ATTACHMENT A

This attachment contains the text of the proposed new commercial and residential zones with the changes since the November 17, 2010 Planning Commission meeting.

Deletions since the November 17, 2010 Planning Commission meeting are in ~~strikeout~~; additions are <u>underlined</u>.

ATTACHMENT A

DRAFT

12/15/10 Planning Commission Meeting

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 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 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 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 6,500 to 8,000 square feet and is typically appropriate in already developed areas of the Oakland Hills.

17.13.020 Required Design Review Process

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Designated Historic Property, Potentially Designated Historic Property, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

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	--	--	--	--	
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
Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof.	C	C	C	C	17.102.110

Limitations on Table 17.13.01:

L1. 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 for other regulations regarding these activities.

L2. 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.

17.13.040 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
Two-Family Dwelling	--	--	--	--	
Multifamily Dwelling	--	--	--	--	
Rooming House	--	--	--	--	
Mobile Home	--	--	--	--	
Nonresidential Facilities					
Enclosed Nonresidential	P	P	P	P	
Open Nonresidential	P	P	P	P	
Sidewalk Café	--	--	--	--	
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	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

Table 17.13.02: Permitted and Conditionally Permitted Facilities					
Facilities	**Zones**				**Additional Regulations**
	RH-1	**RH-2**	**RH-3**	**RH-4**	
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	5
Minimum front (>20% street-to-setback gradient)	5 ft	5 ft	5 ft	5 ft	5, 6
Minimum interior side ≤20% footprint slope	6 ft/15%	6 ft/15%	6 ft/10%	5 ft	7, 8
Minimum interior side >20% footprint slope	6 ft/15%	6 ft/15%	6 ft/10%	5 ft/10%	7, 8
Minimum street side	6 ft	6 ft	6 ft	5 ft	9
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	12, 13
Maximum pitched roof height primary building	30 ft	30 ft	30 ft	30 ft	12, 13
Maximum height for accessory structures	15 ft	15 ft	15 ft	15 ft	12, 13
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	14

Table 17.13.03: Property Development Standards					
Development Standards	**Zones**				**Additional Regulations**
	RH-1	**RH-2**	**RH-3**	**RH-4**	
Minimum Parking					
Minimum parking spaces required per unit	2	2	2	2	15
Additional parking spaces required for secondary unit	1	1	1	1	15, 16

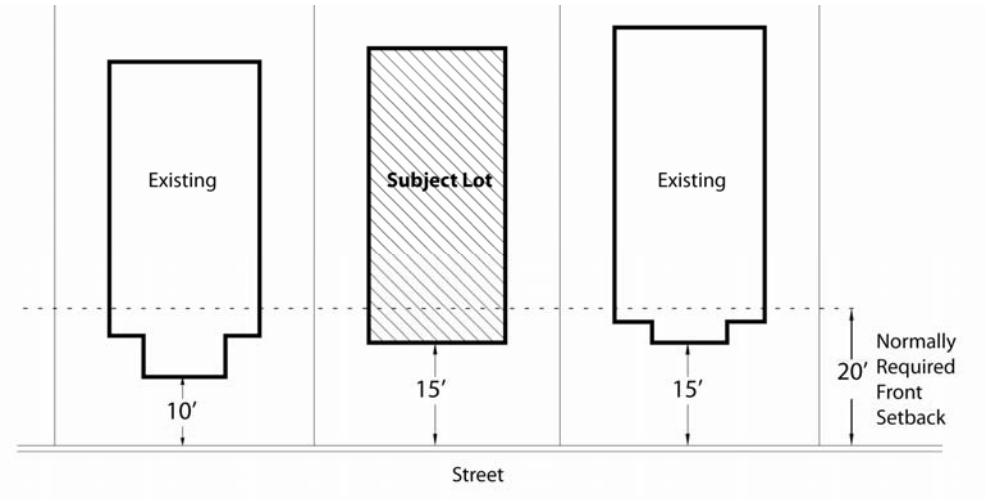
Additional Regulations for Table 17.13.03:

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, width mean and street frontage regulations. In the RH-3 zone, the minimum average lot width of all lots within a subdivision shall be ninety (90) feet, and the minimum lot width of any individual lot within such subdivision shall be seventy-five (75) feet.
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 20%, the minimum lot size is 6,500 square feet. For Subdivision Maps where any one lot buildable area slope is greater than 20% or for Subdivision Maps of 5 or more lots, the minimum lot size is increased to 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).
3. See Section 16.16.170(F) in the Subdivision regulations for additional regulations regarding minimum lot size. In the RH-3 zone, the minimum average lot area of all lots within a subdivision shall be 12,000 square feet, and the minimum lot area of any individual lot within such subdivision shall be 10,000 square feet.
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. 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. In the RH-4 Zone, if adjacent lots abutting the side lot lines of the subject lot both contain principle Residential Facilities that have front setbacks with a depth of less than twenty (20) 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 principle 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 principle may apply if the two lots adjacent to the corner lot or lot along its front lot line have less than a twenty (20) foot front setback (see Illustration for Table 17.13.03[Additional Regulation 5], below). Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.13.03[Additional Regulation 5]

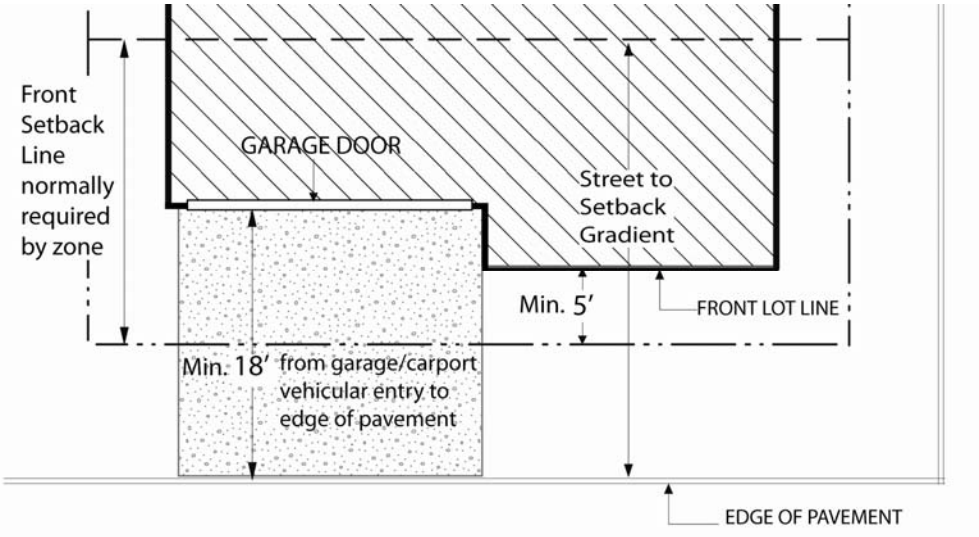
*for illustration purposes only



6. 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, 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.

Illustration for Table 17.13.03[Additional Regulation 6]

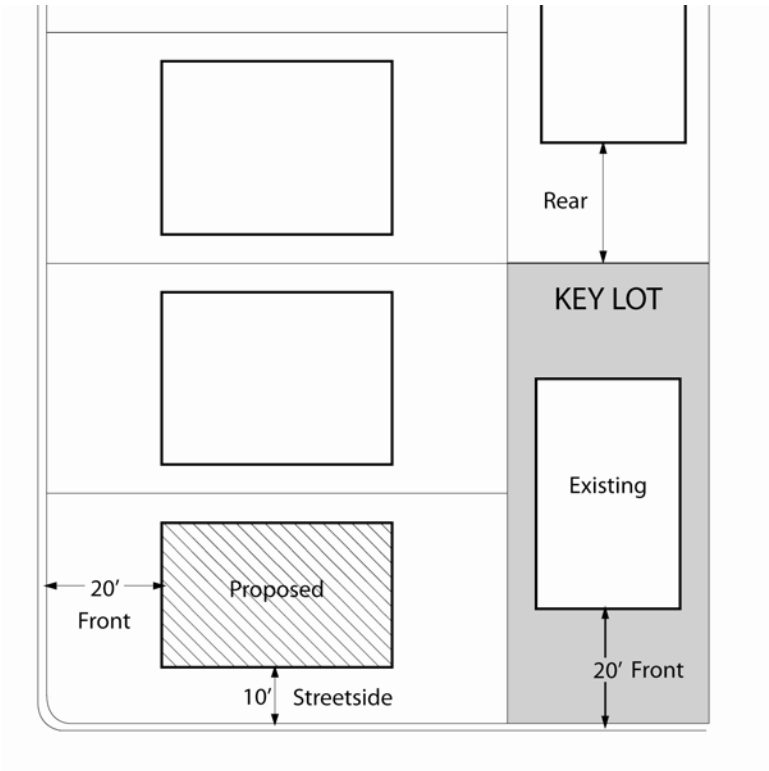
*for illustration purposes only



7. 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.
8. The minimum interior side setback is the greater of the two listed setbacks. Also, see Section 17.108.130 for allowed projections into setbacks.
9. 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 (½) 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.

Illustration for Table 17.13.03[Additional Regulation 9]

*for illustration purposes only



10. 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 depth actually on the lot itself shall not be reduced to less than ten feet. Also, see Section 17.108.130 for allowed projections into setbacks.
11. For lots which abut an adjoining rear setback, the minimum rear setback depth shall be increased by an additional one-half (½) 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.
12. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.
13. If at least sixty (60) percent 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. 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.
15. 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.

16. 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.

B. Floor Area Ratio (FAR) and Lot Coverage. Table 17.13.04 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 17.13.04 Floor Area Ratio (FAR) and Lot Coverage

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

Additional Regulations for Table 17.13.04:

1. Lots with less than 5,000 square feet in area may have a dwelling with at least 2,000 square feet, regardless of FAR listed.
2. Lots with less than 5,000 square feet in area may have a lot coverage of up to 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:	
	> 20% and ≤ 40%	> 40% and ≤ 60%	> 60%	> 20%	Additional Regulations
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:

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

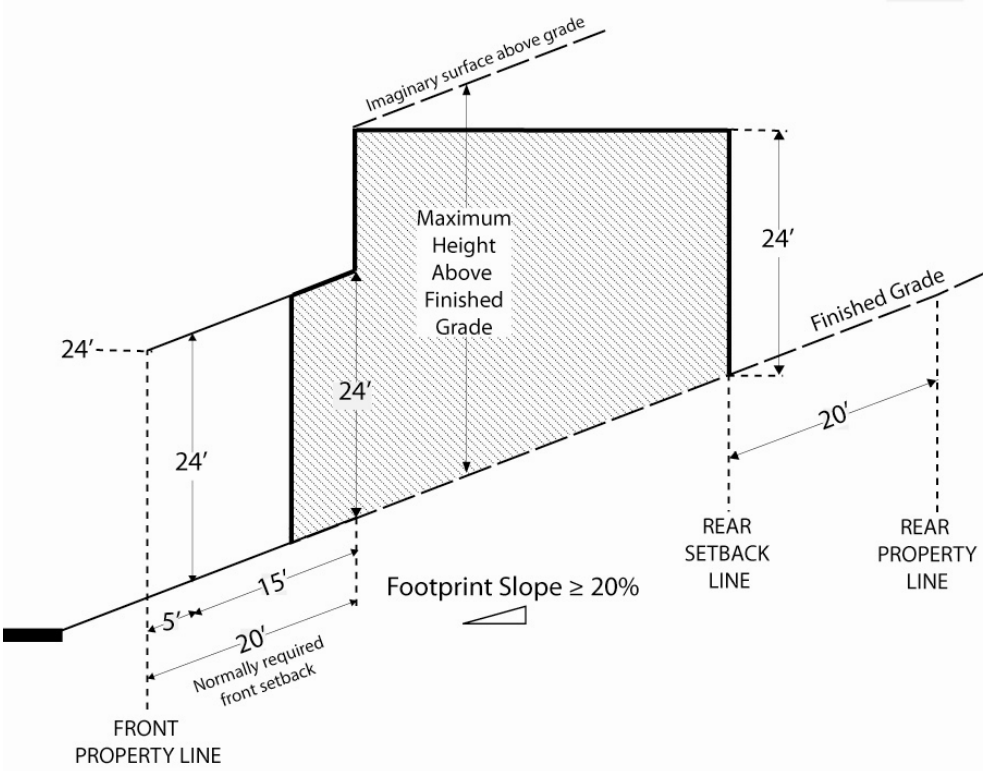
2. On a downslope lot greater than forty (40) percent footprint slope, the rear wall of an attached garage or carport may exceed the wall height and roof height by five (5) feet, but may not exceed eighteen (18) feet above ground elevation at edge of pavement, if the garage or carport conforms with all 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 17.13.03[Additional Regulation 1], below.
3. The building height is measured from finished or existing grade, whichever is lower.

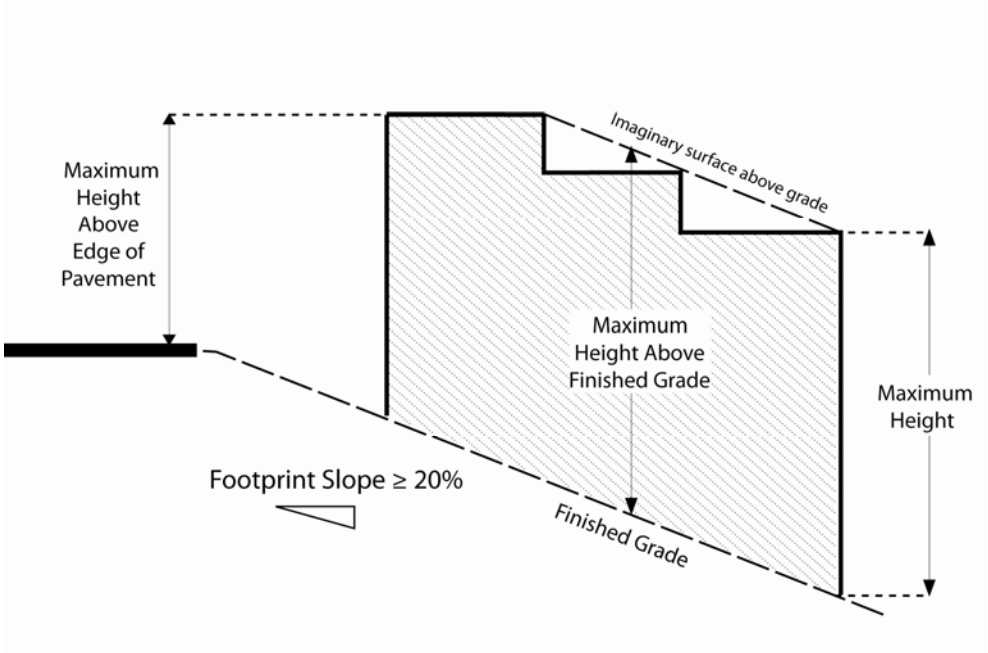
Illustration for Tables 17.13.05[Additional Regulation 1]

*for illustration purposes only

Upslope



Downslope



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.

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.

C. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the RH zones.

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

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

ATTACHMENT A

DRAFT

12/15/10 Planning Commission Meeting

Chapter 17.15
RD DETACHED UNIT RESIDENTIAL ZONES REGULATIONS

SECTIONS:

17.15.010 Title, Intent, and Description
17.15.020 Required Design Review Process
17.15.030 Permitted and Conditionally Permitted Activities
17.15.040 Permitted and Conditionally Permitted Facilities
17.15.050 Property Development Standards
17.15.060 Special Regulations for Mini-lot and Planned Unit Developments
17.15.070 Other Zoning Provisions

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:

1. **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.

2. **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 6,000 square feet. A limited number of commercial uses will be permitted or conditionally permitted in existing non-residential facilities.

17.15.020 Required Design Review Process

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Designated Historic Property, Potentially Designated Historic Property, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

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)	17.102.212
Residential Care	--	C(L1)	17.102.212
Service-Enriched Permanent Housing	--	C(L1)	17.102.212
Transitional Housing	--	C(L1)	17.102.212
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 Café	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	--	--	

Table 17.15.01: Permitted and Conditionally Permitted Activities			
Activities	**Zones**		**Additional Regulations**
	RD-1	**RD-2**	
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(L5)	C(L6)	
Plant nursery	C	C	
Mining and Quarrying	--	--	
Accessory off-street parking serving prohibited activities	C	C	17.102.100
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. 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 for other regulations regarding these activities.

L2. These activities may only be located on the ground floor of an existing nonresidential facility that was both built prior to the effective date of this chapter (place date here) 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. Also, these activities may only operate within the hours of 7:00am and 10:00pm.

L3. The overall outside dimensions of an existing nonresidential facility built prior to the effective date of this chapter (place date here) devoted to this activity shall not be increased; and no open parking, loading, or production serving such activity shall be relocated or increased in size. 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. This regulation supersedes the applicable provisions in Chapter 17.114.

L4. In the case of an existing, nonconforming Alcoholic Beverage Sales Activity, the total floor area, open areas, or outside building dimensions occupied by the establishment shall not be increased. This regulation supersedes the Nonconforming Activity Section 17.114.080(A)1.

L5. These activities may only be located on the ground floor of an existing nonresidential facility that was both built prior to the effective date of this chapter (place date here) 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. Also, these activities may only operate within the hours of 7:00am and 10:00pm; 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).

L6. 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.

17.15.040 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
Two-Family Dwelling	--	C (L1)	
Multifamily Dwelling	--	--	
Rooming House	--	--	
Mobile Home	--	--	
Nonresidential Facilities			
Enclosed Nonresidential	P	P	
Open Nonresidential	P	P	
Sidewalk Café	P (L2)	P (L2)	17.102.335
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

Table 17.15.02: Permitted and Conditionally Permitted Facilities			
Facilities	**Zones**		**Additional Regulations**
	RD-1	**RD-2**	
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:

L1. See Table 17.15.03, Property Development Standards, for additional regulations on this conditionally permitted density.

L2. Sidewalk cafés are allowed only as an accessory facility to an already approved Full Service Restaurant or Limited Service Restaurant and Café. The sidewalk café may only operate within the hours of 7:00 am to 10:00 pm. 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 for other regulations regarding Sidewalk Cafes; however, the regulations in this section supersede any contradicting regulations in Section 17.102.335.

L3. Business Signs are only allowed on existing nonresidential facilities built prior to the effective date of this chapter (effective date here); otherwise Section 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. Also, 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.

17.15.050 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

Table 17.15.03: Property Development Standards			
Development Standards	**Zones**		**Additional Regulations**
	RD-1	**RD-2**	
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
Minimum interior side ≤20% footprint slope	5 ft	5 ft	8, 9
Minimum interior side >20% footprint slope	5 ft/10%	5 ft	8, 9, 10
Minimum street side	5 ft	5 ft	8, 11
Rear	20 ft	15 ft	8, 12, 13
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
Maximum pitched roof height primary building	30 ft	30 ft	14, 15
Maximum height for accessory structures	15 ft	15 ft	14, 15
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
Minimum Parking			
Minimum parking spaces required per unit	2	1.5	17
Additional parking spaces required for secondary unit	1	1	17, 18
Minimum Open Space			
Group open space per unit	N/A	300 sf	19
Group open space per unit when private open space substituted	N/A	100 sf	19

Additional Regulations for Table 17.15.03:

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, width mean and street frontage regulations.
2. See Section 16.16.170(F) in the Subdivision regulations for additional regulations regarding minimum lot area.

3. 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.

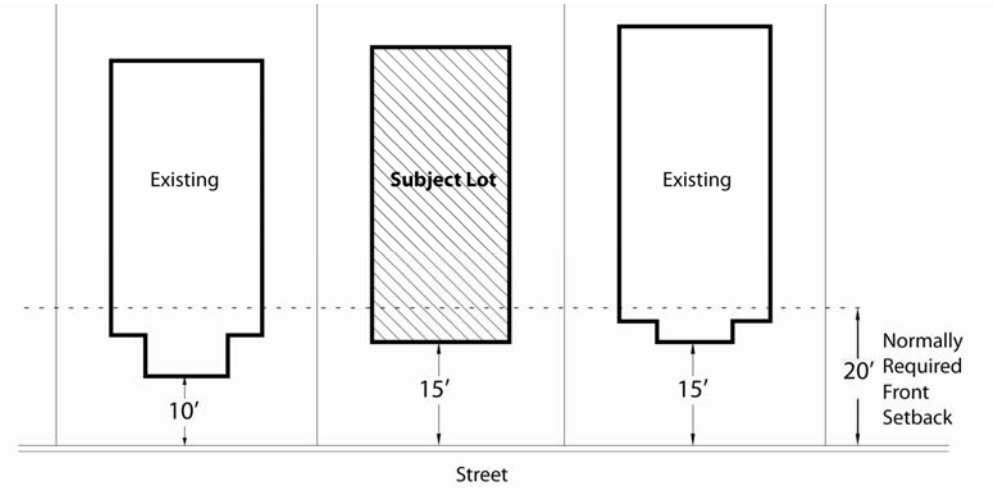
4. A Secondary Unit may be permitted when there is no more than one unit on a lot, subject to the provisions of Section 17.102.360.

5. A minimum lot size of 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.

6. 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 twenty (20) 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 twenty (20) foot front setback (see Illustration for Table 17.15.03[Additional Regulations 6], below).

Illustration for Table 17.15.03[Additional Regulation 6]

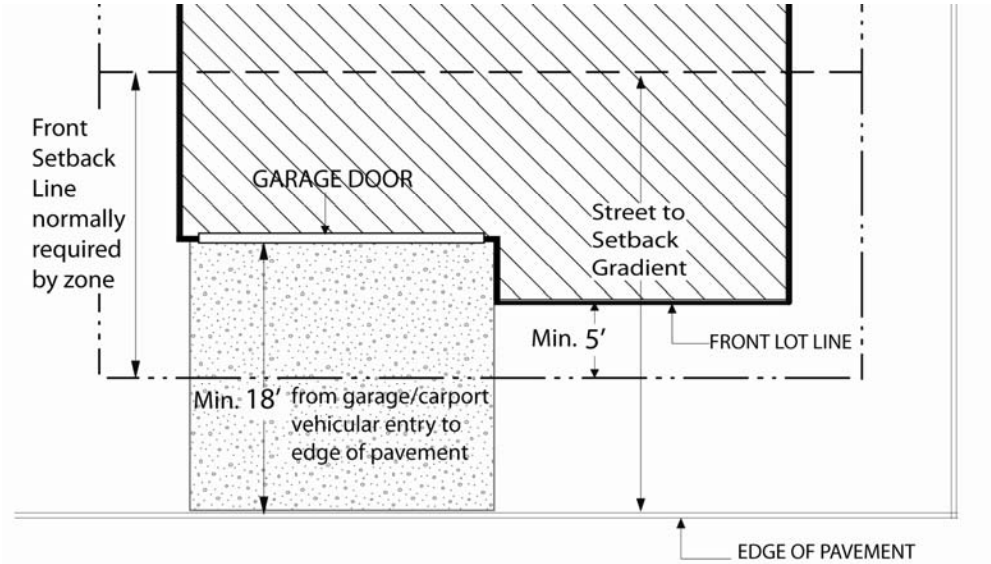
*for illustration purposes only



7. In all Detached 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, 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 17.15.03[Additional Regulations 7], below). See Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.15.03[Additional Regulation 7]

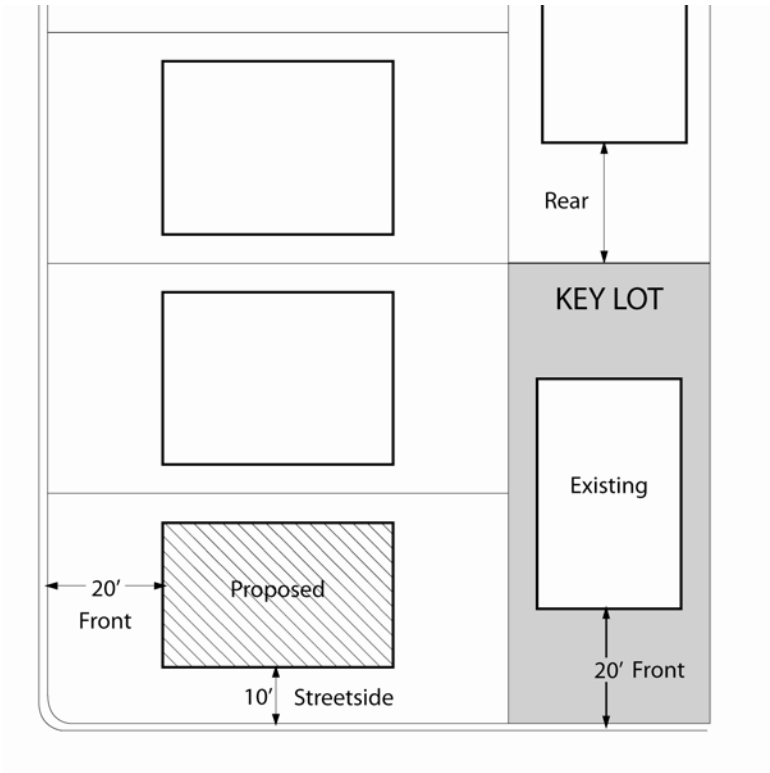
*for illustration purposes only



8. See additional reduced side, and rear setbacks for smaller lots, Table 17.15.04. See Section 17.108.130 for allowed projections into setbacks.
9. 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.
10. For RD-1, the minimum interior side setback is the greater of the two listed setbacks, either five (5) feet or ten (10) percent of the lot width, whichever is greater.
11. 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 (½) 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 (see Illustration Table 17.15.03[Additional Regulations 11], below). Such setback shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 17.108.130. See also Section 17.110.040 C for special controls on location of detached accessory buildings on such corner lots.

Illustration for Table 17.15.03[Additional Regulation 11]

*for illustration purposes only



12. 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 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.
13. 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 (½) 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.
14. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.
15. If at least sixty (60) percent 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.
16. 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.
17. 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.

18. 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.
19. 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 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**		
	≤ 4,000 sf or ≤ 40 feet wide	**≤ 3,000 sf or ≤ 35 feet wide**	**Additional Regulations**
Minimum Setbacks			
Minimum interior side	4 ft	3 ft	1
Minimum street side	4 ft	3 ft	1
Rear	15 ft	15 ft	1

Additional Regulations for Table 17.15.04:

1. See Section 17.108.130 for allowed projections into setbacks.

C. **Floor Area Ratio (FAR) and Lot Coverage.** Table 17.15.05 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 17.15.05 Floor Area Ratio (FAR) and Lot Coverage

Regulation	**Lot Size in Square Feet**					
	< 5,000	≥ 5,000 and <12,000	≥ 12,000 and <25,000	≥ 25,000 and < 43,560	≥ 43,560	Additional Regulations
Maximum FAR for Lots with a Footprint Slope >20%	0.55	0.50	0.45	0.30~~5~~	0.20~~5~~	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 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.
2. Lots less than 5,000 square feet may have a lot coverage of up to 2,000 square feet regardless of lot coverage percentage (%) 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:**	
	> 20% and ≤ 40%	**> 40% and ≤ 60%**	**> 60%**	**> 20%**	**Additional Regulations**
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	32ft	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

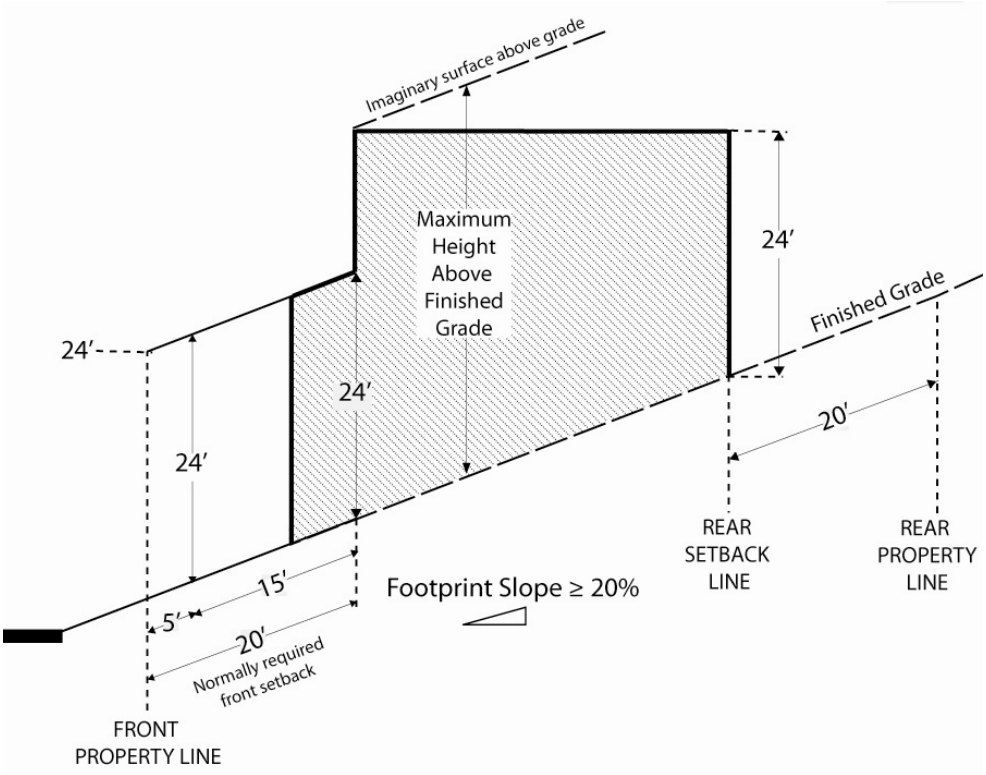
Additional Regulations on Table 17.15.06:

1. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.
2. On a downslope lot greater than forty (40) percent 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 Regulations 2], below).
3. The building height is measured from finished or existing grade, whichever is lower.

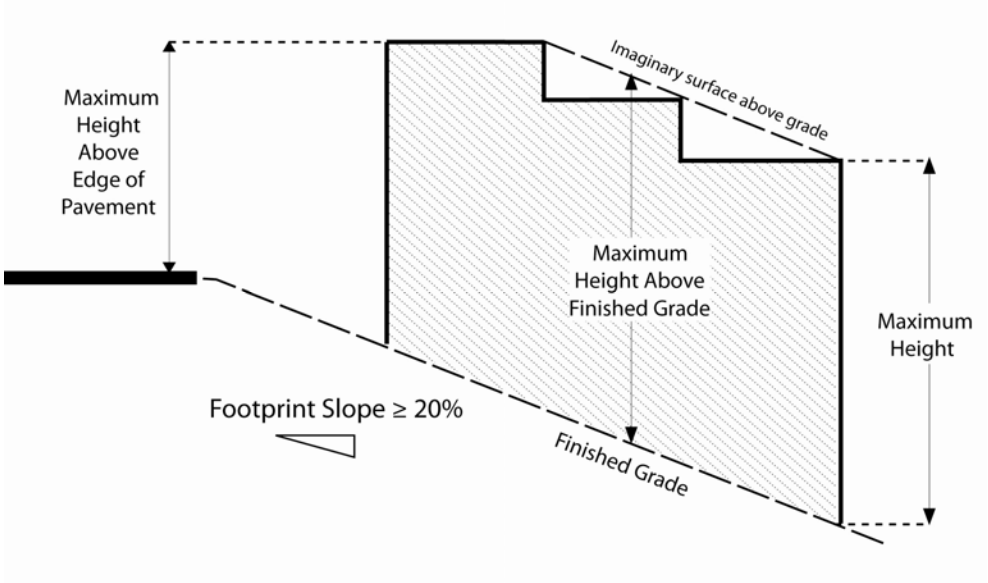
Illustrations for Table 17.15.06

*for illustration purposes only

Upslope



Downslope



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 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 RD 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.

C. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the RD zones.

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

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

ATTACHMENT A

DRAFT

12/15/10 Planning Commission Meeting

Chapter 17.17
RM MIXED HOUSING TYPE RESIDENTIAL ZONES REGULATIONS

SECTIONS:

17.17.010 Title, Intent, and Description
17.17.020 Required Design Review Process
17.17.030 Permitted and Conditionally Permitted Activities
17.17.040 Permitted and Conditionally Permitted Facilities
17.17.050 Property Development Standards
17.17.060 Special Regulations for Mini-lot and Planned Unit Developments
17.17.070 Other Zoning Provisions

17.17.010 Title, Intent, and Description

A. Title and Intent. The provisions of this Chapter shall be known as the Mixed Housing Type Residential (RM) regulations. The intent of the RM regulations is to create, maintain, and enhance residential areas typically located near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate.

B. Description of Primary Zones. This Chapter establishes land use regulations for the following four primary zones:

1. **RM-1 Mixed Housing Type Residential Zone - 1.** The intent of the RM-1 zone is to create, maintain, and enhance residential areas characterized by a mix of single family homes and duplexes, and neighborhood businesses where appropriate.
2. **RM-2 Mixed Housing Type Residential Zone - 2.** The intent of the RM-2 zone is to create, maintain, and enhance residential areas characterized by a mix of single family homes, duplexes, townhouses, small multi-unit buildings, and neighborhood businesses where appropriate.
3. **RM-3 Mixed Housing Type Residential Zone - 3.** The intent of the RM-3 zone is to create, maintain, and enhance residential areas characterized by a mix of single family homes, duplexes, townhouses, small multi-unit buildings at somewhat higher densities than in RM-2, and neighborhood businesses where appropriate.
4. **RM-4 Mixed Housing Type Residential Zone - 4.** The intent of the RM-4 zone is to create, maintain, and enhance residential areas typically located on or near the City's major arterials and characterized by a mix of single family homes, townhouses, small multi-unit buildings at somewhat higher densities than RM-3, and neighborhood businesses where appropriate.

C. Description of Combining Zone. This Chapter establishes land use regulations for the following combining zone:

1. **C Residential Commercial Combining Zone.** The intent of the C combining zone is to allow for expanded commercial uses, as well as new commercial uses within certain areas of the Mixed Housing Type Residential (RM) zones. When an above primary zone is combined with the C combining zone, the C Residential Commercial Combining Zone permitted activities supersede those of the primary zone.

17.17.020 Required Design Review Process

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Designated Historic Property, Potentially Designated Historic Property, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

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)	17.102.212
Residential Care	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212
Service-Enriched Permanent Housing	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212
Transitional Housing	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212
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 Café	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	--	--	--	--	--	

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**	
Medical Service	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(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)	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)	
Personal Instruction and Improvement Services	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	C(L2)(L3)	P(L4)	
Administrative	P(L2)(L3)(L7)	P(L2)(L3)(L7)	P(L2)(L3)(L7)	P(L2)(L3)(L7)	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(L8)	C(L8)	C(L8)	C(L8)	C(L8)	
Plant nursery	C	C	C	C	C	
Mining and Quarrying	--	--	--	--	--	
Accessory off-street parking serving prohibited activities	--	--	--	--	--	17.102.100
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 17.17.01:

* 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. 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 for other regulations regarding these activities.

L2. These activities may only be located on the ground floor of an existing Nonresidential Facility that was both built prior the effective date of this chapter (effective date here) 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. Also, these activities may only operate within the hours of 7:00am and 10:00pm.

L3. The overall outside dimensions of an existing nonresidential facility built prior to the effective date of this chapter (effective date here) devoted to this activity shall not be increased; and no open parking, loading, or production serving such activity shall be relocated or increased in size. 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. This regulation supersedes the applicable provisions in Chapter 17.114.

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 7:00am and 10:00pm; a Conditional Use Permit (CUP) is required if the facility exceeds 3,000 square feet (see Chapter 17.134 for the CUP procedure).

L5. In the case of an existing, nonconforming Alcoholic Beverage Sales Activity, the total floor area, open areas, or outside building dimensions occupied by the establishment shall not be increased. This regulation supersedes the Nonconforming Activity Section 17.114.080(A)1.

L6. These activities may only be located on the ground floor of an existing or new nonresidential facility and the activity may only operate within the hours of 7:00am and 10:00pm.

L7. These activities may only be located on the ground floor of an existing nonresidential facility that was both built prior to the effective date of this chapter (effective date here) 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. Also, these activities may only operate within the hours of 7:00am and 10:00pm; 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).

L8. 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
Two-Family Dwelling	C (L1)	P	P	P	N/A	
Multifamily Dwelling	--	C (L1)	C (L1)	C (L1)	N/A	
Rooming House	--	--	--	--	--	
Mobile Home	--	--	--	--	--	
Nonresidential Facilities						
Enclosed Nonresidential	P	P	P	P	P	
Open Nonresidential	P	P	P	P	C	
Sidewalk Café	P (L2)	P (L2)	P (L2)	P (L2)	P (L2)	17.102.335
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:

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

L2. Sidewalk cafés are allowed only as an accessory facility to an already approved Full Service Restaurant or Limited Service Restaurant and Café. The sidewalk café may only operate within the hours of 7:00 am to 10:00 pm. 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 for other regulations regarding Sidewalk Cafes; however, the regulations in this section supersede any contradicting regulations in 17.102.335.

L3. Business Signs are only allowed on existing nonresidential facilities built prior to the effective date of this chapter (effective date here); otherwise Section 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. Also, 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 17.104 for other regulations regarding Business Signs; however, the regulations in this section supersede any contradicting regulations in 17.104.

L4. Business Signs are allowed in the C combining zone, otherwise Section 17.104 applies. The maximum aggregate area of display surface of all business, civic, and residential signs on any one lot shall be one square foot for each one foot of lot frontage in the case of an interior lot, or 0.5 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 17.104.

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					

Table 17.17.03: Property Development Standards					
Development Standards	**Zones**				**Additional Regulations**
	RM-1	**RM-2**	**RM-3**	**RM-4**	
Minimum front (≤20% street-to-setback gradient)	20 ft	20 ft	15 ft	15 ft	4
Minimum front (>20% street-to-setback gradient)	5 ft	5 ft	5 ft	5 ft	4, 5
Minimum interior side	5 ft	5 ft	4 ft	4 ft	6, 7, 8
Minimum street side	5 ft	5 ft	4 ft	4 ft	6, 7, 9
Rear	15 ft	15 ft	15 ft	15 ft	10
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	11, 12, 13
Maximum pitched roof height primary building	30 ft	30 ft	30 ft	35 ft	11, 12, 13
Maximum height for accessory structures	15 ft	15 ft	15 ft	15 ft	11
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	14
Minimum Parking					
Minimum parking spaces required per unit	1.5	1.5	1	1	15, 16
Additional parking spaces required for secondary unit	1	1	1	1	15, 17
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	18
Group open space per unit when private open space substituted	100 sf	100 sf	85 sf	70 sf	18
Courtyard Regulations	See Section 17.108.120				

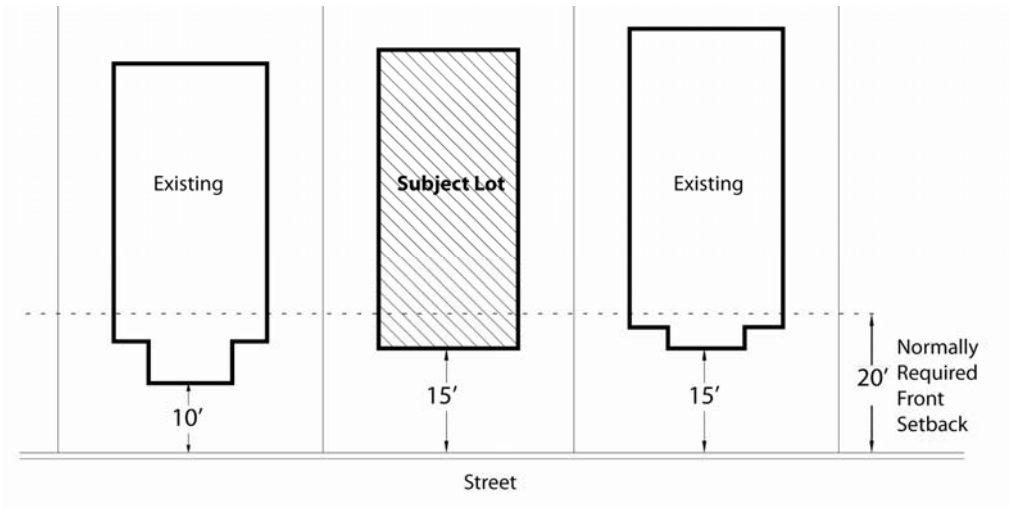
Additional Regulations for Table 17.17.03:

1. See Section 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. 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 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.
4. 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 twenty (20) feet or fifteen (15) feet respectively, 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 twenty (20) feet or fifteen (15) feet, respectively, front setback (see Illustration for Table 17.17.03[Additional Regulation 4], below). Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.17.03[Additional Regulation 4]

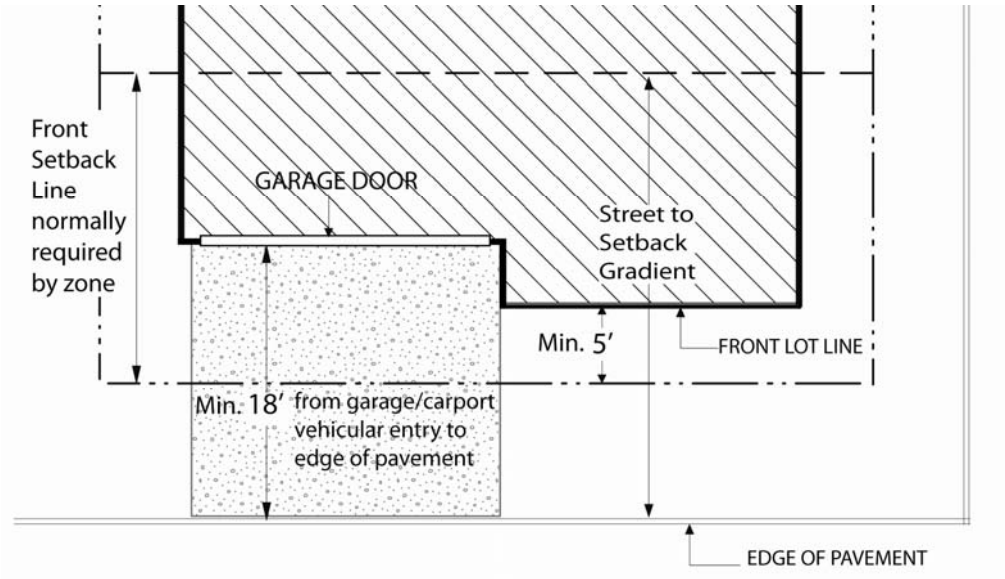
*for illustration purposes only



5. 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, 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.

Illustration for Table 17.17.03[Additional Regulation 5]

*for illustration purposes only

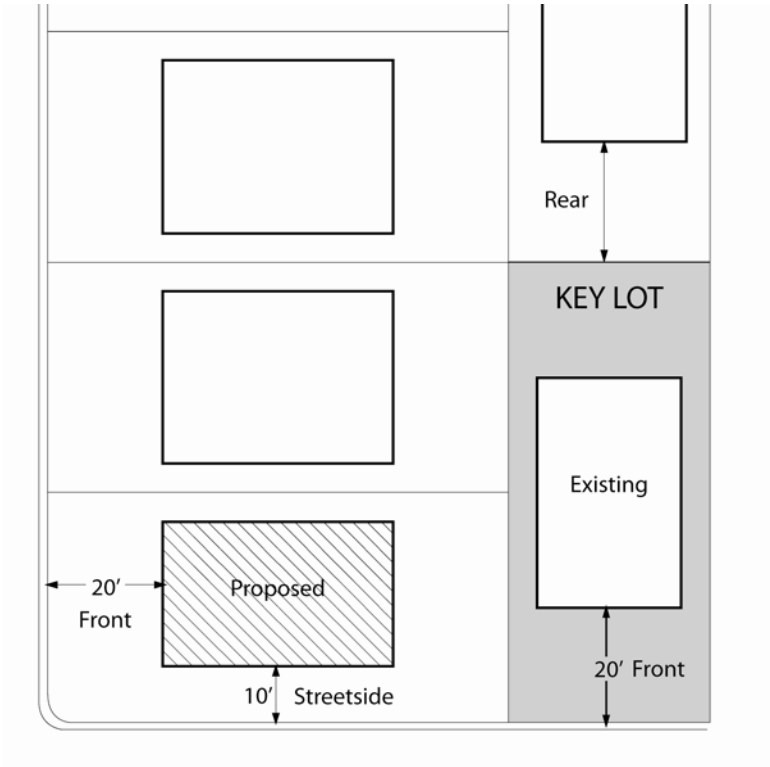


6. No front or side setbacks are required for commercial facilities in the C combining zone except wherever an interior side lot line of any lot located in the C combining zone abuts an interior side lot line of any lot that is not located in an C combining zone or commercial zone, there shall be provided 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.
7. See additional reduced side, and rear setbacks for smaller lots, Table 17.15.04. See Section 17.108.130 for allowed projections into setbacks.
8. 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.

9. 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 (½) 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 C~~c~~ombining Z~~z~~one (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.

Illustration for Table 17.17.03[Additional Regulation 9]

*for illustration purposes only



10. 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.
11. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.
12. In the RM-1 and RM-2 Zones if at least sixty (60) percent 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.

13. 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 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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 4,000 square feet. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

Table 17.17.04 Setbacks for Smaller Lots

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

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					
	< 5,000	≥ 5,000 and <12,000	≥ 12,000 and <25,000	≥ 25,000 and < 43,560	≥ 43,560	Additional Regulations
Maximum FAR for Lots with a Footprint Slope >20%	0.55	0.50	0.45	0.30~~5~~	0.20~~5~~	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. 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.
2. Regulation does not apply in the C Combining zone.
3. Lots less than 5,000 square feet may have a lot coverage of up to 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:	
	> 20% and ≤ 40%	> 40% and ≤ 60%	> 60%	> 20%	Additional Regulations
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 17.17.06:

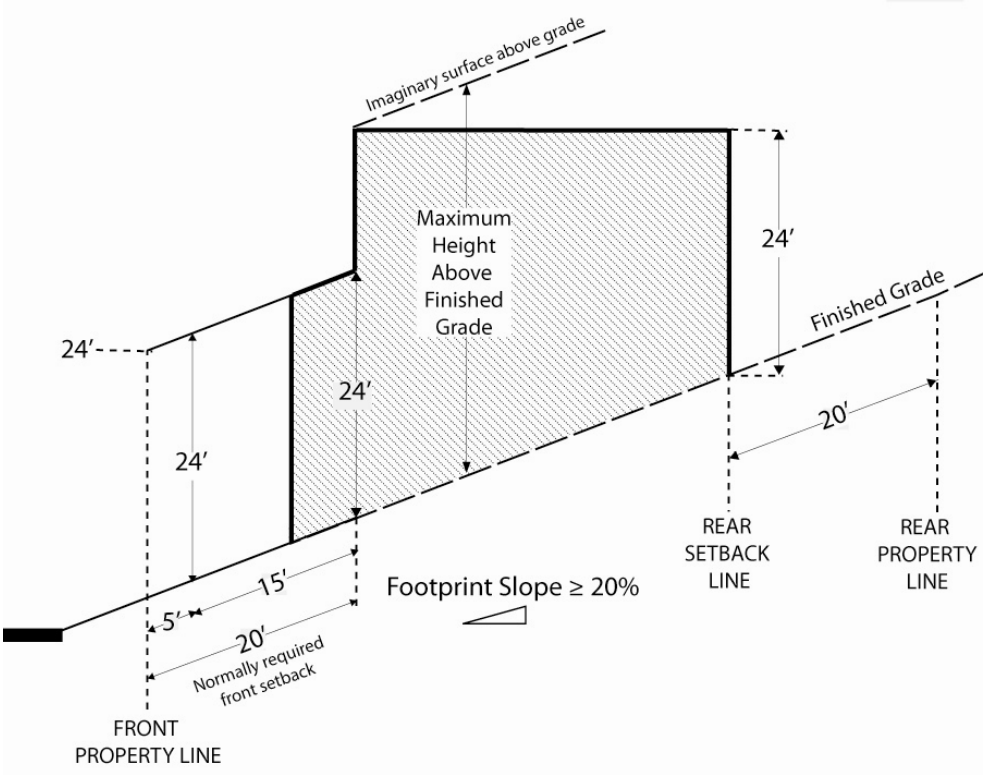
1. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.
2. On a downslope lot greater than forty (40) percent footprint slope, the rear wall of an attached garage or carport may exceed the wall height and roof height 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.
3. The building height is measured from finished or existing grade, whichever is lower.

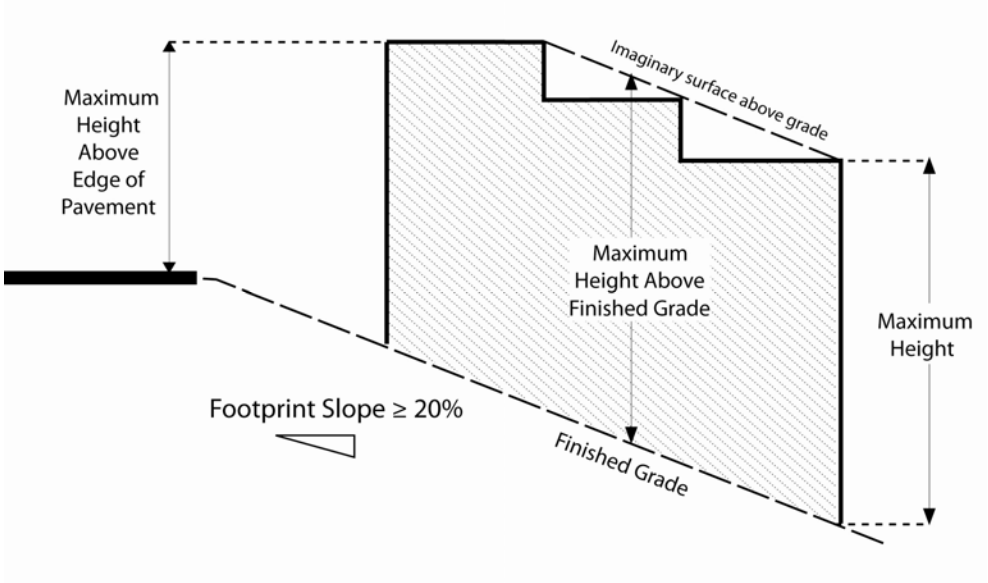
Illustration for Table 17.17.06

*for illustration purposes only

Upslope



Downslope



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.
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 RM zones, and certain of the other regulations applying in said zone may be waived or modified.

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.
C. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the RM zones.
D. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in RM zones.
E. Landscaping and Screening Standards. 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.

ATTACHMENT A

DRAFT

12/15/10 Planning Commission Meeting

Chapter 17.19
RU URBAN RESIDENTIAL ZONES REGULATIONS

SECTIONS:

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17.58.010 Title, Intent, and Description

A. Title and Intent. The provisions of this Chapter shall be known as the Urban Residential (RU) regulations. The intent of the RU regulations is to create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services.

B. Description of Zones. This Chapter establishes land use regulations for the following five zones:

1. **RU-1 Urban Residential Zone - 1.** The intent of the RU-1 zone is to create, maintain, and enhance areas of the City that are appropriate for multi-unit, low-rise residential structures and neighborhood businesses where appropriate in locations with good access to transportation and other services.

2. **RU-2 Urban Residential Zone - 2.** The intent of the RU-2 zone is to create, maintain, and enhance areas of the City that are appropriate for multi-unit, low-rise or mid-rise residential structures and neighborhood businesses where appropriate in locations with good access to transportation and other services.

3. **RU-3 Urban Residential Zone - 3.** The intent of the RU-3 zone is to create, maintain, and enhance areas of the City that are appropriate for multi-unit, low-rise or mid-rise residential structures at somewhat higher densities than RU-2, and neighborhood businesses where appropriate in locations with good access to transportation and other services.

4. **RU-4 Urban Residential Zone - 4.** The intent of the RU-4 zone is to create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise, and high rise residential structures on the City's major corridors.

5. **RU-5 Urban Residential Zone - 5.** The intent of the RU-5 zone is to create, maintain, and enhance areas of the City that are appropriate for multi-unit, mid-rise, and high rise residential structures and ground floor neighborhood businesses on the City's major corridors.

17.19.020 Required Design Review Process

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Designated Historic Property, Potentially Designated Historic Property, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

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
Residential Care	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212
Service-Enriched Permanent Housing	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212
Transitional Housing	C(L1)	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212
Emergency Shelter	--	C(L1)	C(L1)	C(L1)	C(L1)	17.102.212
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 Café	C(L5)(L6)	C(L5)(L6)	C(L5)(L6)	P(L2)(L3)	P(L2)(L4)	
Fast-Food Restaurant	--	--	--	--	C(L4)	17.102.210
Convenience Market	--	--	--	--	C(L4)	17.102.210
Alcoholic Beverage Sales	--(L7)	--(L7)	--(L7)	C(L3)	C(L4)	17.102.210 and

Table 17.19.01: Permitted and Conditionally Permitted Activities						
Activities	**Zones**					**Additional Regulations**
	RU-1	**RU-2**	**RU-3**	**RU-4**	**RU-5**	
						17.102.040
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)	P(L6)(L8)	P(L6)(L8)	P(L2)(L3)	P(L2)(L4)	
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)	C(L3)	C(L4)	
Personal Instruction and Improvement Services	P(L6)(L8)	P(L6)(L8)	P(L6)(L8)	P(L2)(L3)	P(L2)(L4)	
Administrative	P(L6)(L9)	P(L6)(L9)	P(L6)(L9)	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 Commercial Activities	--	--	--	P(L2)(L3)	P(L2)(L4)	
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	C	C	C	C	
Plant nursery	C	C	C	C	C	

Table 17.19.01: Permitted and Conditionally Permitted Activities						
Activities	**Zones**					**Additional Regulations**
	RU-1	**RU-2**	**RU-3**	**RU-4**	**RU-5**	
Mining and Quarrying	--	--	--	--	--	
Accessory off-street parking serving prohibited activities	C	C	C	C	C	17.102.100
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. 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 for other regulations regarding these activities.

L2 The total floor area devoted to these activities on the ground floor by any single establishment may only exceed five-thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

L3 In the RU-4 zone, these activities may only be located either on the ground floor of a corner parcel or in an existing nonresidential facility that was built prior to the effective date of this chapter (effective date here). 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.

L4 In the RU-5 zone, these activities may only be located either on the ground floor of a facility constructed after the effective date of this chapter (effective date here) or in an existing nonresidential facility that was built prior to the effective date of this chapter (effective date here). 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.

L5. In the RU-1, RU-2, and RU-3 zones, these activities may only be located on the ground floor of an existing nonresidential facility that was both built prior to the effective date of this chapter (effect date here) 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. Also, these activities may only operate within the hours of 7:00 am and 10:00 pm.

L6. In the RU-1, RU-2, and RU-3 zones, the overall outside dimensions of a nonresidential facility built prior to the effective date of this chapter (effective date here) devoted to this activity shall not be increased and no open parking, loading, or production serving such activity shall be relocated or increased in size. 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. This regulation supersedes the applicable provisions in Chapter 17.114.

L7. In the case of an existing, nonconforming Alcoholic Beverage Sales Activity, the total floor area, open areas, or outside building dimensions occupied by the establishment shall not be increased. This regulation supersedes the Nonconforming activity Section 17.114.080(A)1.

L8. These activities may only be located on the ground floor of an existing nonresidential facility that was both built prior to the effective date of this chapter (effective date here) 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 am and 10:00 pm; a Conditional Use Permit (CUP) is required if the facility exceeds 3,000 square feet (see Chapter 17.134 for the CUP procedure).

L9. These activities may only be located on the ground floor of an existing nonresidential facility that was both built prior to the effective date of this chapter (effective date here) and not originally used for a Civic Activity. These activities may only operate within the hours of 7:00 am and 10:00 pm; a

Conditional Use Permit is required if the facility exceeds 1,500 square feet (see Chapter 17.134 for the CUP procedure).

L10. 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
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 Café	P (L4)	P (L4)	P (L4)	P	P	17.102.335
Drive-In Nonresidential	--	--	--	--	--	
Drive-Through Nonresidential	--	--	--	--	--	
Telecommunications Facilities						
Micro Telecommunications	C	C	C	P(L5)	P(L5)	17.128
Mini Telecommunications	C	C	C	P(L5)	P(L5)	17.128

Table 17.19.02: Permitted and Conditionally Permitted Facilities						
Facilities	**Zones**					**Additional Regulations**
	RU-1	**RU-2**	**RU-3**	**RU-4**	**RU-5**	
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(L6)	P(L6)	P(L6)	P	P	17.104
Advertising Signs	--	--	--	--	--	17.104

Limitations on Table 17.19.02:

L1. See Chapter 17.114, Nonconforming Uses, for additions and alterations to legal nonconforming Residential Facilities.

L2. Construction of Nonresidential Facilities to be used for a Commercial Activity is only permitted on the ground floor of corner lots. It is not permitted either on an interior lot or above the ground floor.

L3. Construction of Nonresidential Facilities to be used for a Commercial Activity is only permitted on the ground floor.

L4. Sidewalk cafés are allowed only as an accessory facility to an already approved Full Service Restaurant or Limited Service Restaurant and Café. The sidewalk café may only operate within the hours of 7:00 am to 10:00 pm. 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 for other regulations regarding Sidewalk Cafes; however, the regulations in this section supersede any contradicting regulations in 17.102.335.

L5. Any Telecommunications Facility shall not be permitted in or within one hundred (100) feet of the boundary of any RH, RD, or RM residential zone, except upon the granting of a major Conditional Use Permit pursuant to the Conditional Use Permit procedure in Chapter 17.134. Any Telecommunications Facility whose antennas and equipment are not fully concealed from view shall not be permitted within three hundred (300) feet of the boundary of an RH, RD, or RM residential zone, except upon the granting of a major Conditional Use Permit pursuant to the Conditional Use Permit procedure in Chapter 17.134.

L6. Business Signs are only allowed on existing nonresidential facilities built prior to the effective date of this chapter (effective date here); 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, 5
Minimum front (>20% street-to-setback gradient) for residential facilities	5 ft	5 ft	5 ft	5 ft	5 ft	3, 4, 5
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, 6, 7
Minimum street side	4 ft	4 ft	4 ft	0 ft	0 ft	3, 6, 8
Rear (Residential Facilities)	15 ft	15 ft	15 ft	10/15 ft	10/15 ft	3, 6, 9, 10
Rear (Nonresidential Facilities)	15 ft	15 ft	15 ft	0/10/15 ft	0/10/15 ft	3, 9, 10
Setbacks for Smaller Lots ≤ 3,000 sf or ≤ 35 ft wide						
Minimum interior side	3 ft	3 ft	0 ft	NA	NA	3, 7
Minimum street side	3 ft	3 ft	3 ft	NA	NA	3, 7
Height Regulations						
Minimum height of ground floor nonresidential facilities	0 ft	0 ft	0 ft	15 ft	15 ft	11
Minimum separation between the grade and ground floor living space	0 ft	0 ft	0 ft	2.5 ft	2.5 ft	12
Maximum height primary building	40 ft	50 ft	60 ft	See Table 17.19.04	See Table 17.19.04	13, 14
Maximum height for accessory structures	15 ft	15 ft	15 ft	See Table 17.19.04	See Table 17.19.04	

Table 17.19.03: Property Development Standards						
Development Standards	**Zones**					**Additional Regulations**
	RU-1	**RU-2**	**RU-3**	**RU-4**	**RU-5**	
Parking Requirements						
Minimum Parking Spaces Required per Regular Residential Unit	1	1	1	1	1	15
Additional Parking Spaces Required for Secondary Unit	1	1	1	1	1	15, 16
Parking and driveway location requirements	No	No	No	Yes	Yes	17
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	18
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	18
Group usable open space per rooming unit	85 sf	85 sf	75 sf	See Table 17.19.04	See Table 17.19.04	18
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	18
Courtyard Regulations	See Section 17.108.120					

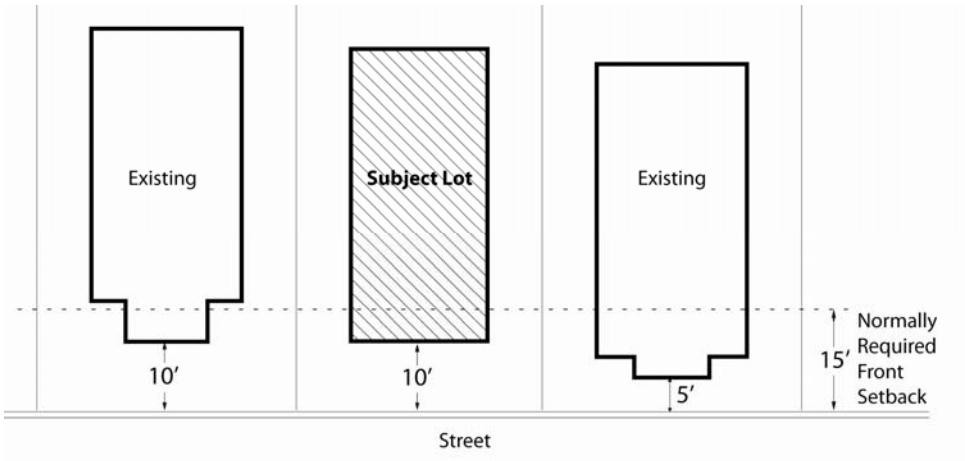
Additional Regulations for Table 17.19.03:

1. See Section 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. 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. See Section 17.108.130 for allowed projections into setbacks.

4. 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.

Illustration for Table 17.19.03 [Additional Regulation 4]

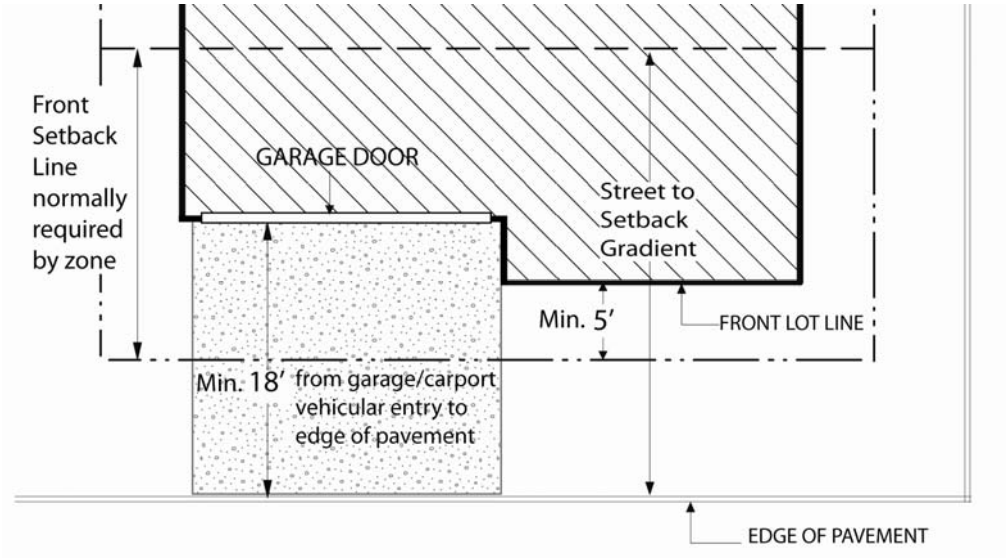
*for illustration purposes only



5. 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, 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.

Illustration for Table 17.19.03 [Additional Regulation 5]

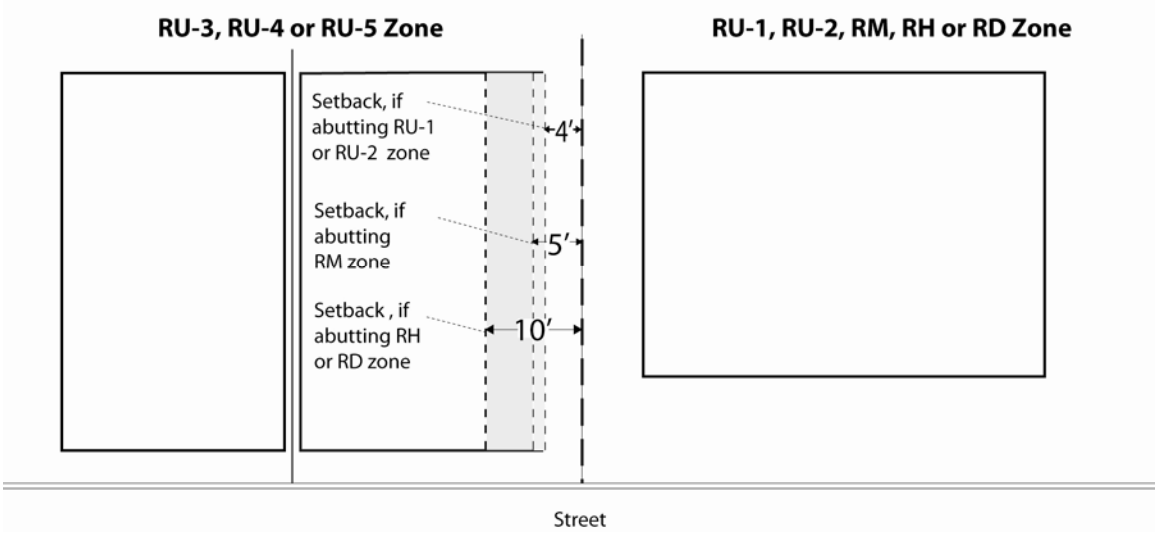
*for illustration purposes only



6. 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.
7. 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).

Illustration for Table 17.19.03 [Additional Regulation 7]

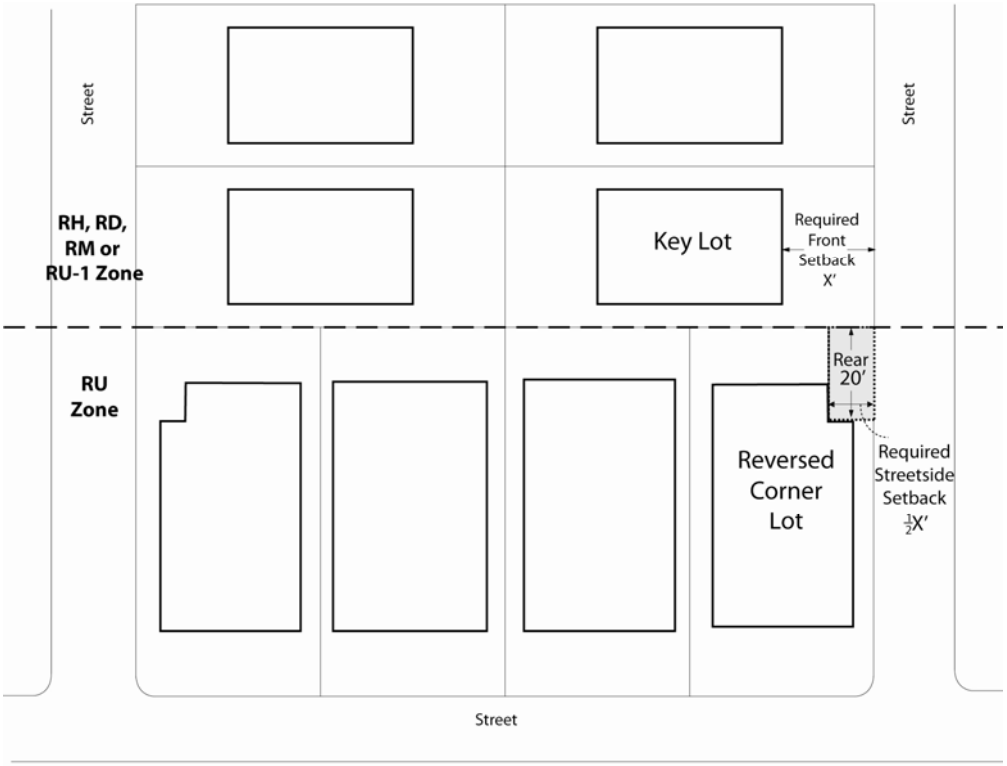
*for illustration purposes only



8. 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)~~See Illustration xx~~.

Illustration for Table 17.19.03 [Additional Regulation 8]

*for illustration purposes only

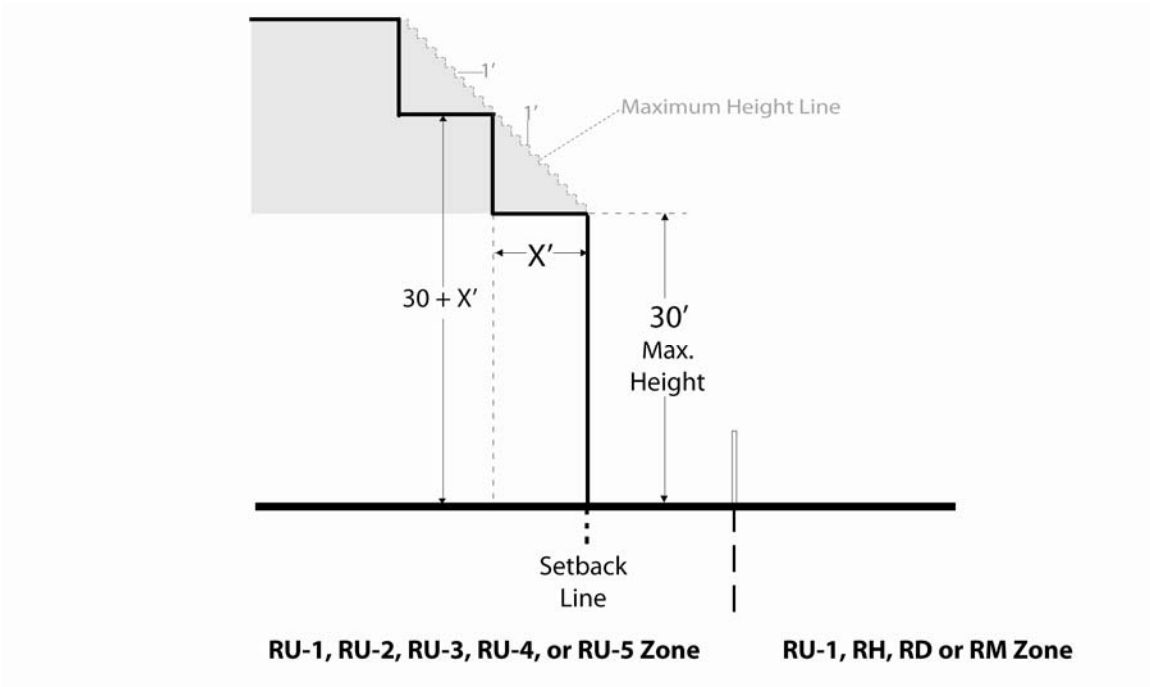


9. Wherever a rear lot line abuts an alley, one-half (½) of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum rear setback actually on the lot itself shall not be so reduced to less than ten (10) feet. Also, see Section 17.108.130 for allowed projections into setbacks.
10. 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.
11. This height is only required for new principal buildings and is measured from the sidewalk grade to the second story floor.
12. This regulation only applies to new residential facilities and ground floor living space located within fifteen (15) feet of a street frontage.

13. 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 17.19.03, [Additional Regulation 13], 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.

Illustration for Table 17.19.03 [Additional Regulation 13]

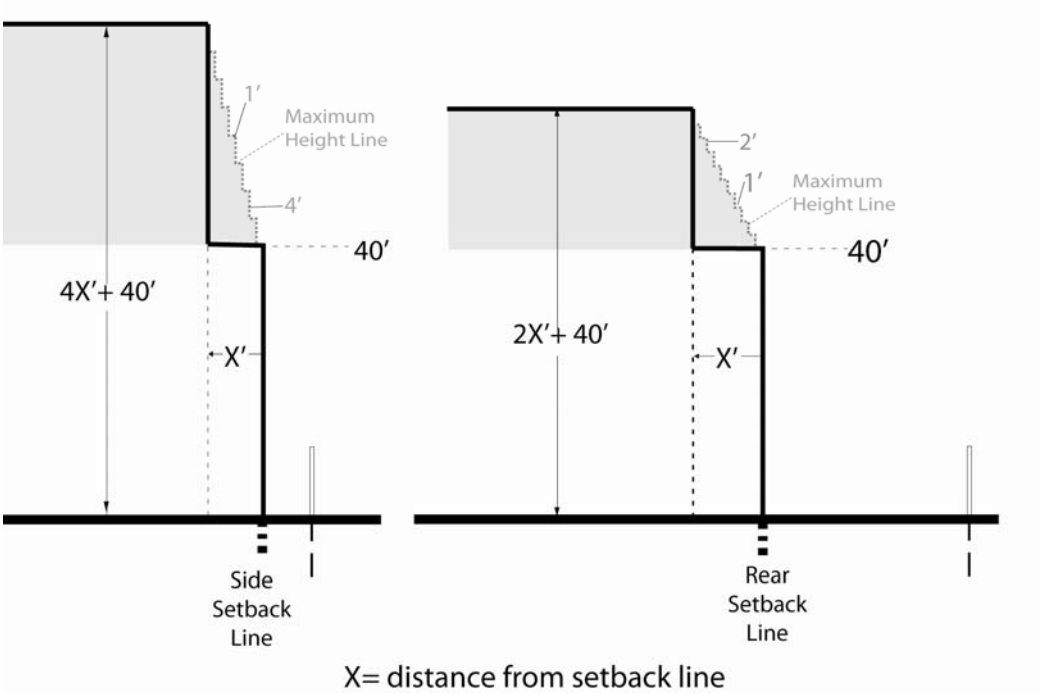
*for illustration purposes only



14. 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 foot for each four 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 foot for each two 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).

Illustration for Table 17.19.03 [Additional Regulation 14]

*for illustration purposes only



15. 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.
16. 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. 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.
18. 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**					
	35	**45**	**60**	**75**	**90**	**Additional Regulations**
Maximum Height	35 ft	45 ft	60 ft	75 ft	90 ft	1, 2
Height Minimum						
Permitted height minimum	0 ft	0 ft	35 ft	35 ft	35 ft	3
Conditionally permitted height minimum	NA	NA	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	4, 5
Maximum Nonresidential FAR	2.0	2.5	3.0	4.0	4.0	4, 5
Maximum Number of Stories (not including underground construction)	3	4	5	7	8	
Minimum Usable Open Space						
Group usable open space per regular unit	150 sf	150 sf	150 sf	150 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	6
Group usable open space per rooming unit	75 sf	75 sf	75 sf	75 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	6

Additional Regulations for Table 17.19.04:

1. The maximum height within ten (10) feet of the front property line is either the height limit on the subject lot shown in the above table or the height maximum for the height area of the parcel directly across the principal street, whatever is less (see Illustration for Table 17.19.04, below).

Illustration for Table 17.19.04[Additional Regulation 1}

*for illustration purposes only

2. Buildings in the RU-2, RU-3, RU-4, and RU-5 zones shall have a thirty (30) foot maximum height at the setback line along any rear or interior side lot line that abuts a lot in an RH, RD, RM, or RU-1 zone; this maximum height may increase one foot for every foot of distance away from this setback line. Also, see Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.
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 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 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. 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. 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 3,000 square feet.
6. 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.

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.

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 RU zones, and certain of the other regulations applying in said zone may be waived or modified.

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.

C. 17.104, 17.106, and 17.108 shall apply in the RU zones.

D. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in RU-1, RU-2, RU-3, RU-4, and RU-5 zones.

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

ATTACHMENT A

DRAFT

11/15/10 Planning Commission Meeting

Chapter 17.33
CN NEIGHBORHOOD CENTER COMMERCIAL ZONES REGULATIONS

SECTIONS:

17.33.010 Title, Intent, and Description
17.33.020 Required Design Review Process
17.33.030 Permitted and Conditionally Permitted Activities
17.33.040 Permitted and Conditionally Permitted Facilities
17.33.050 Property Development Standards
17.33.060 Special regulations for Mini-lot and Planned Unit Developments
17.33.070 Other Zoning Provisions

17.33.010 Title, Intent, and Description

A. Title and Intent. The provisions of this Chapter shall be known as the Neighborhood Center Commercial (CN) Zones Regulations. The intent of the CN zones is to create, preserve, and enhance mixed use neighborhood commercial centers. The centers are typically characterized by smaller scale pedestrian oriented, continuous and active store fronts with opportunities for comparison shopping. These regulations shall apply to the CN zones.

B. Description of Zones. This Chapter establishes land use regulations for the following four zones:

1. **CN-1 Neighborhood Commercial Zone - 1.** The intent of the CN-1 zone is to maintain and enhance vibrant commercial districts with a wide range of retail establishments serving both short and long term needs in attractive settings oriented to pedestrian comparison shopping.
2. **CN-2 Neighborhood Commercial Zone - 2.** The intent of the CN-2 zone is to enhance the character of established neighborhood commercial centers that have a compact, vibrant pedestrian environment.
3. **CN-3 Neighborhood Commercial Zone - 3.** The intent of the CN-3 zone is to create, improve, and enhance areas neighborhood commercial centers that have a compact, vibrant pedestrian environment.
4. **CN-4 Neighborhood Commercial Zone - 4.** The intent of the CN-4 zone is to accommodate a broad range of low impact, retail, and service uses in small commercial districts, often near lower density residential neighborhoods.

17.33.020 Required Design Review Process

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Designated Historic Property, Potentially Designated Historic Property, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

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)	17.102.212
Service-Enriched Permanent Housing	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)	17.102.212
Transitional Housing	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)	17.102.212
Emergency Shelter	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)(L4)	C(L1)(L3)	17.102.212
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)	C(L4)	C(L4)	C	17.102.410
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 Café	C(L4)	P(L5)	P(L5)	P(L5)	
Fast-Food Restaurant	C(L4)	C(L4)	C(L4)	C	17.102.210 and 8.09
Convenience Market	C(L4)	C(L4)	C(L4)	C	17.102.210

Table 17.33.01: Permitted and Conditionally Permitted Activities					
Activities	**Zones**				**Additional Regulations**
	CN-1	**CN-2**	**CN-3**	**CN-4**	
Alcoholic Beverage Sales	C(L4)	C(L4)	C(L4)	C	17.102.210 and 17.102.040
Mechanical or Electronic Games	C(L4)	C(L4)	C(L4)	C	17.102.210
Medical Service	P(L2)	P(L6)	P(L6)	P(L5)	
General Retail Sales	P(L5)	P(L5)	P(L5)	P(L5)	
Large-Scale Combined Retail and Grocery Sales	--	--	--	--	
Consumer Service	P(L5)	P(L5)	P(L5)	P(L5)	
Consultative and Financial Service	P(L2)	P(L8)	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)	C(L4)	C(L4)	C	
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)(L9)	C(L4)(L9)	C(L4)	C	17.102.040
Light Manufacturing	--	--	--	--	

Table 17.33.01: Permitted and Conditionally Permitted Activities					
Activities	**Zones**				**Additional Regulations**
	CN-1	**CN-2**	**CN-3**	**CN-4**	
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 (L10)	C (L10)	C (L10)	C(L10)	
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
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 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 for other regulations regarding these activities.

L2. 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 street fronting 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, below.

L3. See Section 17.33.04~~5~~0 for limitations on the construction of new ground floor Residential Facilities.

L4. Any Conditional Use Permit (CUP) required in the above table or its associated limitations shall conform to the CUP criteria contained in Section 17.134.050 and to each of the following additional criteria:

1. That the proposal will not detract from the character desired for the area;
2. That the proposal will not impair a generally continuous wall of building facades;
3. That 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;
4. That the proposal will not interfere with the movement of people along an important pedestrian street; and
5. That the proposal will conform in all significant respects with any applicable district plan which has been adopted by the City Council.

L5. The total floor area devoted to these activities on the ground floor by any single establishment may only exceed five-thousand (5,000) 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.

L6. 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.

L7. 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.

L8. 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.

L9. Not permitted on the Ground Floor except when associated with a full service restaurant or retail store.

L10. 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 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
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 Café	P	P	P	P	17.102.335
Drive-In	--	--	--	C	
Drive-Through	--	--	--	C	
Telecommunications Facilities					
Micro Telecommunications	P	P	P	P	17.128
Mini Telecommunications	P	P	P	P	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

Table 17.33.02: Permitted and Conditionally Permitted Facilities					
Facilities	**Zones**				**Additional Regulations**
	CN-1	**CN-2**	**CN-3**	**CN-4**	
Advertising Signs	--	--	--	--	17.104

Limitations on Table 17.33.02:

L1. See Chapter 17.114 -- Nonconforming Uses, for additions and alterations to legal nonconforming Residential Facilities.

L2. Construction of new ground floor Residential Facilities is not permitted except for incidental pedestrian entrances that lead to one of these activities elsewhere in the building.

L3. Ground floor construction of new Residential Facilities is only permitted on interior lots and requires the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP process). New construction of ground floor residential facilities is not permitted on a corner lot.

L4. No conditional use permit is required for seasonal sales and special event activities.

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 façade transparency	70%	70%	70%	50%	9
Minimum height of ground floor nonresidential facilities	15 ft	15 ft	15 ft	15 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

Table 17.33.03: Property Development Standards					
Development Standards	**Zones**				**Additional Regulations**
	CN-1	**CN-2**	**CN-3**	**CN-4**	
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				

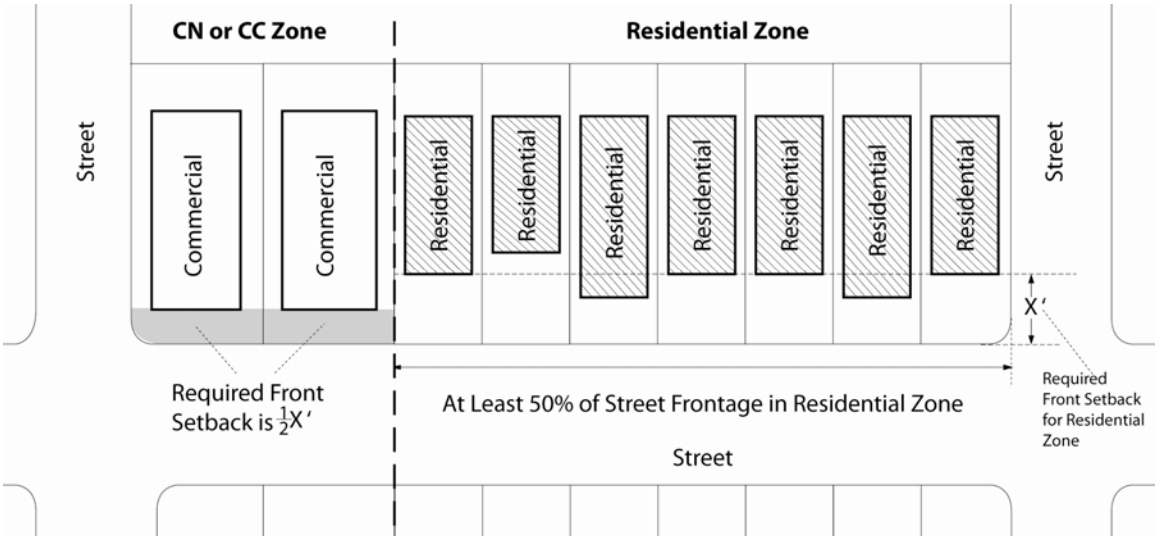
Additional Regulations for Table 17.33.03:

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, width mean, and street frontage regulations.

2. If fifty (50) percent 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 50 percent 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], below). 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 of the street frontage on the principal street and fifty (50) percent on other streets, if any. All percentages, however, may be reduced to fifty (50) percent 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 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;

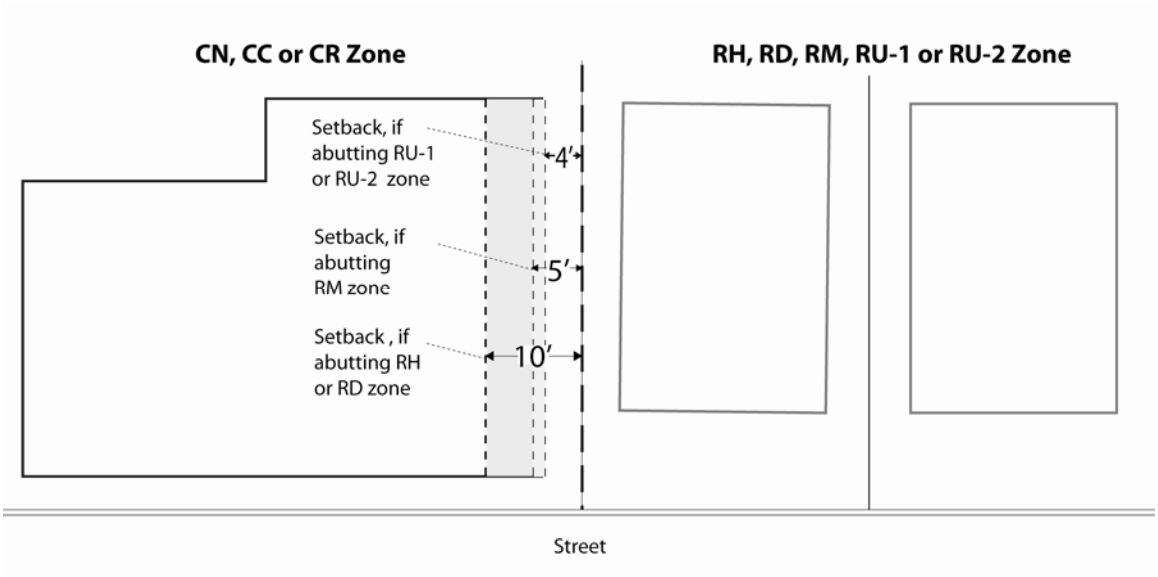
iii. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and

iv. The proposal will not interfere with the movement of people along an important pedestrian street.

4. Wherever an interior side lot line 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 abuts an interior side lot line in a 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 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 17.33.03 [Additional Regulation 4], below). Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.33.03[Additional Regulation 4]

*for illustration purposes only

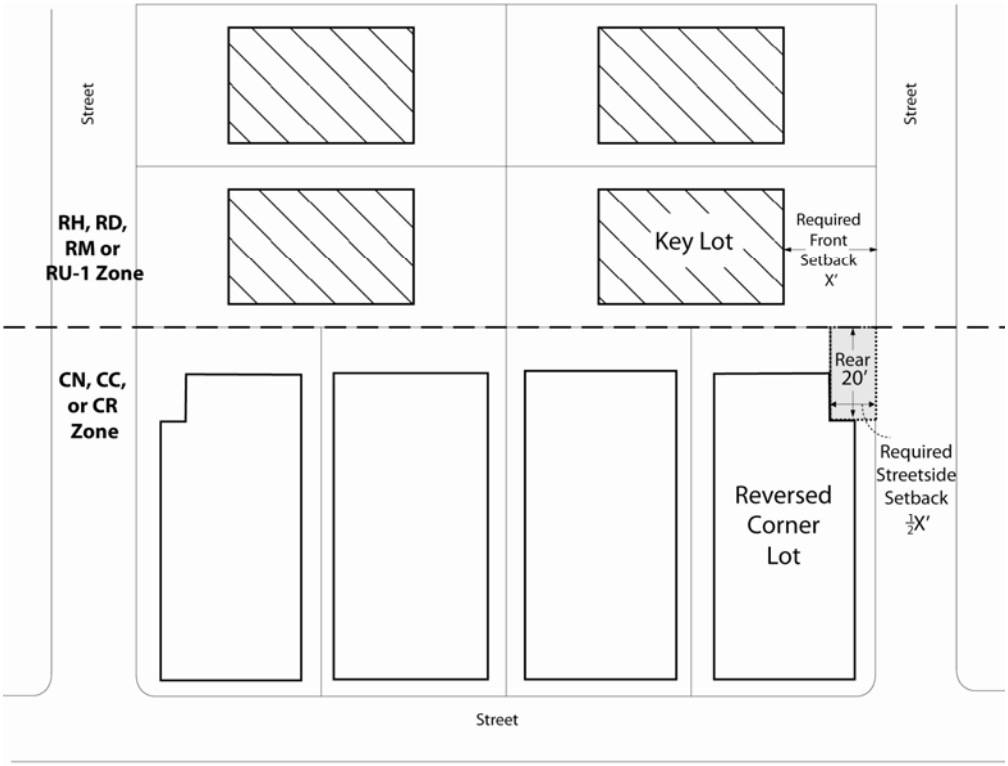


5. See Section 17.108.080 for the required interior side and rear yard setbacks on a lot containing two or more living units and opposite a legally required living room window.

6. 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 17.33.03 [Additional Regulation 6], below)~~(see Illustration 17.33.xx, below)~~. Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.33.03[Additional Regulation 6]

*for illustration purposes only

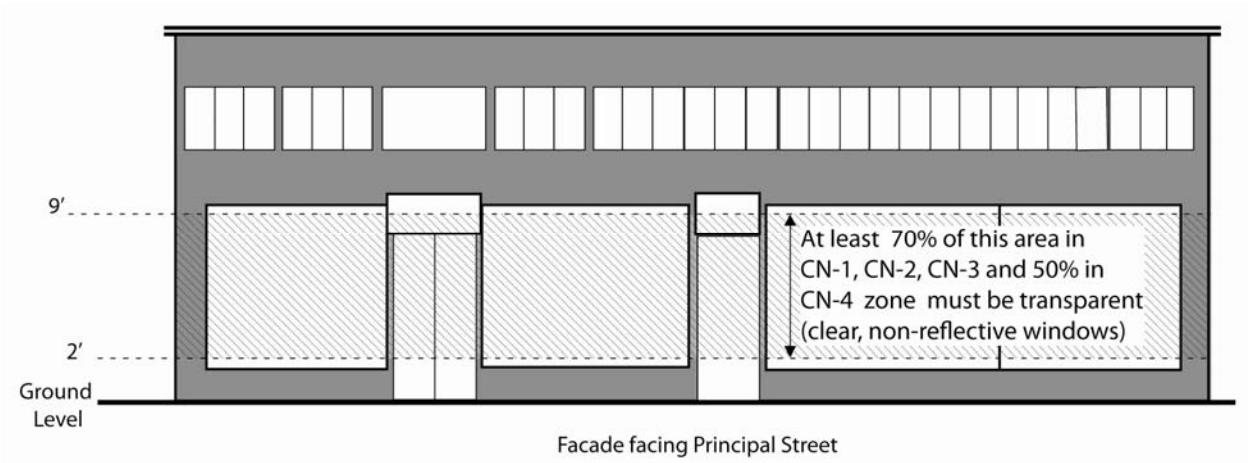


7. Wherever a rear lot line abuts an alley, one-half of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum rear setback actually on the lot itself shall not be so reduced to less than ten (10) feet. Also, see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

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, non-reflective windows that allow views out of indoor commercial space, residential space, or lobbies (see Illustration for Table 17.33.03 [Additional Regulation 9], below)~~(see Illustration 17.33.xx, below)~~. 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.

Illustration for Table 17.33.03[Additional Regulation 9]

*for illustration purposes only



10. This height is only required for new principal buildings and is measured from the sidewalk grade to the second story floor.
11. This regulation only applies to new residential facilities and ground floor living space located within fifteen (15) feet of a street frontage.
12. For the new construction of principal buildings in the CN-1, CN-2, and CN-3 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.
13. For the new construction of principal buildings in the CN-1, CN-2, and CN-3 zones, 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 12, above.

B. Height, Floor Area Ratio (FAR), Density, and Open Space. Table 17.33.04 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 17.33.04 Height, Floor Area Ratio (FAR), Density, and Open Space Regulations							
Regulation	**Height Area**						
	35	**35***	**45**	**60**	**75**	**90**	**Additional Regulations**
Maximum Height	35 ft	35 ft	45 ft	60 ft	75 ft	90 ft	1, 2
Height Minimum							
Permitted height minimum	0 ft	0 ft	0 ft	35 ft	35 ft	35 ft	3
Conditionally permitted height minimum	NA ~~ft~~	NA	NA ~~ft~~	25 ft	25 ft	25 ft	3
Maximum Residential Density (square feet of lot area required per dwelling unit)							
Regular units	550	Same density regulations as abutting RH, RD, or RM zone	450	375	275	225	4, 5, 6
Rooming units	275	Same density regulations as abutting RH, RD, or RM zone	225	185	135	110	4, 5, 6
Maximum Nonresidential FAR	2.0	NA	2.5	3.0	4.0	4.0	4, 5, 6
Maximum Number of Stories (not including underground construction)	3	3	4	5	7	8	
Usable Open Space (square feet per residential unit)							
Group usable open space per regular unit	150	Same open space regulations as abutting RH, RD, or RM zone	150	150	150	100	6, 7
Group usable open space per regular unit when private open space substituted	30	Same open space regulations as abutting RH, RD, or RM zone	30	30	30	20	6, 7
Group usable open space per Rooming unit	75	Same open space regulations as abutting RH, RD, or RM zone	75	75	75	50	6, 7
Group usable open space per rooming unit when private open space is substituted	15	Same open space regulations as abutting RH, RD, or RM zone	15	15	15	10	6, 7

Additional Regulations for Table 17.33.04:

1. The maximum height within ten (10) feet of the front property line is either the height limit on the subject lot shown in the above table or the height maximum for the height area of the parcel directly across the principal street, whatever is less (see Illustration for Table 17.33.04 [Additional Regulation 1], below).

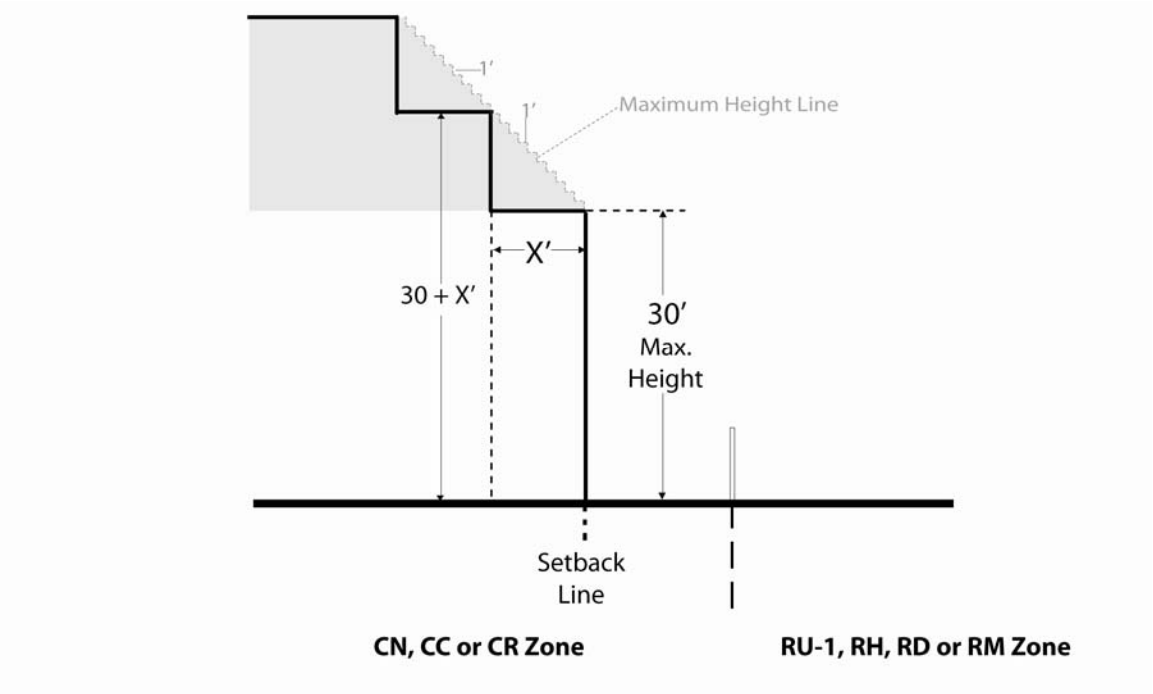
Illustration for Table 17.33.04[Additional Regulation 1]

*for illustration purposes only

2. Buildings 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 RH, RD, RM or RU-1 zone; this maximum height shall increase one foot for every foot of distance away from this setback line (see Illustration for Table 17.33.04 [Additional Regulation 2], below). ~~See Illustration 17.33.xx, 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.

Illustration for Table 17.33.04[Additional Regulation 2]

*for illustration purposes only



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 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. 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. 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 3,000 square feet.
6. In the 35* height area, residential developments are subject to the same residential density and open space regulations as the abutting RH, RD, or RM zone. When there is more than one of these adjacent zones, then the regulations of the zone allowing the greatest density shall apply.
7. Each square foot of private usable open space equals two 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.

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.
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 CN zones, and certain of the other regulations applying in said zone may be waived or modified.

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.
C. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the CN zones.
D. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in CN zones.
E. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the CN 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.

ATTACHMENT A

DRAFT

12/15/10 ZUC Meeting

Chapter 17.35
CC COMMUNITY COMMERCIAL ZONES REGULATIONS

SECTIONS:

17.35.010 Title, Intent, and Description
17.35.020 Required Design Review Process
17.35.030 Permitted and Conditionally Permitted Activities
17.35.040 Permitted and Conditionally Permitted Facilities
17.35.050 Property Development Standards
17.35.060 Special Regulations for Mini-lot and Planned Unit Developments
17.35.070 Other Zoning Provisions

17.35.010 Title, Intent, and Description

A. Intent. The provisions of this Chapter shall be known as the Community Commercial (CC) Zones Regulations. The intent of the CC zones is to create, maintain and enhance areas suitable for a wide variety of commercial and institutional operations along the City's major corridors and in shopping districts or centers. These regulations shall apply to the CC zones.

B. Description of Zones. This Chapter establishes land use regulations for the following four zones:

1. **CC-1 Shopping Center Commercial Zone - 1.** The CC-1 zone is intended to create, maintain, and enhance shopping centers and malls with a wide range of consumer businesses.
2. **CC-2 Corridor Commercial Zone - 2.** The CC-2 zone is intended to create, maintain, and enhance areas with a wide range of commercial businesses with direct frontage and access along the City's corridors and commercial areas.
3. **CC-3 Service and Heavy Commercial Zone - 3.** The CC-3 zone is intended to create, maintain, and enhance areas with heavy commercial and service activities.

17.35.020 Required Design Review Process

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Designated Historic Property, Potentially Designated Historic Property, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

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)	17.102.212
Service-Enriched Permanent Housing	C(L1)(L3)	C(L1)(L3)	C(L1)(L3)	17.102.212
Transitional Housing	C(L1)(L3)	C(L1)(L3)	C(L1)(L3)	17.102.212
Emergency Shelter	C(L1)(L3)	C(L1)(L3)	C(L1)(L3)	17.102.212
Semi-Transient	--	--	--	
Bed and Breakfast	C	C	C	17.10.125
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	C	C	C	17.102.410
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 Café	P	P	P	
Fast-Food Restaurant	C	C	C	17.102.210 and 8.09
Convenience Market	C	C	C	17.102.210
Alcoholic Beverage Sales	C	C	C	17.102.210 and 17.102.040
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	P	P	
Consultative and Financial Service	P	P	P	

Table 17.35.01: Permitted and Conditionally Permitted Activities				
Activities	**Zones**			**Additional Regulations**
	CC-1	**CC-2**	**CC-3**	
Check Cashier and Check Cashing	C	C	C	17.102.430
Consumer Cleaning and Repair Service	P	P	P	
Consumer Dry Cleaning Plant	P	C	P	
Group Assembly	C	C	C	
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	~~P~~C	P	P	
Automobile and Other Light Vehicle Gas Station and Servicing	P	C	P	
Automobile and Other Light Vehicle Repair and Cleaning	C(L4)	C(L4)	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(L5)	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	--	--	--	

Table 17.35.01: Permitted and Conditionally Permitted Activities				
Activities	**Zones**			**Additional Regulations**
	CC-1	**CC-2**	**CC-3**	
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(L6)	C(L6)	C(L6)	
Plant nursery	C	C	C	
Mining and Quarrying	--	--	--	
Accessory off-street parking serving prohibited activities	C	C	C	17.102.100
Additional 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. 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 for other regulations regarding these activities.

L2. 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.

L3. See Section 17.35.04~~5~~0 for limitations on the construction of new Residential Facilities.

L4. 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-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;

L5. 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 300 feet of an RH, RD, or RM zone.

L6. 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
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 Café	P	P	P	17.102.335
Drive-In	C	C	C	
Drive-Through	C	C	C	
Telecommunications Facilities				
Micro Telecommunications	P	P	P	17.128
Mini Telecommunications	P	P	P	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

Table 17.35.02: Permitted and Conditionally Permitted Facilities				
Facilities	**Zones**			**Additional Regulations**
	CC-1	**CC-2**	**CC-3**	
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:

L1. See Chapter 17.114 -- Nonconforming Uses, for additions and alterations to legal nonconforming Residential Facilities.

L2. Construction of new ground floor Residential Facilities is only permitted if part of a development that has a majority of total floor area is devoted to commercial activities.

L3. Construction of new ground floor Residential Facilities is not permitted except for incidental pedestrian entrances that lead to one of these activities elsewhere in the building.

17.35.050 Property Development Standards

A. Zone Specific Standards. Table 17.xx.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 façade transparency	N/A	50%	N/A	9
Minimum height of ground floor nonresidential facilities	N/A	15 ft	N/A	10
Parking and driveway location requirements	No	Yes	No	11

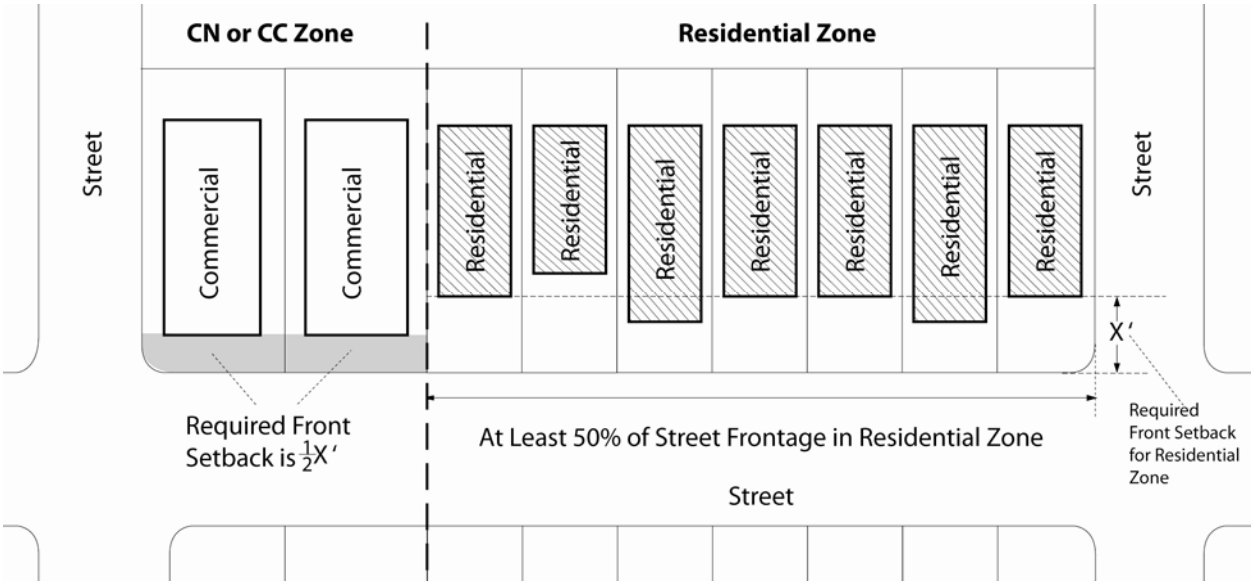
Table 17.35.03: Property Development Standards				
Development Standards	**Zones**			**Additional Regulations**
	CC-1	**CC-2**	**CC-3**	
Ground floor active space requirement	No	Yes	No	12
Height, Floor Area Ratio, Density, and Open Space Regulations	See Table 17.35.04			
Minimum Required Parking	See 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:

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, width mean, and street frontage regulations.
2. If fifty (50) percent 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 50 percent 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).

Illustration for Table 17.35.03[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 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 of the street frontage on the principal street and fifty (50) percent on other streets, if any. All percentages, however, may be reduced to fifty (50) percent 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 17.136.035, the proposal to reduce to fifty (50) percent 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;

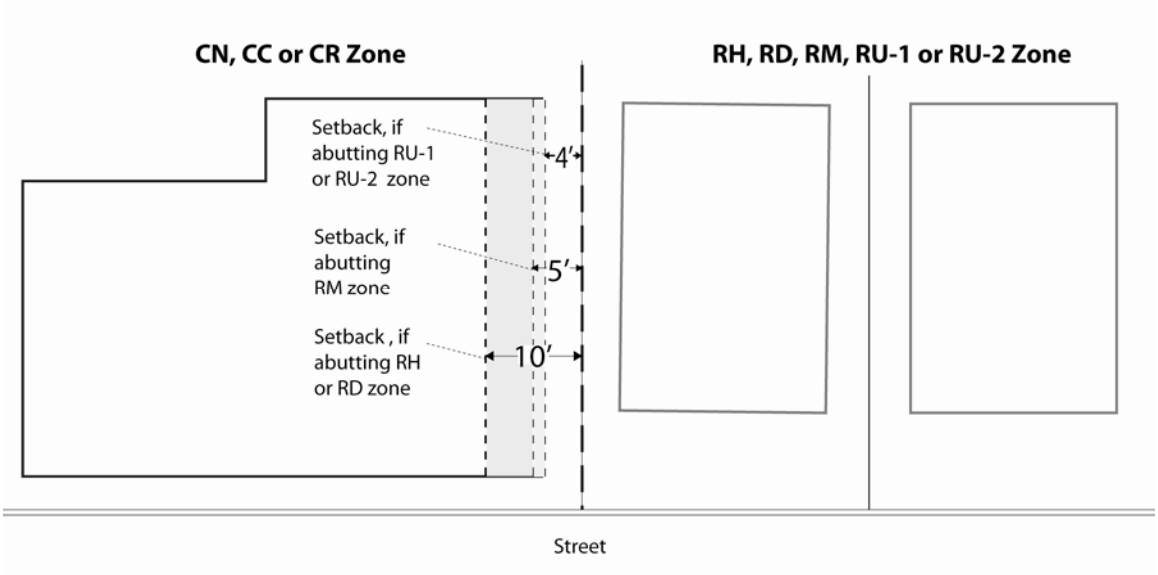
   iii. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and

   iv. The proposal will not interfere with the movement of people along an important pedestrian street.

4. Wherever an interior side lot line 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 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 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 17.35.03 [Additional Regulation 4], below). Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.35.03[Additional Regulation 4]

*for illustration purposes only

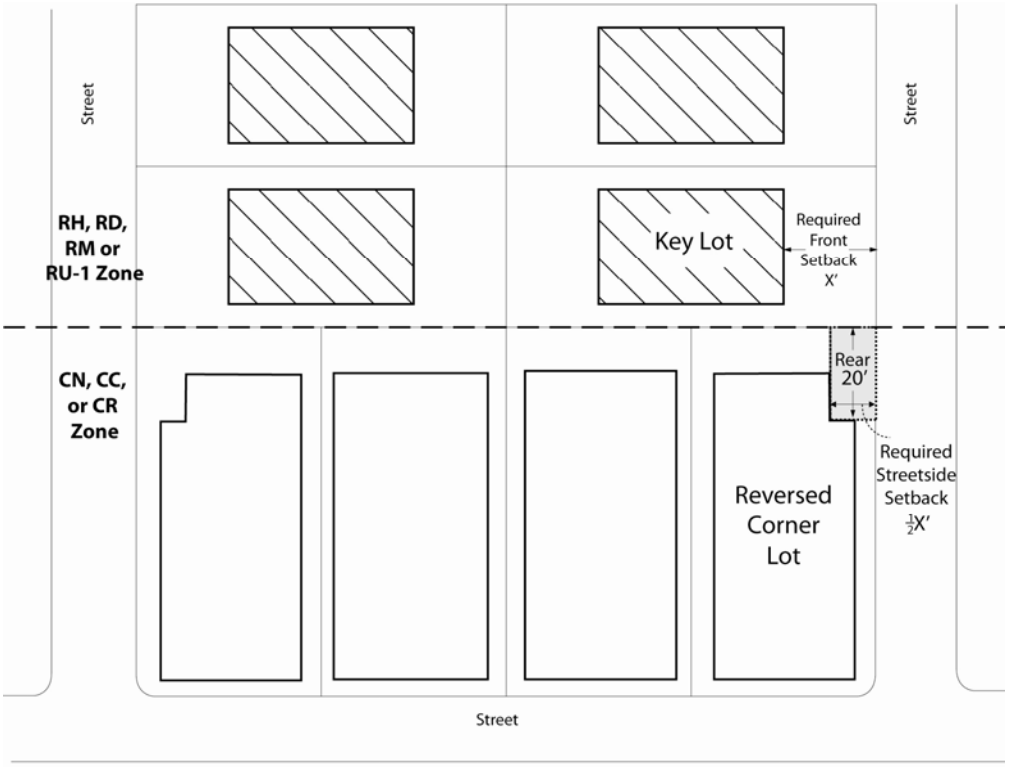


5. See Section 17.108.080 for the required interior side and rear yard setbacks on a lot containing two or more living units and opposite a legally required living room window.

6. 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 (1/2) of the minimum front yard required on the key lot (see Illustration for Table 17.35.03 [Additional Regulation 3], below)~~(see Illustration 17.35.xx, below)~~. Also, see Section 17.108.130 for allowed projections into the setbacks.

Illustration for Table 17.35.03[Additional Regulation 6]

*for illustration purposes only

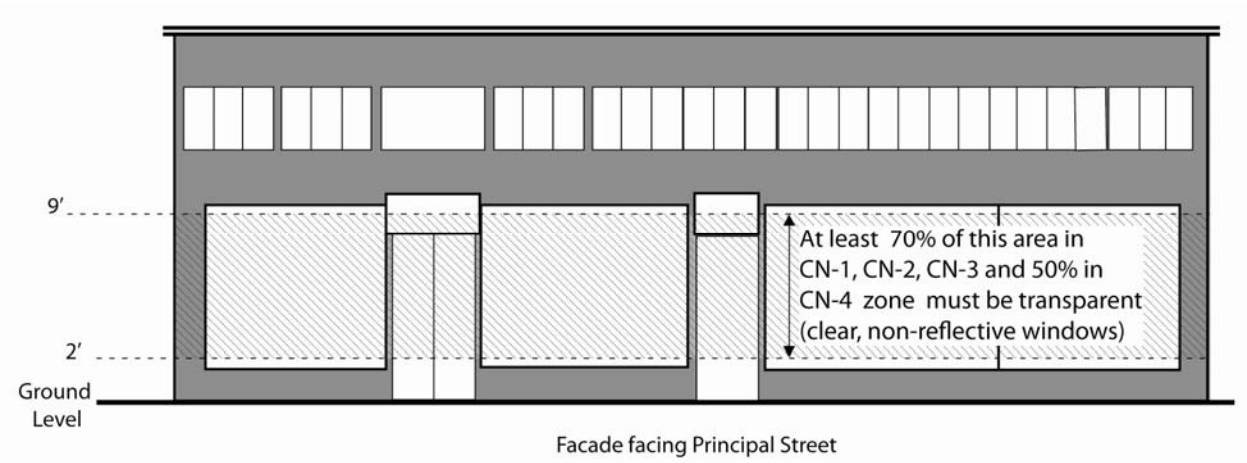


7. Wherever a rear lot line abuts an alley, one-half (1/2) of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum rear setback actually on the lot itself shall not be so reduced to less than ten (10) feet. Also,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

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, non-reflective windows that allow views out of indoor commercial space, residential space, or lobbies (see Illustration for Table 17.35.03 [Additional Regulation 9], below)~~(see Illustration 17.35.xx, below)~~. 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.

Illustration for Table 17.35.03[Additional Regulation 9]

*for illustration purposes only



10. This height is only required for new principal buildings and is measured from the sidewalk grade to the second story floor.
11. For the new construction of principal buildings in the CC-2 zone, 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.
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 10, 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.

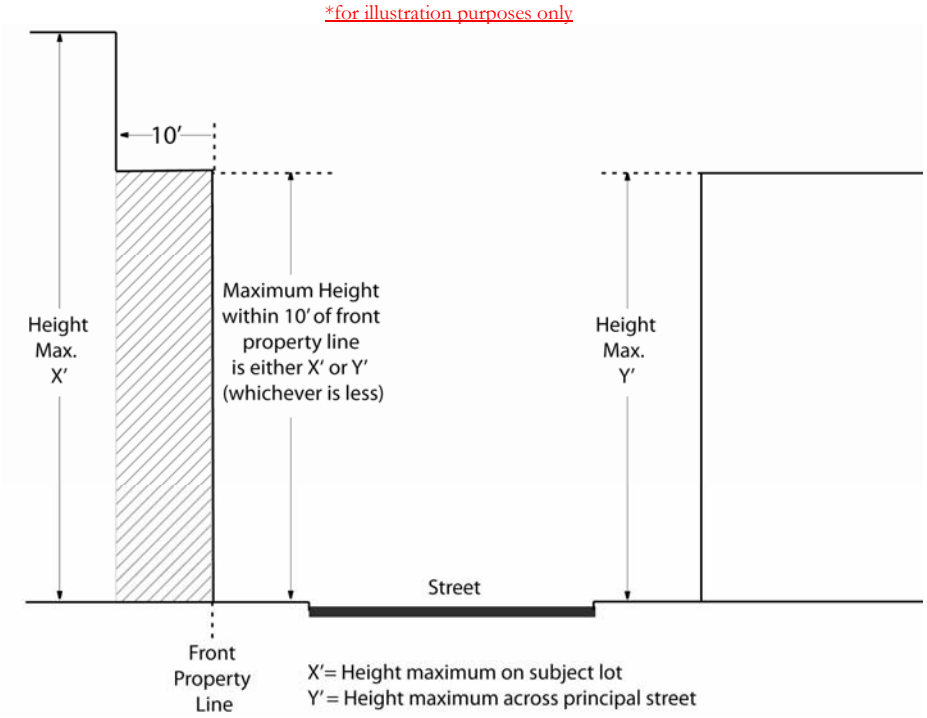
Table 17.35.04 Height, Floor Area Ratio (FAR), Density, and Open Space Regulations								
Regulation	**Height Area**							
	35	**45**	**60**	**75**	**90**	**120**	**160**	**Additional Regulations**
Maximum Height	35 ft	45 ft	60 ft	75 ft	90 ft	120 ft	160 ft	1, 2
Height Minimum								
Permitted height 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	225	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:

1. The maximum height within ten (10) feet of the front property line is either the height limit on the subject lot shown in the above table or the height maximum for the height area of the parcel directly across the principal street, whatever is less (see Illustration for Table 17.35.04 [Additional Regulation 1], below).

Illustration for Table 17.35.04[Additional Regulation 1]

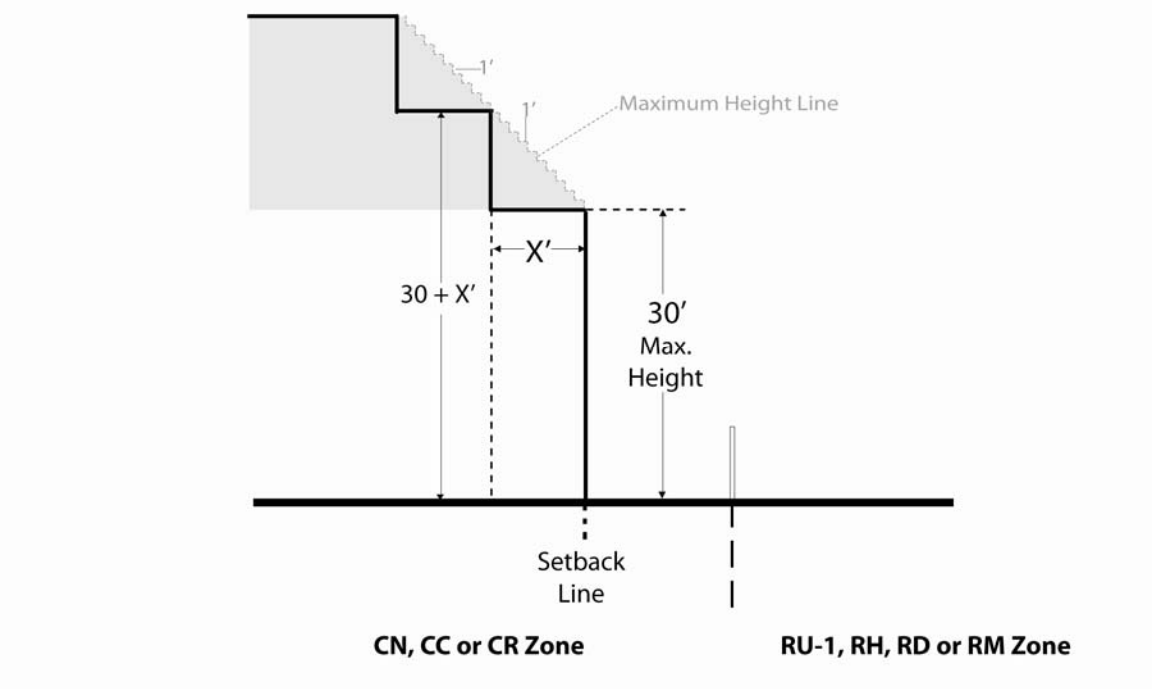
*for illustration purposes only



2. Buildings 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 RH, RD, RM, or RU-1 zone; this maximum height shall increase one foot for every foot of distance away from this setback line (see Illustration for Table 17.35.04 [Additional Regulation 2], below). ~~See Illustration 17.35.xx, 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.

Illustration for Table 17.35.04[Additional Regulation 2]

*for illustration purposes only



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 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. 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. 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 3,000 square feet.
6. Each square foot of private usable open space equals two 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.

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.
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 CC zones, and certain of the other regulations applying in said zone may be waived or modified.

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.
C. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the CC zones.
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 regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the CC 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.

ATTACHMENT A

DRAFT

12/15/10 Planning Commission Meeting

Chapter 17.37
CR REGIONAL COMMERCIAL ZONE REGULATIONS

SECTIONS:

17.37.010 Title, Intent, and Description
17.37.020 Required Design Review Process
17.37.030 Permitted and Conditionally Permitted Activities
17.37.040 Permitted and Conditionally Permitted Facilities
17.37.050 Property Development Standards
17.37.060 Special Regulations for Mini-lot and Planned Unit Developments
17.37.070 Other Zoning Provisions

17.37.010 Title, Intent, and Description

The provisions of this Chapter shall be known as the CR-1 Regional Commercial (CR) Zone Regulations. The intent of the CR-1 zone is to maintain, support and create areas of the City that serve as region-drawing centers of activities.

17.37.020 Required Design Review Process

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Designated Historic Property, Potentially Designated Historic Property, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

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	**Zones**	**Additional Regulations**
	CR-1	

Table 17.37.01: Permitted and Conditionally Permitted Activities		
Activities	**Zones**	**Additional Regulations**
	CR-1	
Residential Activities		
Permanent	--	
Residential Care	--	
Service-Enriched Permanent Housing	--	
Transitional Housing	C(L1)	17.102.212
Emergency Shelter	C(L1)	17.102.212
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	17.102.410
Utility and Vehicular	C	
Extensive Impact	C	
Commercial Activities		
General Food Sales	P	
Full Service Restaurants	P	
Limited Service Restaurant and Café	P	
Fast-Food Restaurant	C	17.102.210 and 8.09
Convenience Market	C	17.102.210
Alcoholic Beverage Sales	C	17.102.210 and 17.102.040
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	
Consultative and Financial Service	P	
Check Cashier and Check Cashing	--	
Consumer Cleaning and Repair Service	P(L2)	

Table 17.37.01: Permitted and Conditionally Permitted Activities		
Activities	**Zones**	**Additional Regulations**
	CR-1	
Consumer Dry Cleaning Plant	C	
Group Assembly	C	
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
Wholesale and Professional Building Material Sales	P(L2)	
Automobile and Other Light Vehicle Sales and Rental	P(L2)	
Automobile and Other Light Vehicle Gas Station and Servicing	P(L2)	
Automobile and Other Light Vehicle Repair and Cleaning	P(L2)	
Taxi and Light Fleet-Based Services	P(L2)	
Automotive Fee Parking	--(L3)	
Animal Boarding	C	
Animal Care	P	
Undertaking Service	--	
Industrial Activities		
Custom Manufacturing	P(L2)	17.102.040
Light Manufacturing	P(L2)	17.102.040
General Manufacturing	C(L2)	17.102.040
Heavy/High Impact	--	
Research and Development	P	
Construction Operations	--	
Warehousing, Storage, and Distribution		
A. General Warehousing, Storage and Distribution	P(L2)	
B. General Outdoor Storage	C(L2)	
C. Self- or Mini Storage	C(L2)	
D. Container Storage	C(L2)	
E. Salvage/Junk Yards	--	
Regional Freight Transportation	C(L2)	

Table 17.37.01: Permitted and Conditionally Permitted Activities		
Activities	**Zones**	**Additional Regulations**
	CR-1	
Trucking and Truck-Related	C(L2)	
Recycling and Waste-Related		
A. Satellite Recycling Collection Centers	C(L2)	17.10.040
B. Primary Recycling Collection Centers	C(L2)	
Hazardous Materials Production, Storage, and Waste Management	--	
Agriculture and Extractive Activities		
Crop and animal raising	C(L2)(L4)	
Plant nursery	C(L2)	
Mining and Quarrying	--	
Accessory off-street parking serving prohibited activities	P	17.102.100
Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof.	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 for other regulations regarding these activities.

L2. These activities are not permitted within 300 feet of a lot line adjacent to the Hegenberger Road right-of-way.

L3. 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.

L4. 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	Zones	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 Café	P	17.102.335
Drive-In	C	
Drive-Through	C	
Telecommunications Facilities		
Micro Telecommunications	P	17.128
Mini Telecommunications	P	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

Table 17.37.02: Permitted and Conditionally Permitted Facilities		
Facilities	**Zones**	**Additional Regulations**
	CR-1	
Advertising Signs	--	17.104

Limitations for Table 17.37.02:

L1. See Chapter 17.114, Nonconforming Uses, for additions and alterations to legal nonconforming residential facilities.

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 Section 17.106.010 and 17.106.020 for exceptions to lot area, width mean, and street frontage regulations.

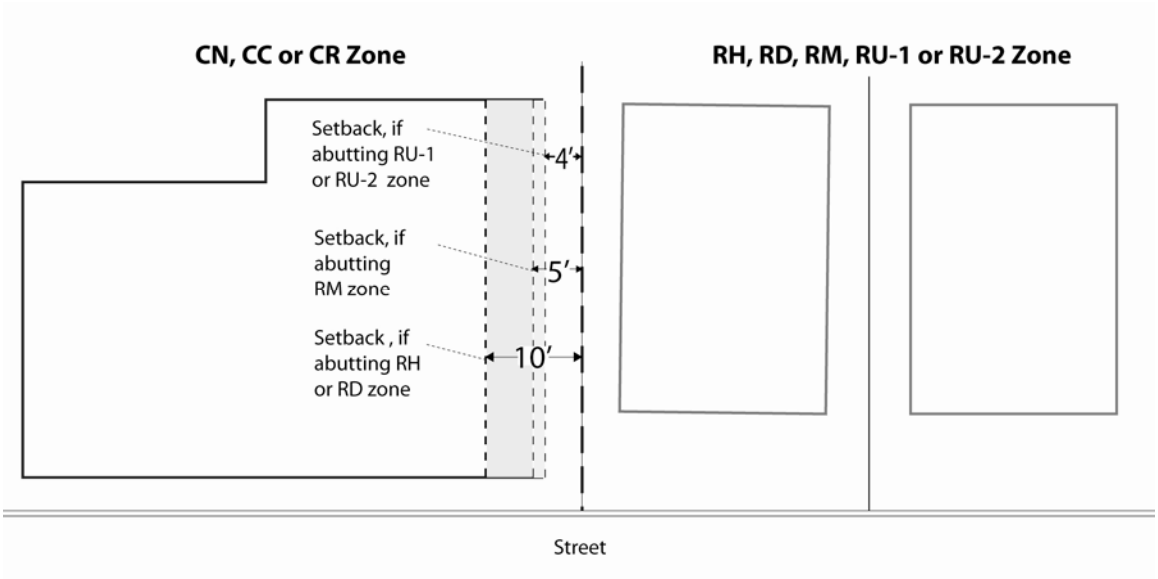
2. Hegenberger Road, 98th Avenue, and Edgewater Drive each have a right-of-way width of one-hundred (100) feet or more. This minimum front yard setback area shall, except for necessary driveways, walkways, and allowable signs, be developed as open landscaped areas with lawn, ground cover, garden, shrubs, trees, or decorative paving materials, subject to the standards for required landscaping and screening in Chapter 17.124. Further, if fifty (50) percent 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 50 percent 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.

3. Wherever an interior side lot line 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 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 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 17.37.03 [Additional Regulation 3], below). Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.37.03[Additional Regulation 3]

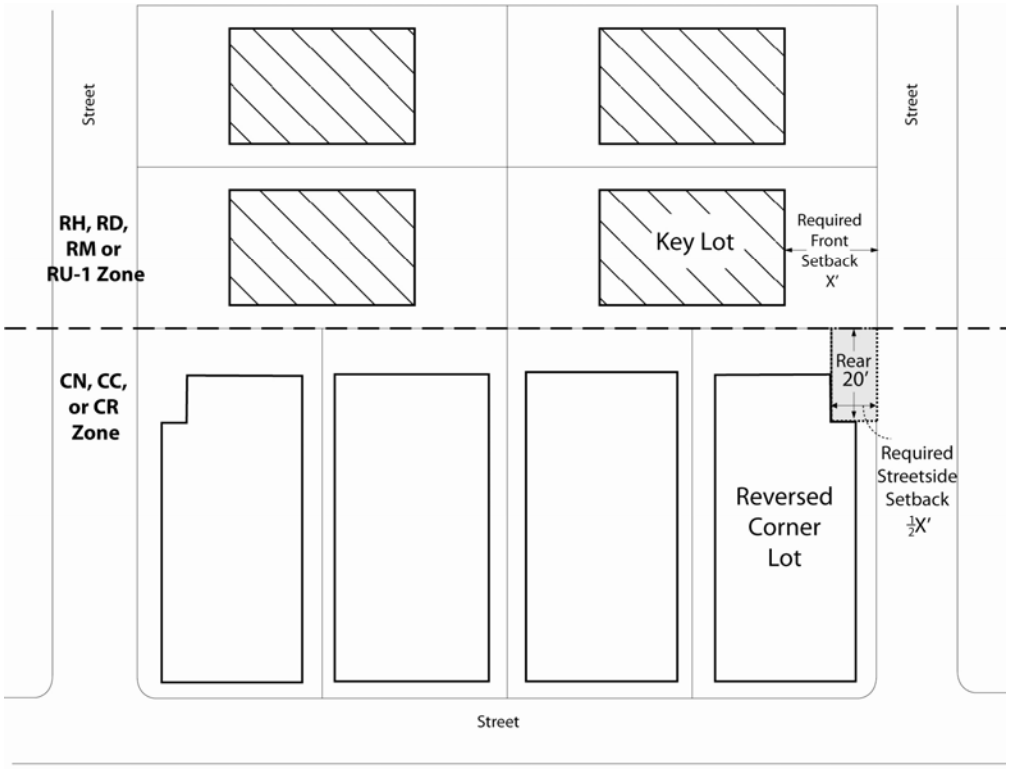
*for illustration purposes only



4. 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 (1/2) of the minimum front yard required on the key lot (see Illustration for Table 17.37.03 [Additional Regulation 4, below)~~(see Illustration 17.37.03, below)~~. Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.37.03[Additional Regulation 4]

*for illustration purposes only



5. When a rear lot line is adjacent to an RH, RD, or RM zone or the RU-1 zone, the required rear setback 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, or RM zone or the RU-1 zone, there is no required setback.

B. Height and Floor Area Ratio (FAR). Table 17.37.04 below prescribes height and FAR 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 17.37.04 Height, Floor Area Ratio (FAR), and Open Space Regulations								
Regulation	**Height Area**							
	35	**45**	**60**	**75**	**90**	**120**	**160**	**Additional Regulations**

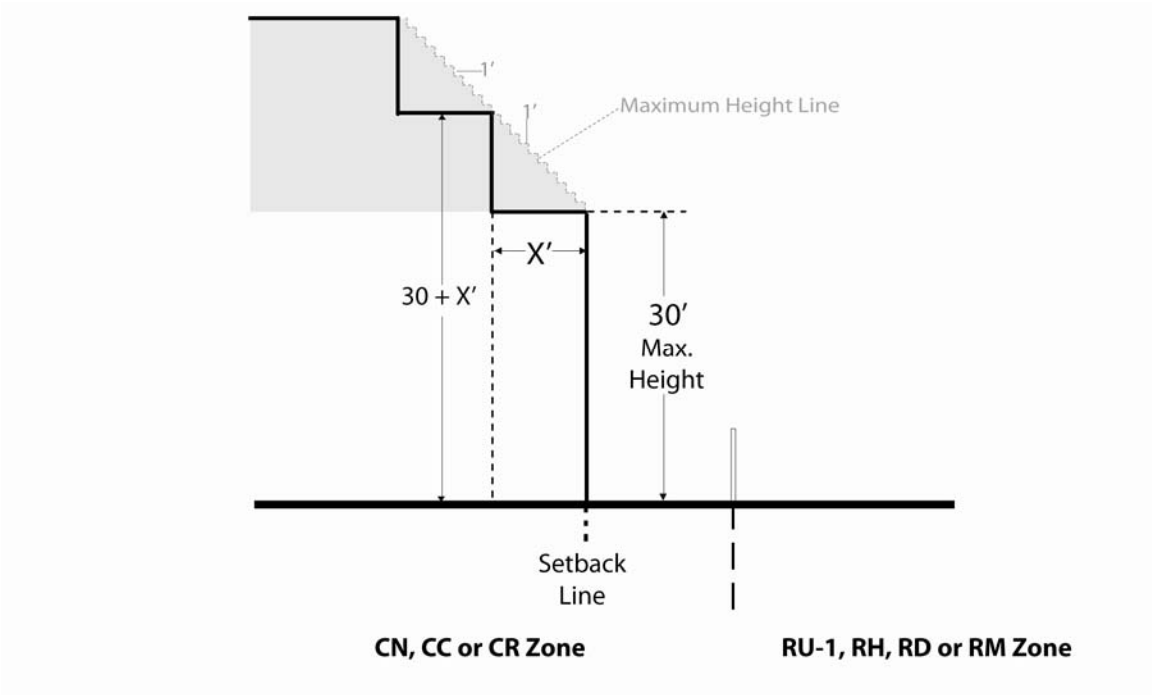
Table 17.37.04 Height, Floor Area Ratio (FAR), and Open Space Regulations								
Regulation	**Height Area**							
	35	**45**	**60**	**75**	**90**	**120**	**160**	**Additional Regulations**
Maximum Height	35 feet	45 feet	60 feet	75 feet	90 feet	120 feet	160 feet	1
Maximum Nonresidential FAR	2.0	2.5	3.0	4.0	4.0	4.0	4.0	
Maximum Number of Stories (not including underground construction)	3	4	5	7	8	11	15	

Additional Regulations for Table 17.37.~~03~~04:

1. The height of all structures is subject to Federal Aviation Administration regulations. Also, buildings 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 RH, RD, RM, or RU-1 zone; this maximum height shall increase one foot for every foot of distance away from this setback line (see Illustration for Table 17.37.04 [Additional Regulation 1, below). See Illustration 17.137.03, 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.

Illustration for Table 17.37.04[Additional Regulation 1]

*for illustration purposes only



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.

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 CR zone, and certain of the other regulations applying in said zone may be waived or modified.

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.
C. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the CR zone.
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 regulations set forth in Chapter 17.124 and Chapter 17.102.400, screening of utility meters, etc., shall apply in the CR zone.
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.