Development Signs	P	17.104
Realty Signs	P	17.104
Civic Signs	P	17.104
Business Signs	P	17.104

Advertising Signs	—	17.104
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17.37.050 - Property development standards.

- A. Zone Specific Standards. Table 17.37.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

Table 17.37.03: Property Development Standards

Development Standards	CR-1 zone	Additional Regulations
Minimum Lot Dimensions		
Width mean	50 ft	1
Frontage	50 ft	1
Lot area	7,500 sf	1
Minimum/Maximum Setbacks		
Minimum front	20 feet on parcels facing a right of way of 100 ft or more; 10 feet on parcels facing a right of way that is less than 100 feet wide.	2
Minimum interior side	0 ft	3
Minimum street side	0 ft	4
Rear	0/10/15 ft	5
Height and Floor Area Ratio Regulations	See Table 17.37.04	
Minimum Required Parking	See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking	

Additional Regulations for Table 17.37.03:

1. See Sections 17.106.010 and 17.106.020 for exceptions to lot area, width mean, and street frontage regulations.
2. Hegenberger Road, 98th Avenue, and Edgewater Drive each have a right-of-way width of one hundred (100) feet or more. This minimum front yard setback area shall, except for necessary driveways, walkways, and allowable signs, be developed as open landscaped areas with lawn, ground cover, garden, shrubs, trees, or decorative paving materials, subject to the standards for required landscaping and screening in Chapter 17.124. Further, if fifty (50) percent (50%) or more of the frontage on one side of the street between two intersecting streets is in any residential zone and all or part of the remaining frontage is in any commercial or industrial zone, the required front setback of the commercially or industrially zoned lots is one-half of the minimum front setback required in the residential zone. If fifty (50) percent (50%) or more of the total frontage is in more than one residential zone, then the minimum front setback on the commercially or industrially zoned lots is one-half of that required in the residential zone with the lesser front setback.

17.37.060 - Special regulations for mini-lot and planned unit developments.

- A. Mini-Lot Developments. In mini-lot developments, certain regulations that apply to individual lots in the CR zone may be waived or modified when and as prescribed in ~~Section 17.102.320~~ Chapter 17.142.

17.37.070 - Other zoning provisions.

- A. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.
- B. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.
- E. Landscaping and Screening Standards. The landscaping and screening regulations set forth in Chapter 17.124 shall apply in the ~~The regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the CR zone.~~

17.54.050 - Permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, are permitted:

A. Residential Activities:

Permanent

Residential Care occupying a One-Family Dwelling Residential Facility

Semi-Transient

B. Civic Activities:

Essential Service

Limited Child-Care

Community Assembly

Recreational Assembly

Community Education

Nonassembly Cultural

Administrative

Health Care

Utility and Vehicular, but excluding communications equipment installations and exchanges

C. Commercial Activities:

General Food Sales

Full Service Restaurant

Limited Service Restaurant and Cafe

Medical Service

General Retail Sales

Consumer Service

Consultative and Financial Service

Consumer Cleaning and Repair Service

Consumer Dry Cleaning Plant

Administrative

Business, Communication, and Media Service

Broadcasting and Recording Service

Research Service

General Wholesale Sales

Building Material Sales

Automobile and Other Light Vehicle Sales and Rental

Automobile and Other Light Vehicle Gas Station and Servicing

Automotive and Other Light Vehicle Repair and Cleaning

Automotive Fee Parking

D. Industrial Activities:

Custom Manufacturing

E. Off-street parking serving activities other than those listed above, subject to the conditions set forth in ~~Section 17.102.100~~ 17.116.075.

17.54.060 - Conditionally permitted activities.

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

A. Residential Activities:

Residential Care, except when occupying a One-Family Dwelling Residential Facility

Service-Enriched Permanent Housing

Transitional Housing

Emergency Shelter

B. Civic Activities:

Extensive Impact

Utility and Vehicular (communications equipment installations and exchanges, only)

Special Health Care Civic Activities

C. Commercial Activities:

Check Cashier and Check Cashing

Fast-Food Restaurant

Convenience Market

Alcoholic Beverage Sales

Mechanical or Electronic Games, ~~subject to the provisions of Section 17.102.210C~~

Group Assembly

Personal Instruction and Improvement and Small Scale Entertainment

Transient Habitation

Animal Care

Animal Boarding

Undertaking Service

D. Industrial Activities:

Light

E. Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising (see Section 17.54.090)

F. ~~Activities that are listed neither as permitted nor conditionally permitted, but are permitted or conditionally permitted on nearby lots in an adjacent zone. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110~~

17.54.070 - Permitted facilities.

The following facilities, as described in the use classifications in Chapter 17.10, are permitted:

A. Residential Facilities:

One-Family Dwelling

One-Family Dwelling with Secondary Unit, subject to the provisions specified in Section ~~17.102.360~~ 17.103.080

Two-Family Dwelling

Multifamily Dwelling

Rooming House

B. Nonresidential Facilities:

Enclosed

Open

Drive-In

Sidewalk Cafes, subject to the provisions of Section ~~17.102.335~~ 17.103.090

C. Signs:

Residential

Special

Development

Realty

Civic

Business

D. Telecommunications Facilities:

Micro, except when a Major Conditional Use Permit is required by Section 17.128.025

Mini, except when a Major Conditional Use Permit is required by Section 17.128.025

17.54.090 - Special regulations applying to certain activities.

- A. Fast-Food Restaurants, Convenience Markets, and Certain Establishments Selling Alcoholic Beverages or Providing Mechanical or Electronic Games. See Section ~~17.102.240~~ 17.103.030.
- C. Crop and Animal Raising is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:
1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;
 2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and
 3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

17.54.130 - Maximum residential density.

- B. Density Bonuses. The number of living units allowed by subsection A of this section may be increased by not to exceed fifty ~~(50)~~ percent (50%) upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, in each of the following situations:
1. In the case of a Residential Facility with more than four stories containing living units, subject to the provisions of Section 17.106.040.
 2. Upon the acquisition of development rights from nearby lots, subject to the provisions of Section 17.106.050.

The number of living units may also be increased, as prescribed in Section 17.106.060, in certain special housing.

17.54.180 - Buffering and landscaping.

- B. Landscaping for Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities. One and one-half percent of the lot area devoted to Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities shall be developed with lawn, ground cover, garden, or shrubs, and one street tree shall be provided for each one hundred (100) feet of street line abutting the lot, subject to the standards for required landscaping and screening in Chapter 17.124.

17.54.190 - Special regulations for mini-lot and planned unit developments.

- A. Mini-Lot Developments. In mini-lot developments, certain of the regulations otherwise applying to individual lots in the C-40 zone may be waived or modified when and as prescribed in ~~Section 17.102.320~~ Chapter 17.142.

17.54.200 - Other zoning provisions.

- A. **Parking and Loading.** Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.
- B. **Bicycle Parking.** Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.
- C. **Home Occupations.** Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.
- D. **Nonconforming Uses.** Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.