

17.32.040 Development standards.

A. General. Table 17.32-B establishes property development standards for residential districts. Standards shown in the table are subject to the rules of measurement set forth in Chapter 17.46, Height and Yard Requirements.

Table 17.32-B—Residential Districts: Development Standards

Land Use/Zoning District	R-1 (and Substandard Parcels in R-2, R-3, and R-4 Districts) ¹	R-2	R-3	R-4	RMU
Parcel Dimensions¹					
Parcel Area, min					
Interior Parcels	5,000 sf	7,000 sf	10,000 sf	10,000 sf	10,000 sf
Corner Parcels	6,000 sf	7,000 sf	10,000 sf	10,000 sf	10,000 sf
Parcel Frontage, min					
Interior Parcels	50 feet	70 feet	100 feet	100 feet	100 feet
Corner Parcels	60 feet	70 feet	100 feet	100 feet	100 feet
Coverage, Density, and Intensity					
Parcel Coverage, max	45% ²	50%	70%	75%	75%
Density, max ³	12 un/ac	18 un/ac	24 un/ac	60 du/ac ¹²	50 du/ac ¹³
Floor Area Ratio (FAR), max	-	-	-	-	1.5
Setbacks⁴					
Front, min	20'	20'	15' ⁵	15' ⁵	0' ⁶
Side, max	10 feet/20% of parcel width for both sides	-	25 feet/20% of parcel width for both sides	25 feet/20% of parcel width for both sides	25 feet/20% of parcel width for both sides
Side, min					
1st Story	4 feet per side	5 feet per side	-	-	0 feet; 10 feet when abutting a conforming residential use
2nd Story	8 feet per side/18 feet total	5 feet per side	-	-	-
1- to 2-Story Building	-	-	5 feet per side	5 feet per side	5 feet per side
3-Story Building	-	-	8 feet per side	8 feet per side	8 feet per side
4+ Story Building	-	-	12 feet per side	12 feet per side	12 feet per side ⁷
Single-Row Dwelling Access ⁸	-	-	12 feet	12 feet	12 feet
Rear, min	15 feet	15 feet	15 feet	15 feet	0 feet; 10 feet when abutting a conforming residential use

Table 17.32-B—Residential Districts: Development Standards (Continued)

Land Use/Zoning District	R-1 (and Substandard Parcels in R-2, R-3, and R-4 Districts) ¹	R-2	R-3	R-4	RMU
Site Development Measurements					
Height, max					
At Eave	20 feet	20 feet	40 feet	60 feet ⁹	60 feet ⁹
At Roof Peak	27 feet	27 feet	48 feet	75 feet ⁹	50 feet
Stories, max	2	2	6	6	3
Building Separation, min	Building Code	Building Code	Building Code	Building Code	Building Code
Width of Driveways and Driveway Cuts at Curb, min					
Single Driveway	12 feet	n/a	n/a	n/a	10 feet
Double Driveway	22 feet or 40% of the lot frontage, whichever is less	22 feet or 40% of the lot frontage, whichever is less	22 feet or 40% of the lot frontage, whichever is less	22 feet or 40% of the lot frontage, whichever is less	22 feet or 40% of the lot frontage, whichever is less
Width of Inner Court Providing Access to Double-Row Dwelling Group	–	–	22 feet	22 feet	22 feet
Required Open Space Per Unit, min	–	350 sf	300 sf ¹⁰	300 sf ¹⁰	150 sf of publicly accessible and 60 sf of privately accessible ¹⁰
Secondary Residential Units and Accessory Structures					
Secondary Residential Units					
Per Parcel, max ¹¹	1	1	1	1	1
Size, max	500 sf				
Accessory Structures					
Per Parcel, max	1	2	3	3	3
Height, max	12 feet	12 feet	12 feet	12 feet	12 feet

Notes:

1. Parcels not meeting the minimum parcel area or parcel frontage requirements are subject to the provisions of Section 17.08.050, Nonconforming parking.
2. Parcel coverage may be increased to fifty percent if two R-1 lots of five thousand square feet or less are consolidated.
3. Maximum densities shown in this table may be increased pursuant to the state density bonus law for affordable housing and the city's density bonus ordinance.
4. Additional setbacks may be required for development adjacent to creeks or steep slopes to meet the requirements in Chapter 17.08, Nonconformities, and other applicable laws and to ensure safety of development from unstable soils.
5. For residential mixed uses, there is no minimum setback, and maximum setback is twenty feet.
6. Portions of the building facade that exceed twice the height of adjoining buildings shall be set back from the adjoining property line a minimum of ten feet.
7. Twenty-foot setback is required if covered parking is located in the front of the building.
8. Second story not allowed except by use permit.
9. The planning commission shall determine if the placement of side yard windows would jeopardize the privacy of adjacent neighbors. The planning commission may impose greater setbacks or require other design features to protect privacy. The planning commission may also allow a minimum three-foot side yard at the second story if such setback would not jeopardize the privacy of adjacent neighbors. This reduced setback shall apply to one side of the dwelling only.
10. Single-row dwelling groups with side yard access are discouraged and allowed only with a use permit.
11. Within seventy-five feet of an R-1 or R-2 district, the height shall be limited to forty feet eave height, fifty feet roof peak height, and four stories.
12. Average assumed general plan build-out: thirty du/ac with a range between twenty-five to sixty du/ac.
13. Average assumed general plan build-out: fourteen du/ac in a mixed-use project. Consistent with GP—does not trip CEQA unless cumulative average (over time) exceeds average.

17.32.050

B. Substandard Parcels. Parcels not meeting the minimum parcel area or parcel frontage requirements as shown in Table 17.32-B are subject to the provisions of Section 17.32.050, R-1 districts and substandard parcels.

C. Measurement of Front and Side Yard Setbacks. For rules on the measurement of front and side yard setbacks, see Chapter 17.46, Height and Yard Requirements.

D. Intrusions into Setbacks. For rules on allowable intrusions into setbacks, see Chapter 17.46, Height and Yard Requirements.

E. Creation of New Lots. No new lots smaller than the minimum parcel areas shown on Table 17.32-B shall be created after the effective date of this chapter.

F. Roofs. Flat roofs are prohibited for all buildings that are four stories or less in height.

G. Main Entrances. The main entrance of all single-family and two-family residences shall face the street.

H. Drainage. All roof and other drainage originating on a site shall be contained on that site until delivery to the storm drainage system.

I. Storm Water Management. For rules on storm water management, see Chapter 8.40. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.32.050 R-1 districts and substandard parcels.

A. Applicability. This section shall apply to the R-1 district and to all parcels that do not meet the minimum parcel area or parcel frontage requirements set forth in Table 17.32-B.

B. R-2 District. For parcels in the R-2 district that do not meet the minimum parcel area or parcel frontage requirements for that district, the parcels shall be subject to the use regulations, development standards, and other provisions applicable to the R-1 district.

C. R-3 and R-4 Districts. For parcels in the R-3 or R-4 districts that do not meet the minimum parcel area or parcel frontage requirements for these districts, the following provisions shall apply:

1. If the parcel meets the area and frontage requirements for the R-2 district, it shall be subject to the use regulations, development standards, and other provisions applicable to the R-2 district.

2. If the parcel does not meet the area and frontage requirements for the R-2 district, it shall be subject to the use regulations, development standards, and other provisions applicable to the R-1 district.

D. Side Setbacks. The side setbacks for residential uses subject to this section are set forth in Table 17.32-C.

E. Front Yards. Within the R-1 district, a minimum of ninety percent of the front yard not occupied by the pedestrian walkway to the front door, driveway, and allowed intrusions shall be of a permeable surface not suitable for parking. No part of the front yard except the driveway leading to an approved parking space shall be used for parking.

F. Intrusions into Setbacks. For rules on allowable intrusions into setbacks, see Chapter 17.46, Height and Yard Requirements.

Table 17.32-C—Setbacks for R-1 and Substandard Parcels¹

Minimum Parcel Sizes and Parcel Widths ²		Minimum Side Yard Setback for First Story	Minimum Side Yard Setback for Second Story
Size (sf)	Width (feet)		
5,000 (6,000 for corner parcel)	50 (60 for corner parcel)	Total (both sides) of 20% of parcel width to maximum of 10 feet, with minimum of 4 feet on one side	Total (both sides) of 18 feet, with no side being less than 8 feet
3,700	37	3 feet each side	Total (both sides) of 14 feet, with no side being less than 6 feet
3,000	30	3 feet each side	Total (both sides) of 12 feet, with no side being less than 5 feet
2,500	25	3 feet each side	Second story not allowed except by use permit; if so allowed, no side setback shall be less than 3 feet ³

Notes:

1. Additional setbacks may be required for development adjacent to creeks or steep slopes to meet the requirements in Chapter 17.08, Nonconformities, and other applicable laws, and to ensure safety of development from unstable soils.
2. Both parcel size and width must be met.
3. The planning commission shall determine if the placement of side yard windows would jeopardize the privacy of adjacent neighbors. The planning commission may impose greater setbacks or require other design features to protect privacy. The planning commission may also allow a minimum three-foot side yard at the second story if such setback would not jeopardize the privacy of adjacent neighbors. This reduced setback shall apply to one side of the dwelling only.

(Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.32.060 Side and special setbacks for R-3 and R-4 districts.

A. Applicability. The provisions of this section apply to the R-3 and R-4 districts.

B. Side Yards. There shall be an aggregate side yard equal to twenty percent of parcel width up to a maximum aggregate side yard total of twenty-five feet, with the following minimums:

1. One- and two-story buildings: a minimum of five feet on each side property line.
2. Three-story buildings: a minimum of eight feet on each side property line.
3. Four-story and higher: a minimum of twelve feet on each side property line.
4. Single-row dwelling groups with side-yard access are discouraged and are allowed only with a use permit. Any such side yard, if approved, shall be a minimum of twelve feet wide.
5. An inner court providing access to a double-row dwelling group shall be a minimum of twenty-two feet wide. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.32.070 Open space requirements.

A. Amount. The following amount of common or private open space is required:

1. R-2 District. Minimum of three hundred fifty square feet per unit.
2. R-3 and R-4 Districts. Minimum of three hundred square feet per unit, except for parcels subject to Section 17.32.050, R-1 districts and substandard parcels.

B. Minimum Dimensions. Required open space at ground level shall have a minimum dimension of ten feet in any direction. Decks with a height of thirty inches or less are considered to be ground-level open space.

C. Location. Required open space shall be located behind the required front yard setback and shall not include paved areas utilized for vehicle parking. Balconies and ground-floor patios shall be located adjacent to indoor primary living space.

D. Decks. Within the R-2 district, decks shall be counted as usable open space.

E. Balconies. Within the R-3 and R-4 districts, balconies with a minimum dimension of six feet shall be counted as usable open space, and each square foot of balcony space may be credited as two square feet of usable open space.

F. Private and Common Open Space. Within the R-3 and R-4 districts, a minimum of one hundred square feet of open space per unit at ground level and sixty square feet per unit for upper stories shall be designed as private open

space. The remaining open space areas may be designated as common open space.

G. Landscaping. Landscaping of all ground-level open space shall be required as set forth in Chapter 17.48, Landscaping. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.32.080 Accessory uses.

A. General. Accessory uses normally incidental to the type of principal use located on the parcel are allowed, but any commercial use is not allowed except as may be authorized as a home occupation. In case of dispute, the zoning administrator shall determine if a use is an accessory or a principal use.

B. Gardens. Private flower and vegetable gardens, greenhouses, and horticultural collections are allowed.

C. Animals. The keeping of household pets is allowed, but not kennels, stables, or the commercial raising of animals.

D. Home Occupations. Home occupations are allowed, provided they comply with the provisions of Section 17.60.030, Home occupations.

E. Accessory Structures. See Chapter 17.42, Accessory Structures. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.32.090 Residential design guidelines.

Compliance with the residential design guidelines in Appendix A is not a mandatory requirement of the zoning ordinance. The guidelines may, however, be imposed as conditions of approval, provided the applicable review process allows for conditions to be imposed. Their primary purpose is to serve as a guide during the review, including design review, of a proposed development. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

Chapter 17.34

COMMERCIAL AND INDUSTRIAL DISTRICTS, ALLOWED USES, AND DEVELOPMENT STANDARDS

Sections:

- 17.34.010 Purpose.
17.34.020 Intent of individual districts.
17.34.030 Uses allowed.
17.34.040 Development standards.
17.34.050 Residential uses.
17.34.060 Noncommercial uses.
17.34.070 Accessory uses.
17.34.080 Commercial design guidelines.
17.34.090 Neighborhood commercial centers.
17.34.100 FAR development incentives.
17.34.110 Mixed-use design guidelines.
17.34.120 Industrial design guidelines.

17.34.010 Purpose.

The purpose of this chapter is to define allowable land uses and property development standards, including intensity of development, for the commercial zoning districts and to permit a variety of industrial activities, with a focus on encouraging employment opportunities and clean industry, consistent with the policy direction in the San Pablo general plan. The commercial districts are intended to provide services to residents, support mixed-use development, and attract retail expenditures from outside San Pablo, consistent with the policy direction in the general plan. The intent of each of the commercial and industrial zoning districts is described below. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.020 Intent of individual districts.

A. NC District. The NC neighborhood commercial district is intended to implement the commercial land use designation in the general plan by providing small-scale commercial uses that primarily provide convenience, personal services, and social services such as retail and specialty shops, eating and drinking establishments, and commercial recreation. The maximum permitted floor area ratio is 1.0.

B. CR District. The CR regional commercial district is intended to implement the commercial land use designation in the general plan by providing opportunities for uses, such as malls, major department stores, factory outlet stores, and home improvement stores, that serve a very large geographic area. The CR districts are to be located

where there is adequate vehicular access to regional markets. Other types of commercial uses are also encouraged, provided they are compatible with the regional uses. The maximum permitted floor area ratio is 0.75 for office uses and 0.40 for non-office uses.

C. CMU District. The CMU commercial mixed-use district is intended to implement the commercial mixed-use land use designation in the general plan by providing opportunities for retail, commercial, office, residential, and public uses. While the predominant development use is commercial, the city encourages the vertical and/or horizontal integration of office, residential, and/or public uses that are compatible with the commercial development. In multiple-story buildings, retail uses should be predominant on the ground floor. The maximum permitted floor area ratio is 1.5. The maximum density allowable in the district is fifty dwelling units per acre.

D. IMU District. The IMU industrial mixed-use district is intended to implement the industrial mixed-use land use designation in the general plan by providing opportunities for light manufacturing, distribution, sales, and services with ancillary commercial and office space uses. Targeted uses include single- and multi-story office, flex-space, and industrial buildings for single and multiple users, warehousing, and research and development facilities. Retail uses are not permitted. The maximum permitted floor area ratio is 0.6. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.030 Uses allowed.

A. Matrix of Uses. Table 17.34-A contains the use regulations for the commercial zoning districts, listed by classes of uses as defined in Division VI, Glossary. The allowable uses in Table 17.34-A for each district are established by letter designations as follows:

- 1. "R" designates classes of uses permitted by right.
2. "A" designates classes of uses that require an administrative review pursuant to Section 17.18.020, Plan check/zoning clearance.
3. "U" designates classes of uses permitted with a use permit pursuant to Section 17.20.040, Conditional use permit.
4. "-" designates classes of uses that are prohibited.
5. Any class of use not listed in Table 17.34-A is prohibited.
6. The zoning administrator shall determine if a use is classified as an allowed use.

B. Exceptions along Railroad Lines and Streams. Notwithstanding the provisions of Table 17.34-A, the following provisions apply:

1. Any development, except industry—limited, industry—general, and salvage yards, within three hundred feet of a railroad line that is used at least once daily shall require a use permit to ensure that the development adequately mitigates noise and vibration from the rail operations, pursuant to the relevant policies and actions under the general plan.

2. Any development, including land disturbance, that is within fifty feet of any stream shall require a use permit to ensure that the development adequately avoids impacts to wetland features or woodlands, reduces impacts to the creek, and prevents degradation of riparian and wetland features from potential urban pollutants, pursuant to the relevant policies and actions related to creeks within the general plan.

C. Design Review. Certain uses also require design review. A list of those uses is contained in Section 17.18.090, Minor design review, and Section 17.20.030, Major design review.

D. Principal Uses Only. Only principal uses are listed in Table 17.34-A. Accessory uses are addressed in Section 17.34.070, Accessory uses.

E. Other Regulations. Some uses are also subject to the provisions of Title 5 and other titles of the San Pablo Municipal Code. Those provisions are in addition to the provisions in this chapter.

F. Special Provisions. Special provisions related to a use are referenced in the special provisions column of Table 17.34-A.

Table 17.34-A—Commercial and Industrial Districts: Use Regulations

Land Use/Zoning District	NC	CR	CMU	IMU	Special Provisions
Residential Uses					
Assisted Living Facilities	–	U	U	–	
Boarding Houses	–	–	U	–	
Community Care Facilities (6+)	U	U	U	–	
Day Care, Large Family ¹	U	U	U	–	
Day Care, Small Family	–	–	R	–	
Dwellings, Multiple-Family ²	U	R	R	U	
Dwellings, Single-Family Attached ²	–	–	R	–	
Dwellings, Single-Family Detached ²	–	–	R	–	Section 17.32.050
Dwellings, Two-Family (Duplexes) ²	–	–	R	–	Section 17.32.050
Emergency Shelter	–	U	–	–	Section 17.60.080
Home Occupations	–	–	–	–	Section 17.60.030
Incidental/Caretaker Residences	U	U	U	U	
Live-Work Facility	–	–	U	U	Section 17.60.040
Mobile Home Parks	–	U	–	U	Section 17.60.060
Residential Care Facilities (>6)	–	–	R	–	
Secondary Units	–	–	–	–	Section 17.60.070
Single-Room Occupancy	–	U	–	–	Section 17.60.090
Supportive Housing	–	–	–	–	
Transitional Housing	–	–	–	–	
Recreation, Resource Preservation, Open Space, Education and Public Assembly Uses					
Cemeteries	–	–	–	–	
Community and Religious Assembly	U	U	U	U	
Community Facilities	U	U	U	U	
Community Gardens	A	A	A	–	
Day Care Centers	U	U	U	–	
Hospitals and Clinics	U	U	U	–	

Table 17.34-A—Commercial and Industrial Districts: Use Regulations (Continued)

Land Use/Zoning District	NC	CR	CMU	IMU	Special Provisions
Medical and Dental Offices	R	R	R	A	
Public Services	R	R	R	R	
Recreation, Amusements	U	U	R	U	
Recreation, Indoor	R	R	R	R	
Recreation, Major Arcades	U	U	U	U	Section 17.62.030
Recreation, Minor Arcades	R	R	R	R	Section 17.62.030
Recreation, Outdoor Passive	R	R	–	R	
Recreation, Parks and Playgrounds	R	R	R	R	
Religious Institutions	U	U	U	U	
Schools, Private	U	U	U	–	
Schools, Public	U	U	U	–	
Schools, Vocational Schools	U	U	U	U	
Utility, Transportation, Public Facility, and Communication Uses					
Telecommunication Facility, Major	–	–	–	U	Section 17.62.200
Telecommunication Facility, Minor	–	U	U	R	
Utilities, Major	U	U	U	U	
Utilities, Minor	A	R	R	R	
Retail, Service, and Office Uses					
Adult-Oriented Businesses	–	U	–	–	Section 17.62.010
Alcoholic Beverage Sales	U	U	U	U	Section 17.62.020
Animal Boarding	U	R	U	R	Section 17.60.010
Animal Care	A	R	A	R	Section 17.60.010
Artist Studios	R	R	R	R	
Banks and Financial Institutions, Credit Unions	R	R	R	R	
Bed and Breakfast	–	–	R	–	
Building Materials—Indoor Sales	U	U	–	R	
Business and Professional Services	R	R	R	R	
Check Cashing and Financial Business	U	U	U	–	Section 17.62.050
Commissaries	–	U	–	U	
Dance and Fitness Studios	A	A	A	A	
Escort Services	–	–	–	–	Section 17.62.120
Farmers Markets	U	A	A	U	
Food and Beverage Sales, Catering Services	A	R	A	A	
Food and Beverage Sales, Convenience ³	A	R	U	U	
Food and Beverage Sales, General	R	R	R	R	
Funeral and Interment Services	U	–	R	R	
Health and Exercise Clubs	A	R	R	R	
Healthy Food Stores	R	R	R	R	Section 17.62.090
Live Entertainment	U	U	U	U	
Lodging, Hotels and Motels	–	R	A	U	
Massage Establishments	U	–	U	–	Section 17.62.120

Table 17.34-A—Commercial and Industrial Districts: Use Regulations (Continued)

Land Use/Zoning District	NC	CR	CMU	IMU	Special Provisions
Medical Marijuana Facilities and Delivery	–	–	–	–	Section 17.62.130
Medical Marijuana Cultivation	–	–	–	–	Section 17.62.130
Mobile Vending ³	–	–	U	U	Section 17.62.140
Nightclubs and Bars	U	U	U	U	
Nurseries	U	R	R	R	
Offices	R	R	R	R	
Pawnshops or Pawnbrokers	U	U	U	U	Section 17.62.150
Personal Services	R	R	R	R	
Repair Services, General	–	–	–	R	
Repair Services, Limited	U	R	U	R	
Restaurants, Coffee Shops/Cafes	R	R	R	R	
Restaurants, Fast Service	U	U	U	U	Section 17.62.160
Restaurants, Full Service	U	U	U	U	
Restaurants, General	R	R	R	R	
Restaurants, Outdoor Dining	A	A	A	A	
Retail Sales, General	R	R	R	R	
Retail Sales, Local	R	R	R	R	
Retail Sales, Outdoor	U	U	U	R	Chapter 17.52
Retail Sales, Regional ⁴	–	R	R	R	
Secondhand Dealers	A	A	A	A	Section 17.62.170
Smoke Shops	U	U	U	U	Section 17.62.180
Specialty Food Retail	R	R	R	R	
Specialty Goods Retail	R	R	R	R	
Tattoo Parlors	U	U	U	U	Section 17.62.190
Wholesaling	–	U	–	R	
Automobile and Vehicle Uses					
Automotive, Major Repair	–	U	–	R	Section 17.62.040
Automotive, Minor Repair	U	U	U	R	Section 17.62.040
Automotive, New Car Sales	–	R	–	R	
Automotive, Parts Sales	R	R	R	R	Section 17.52.040, Outdoor storage
Automotive, Gas Stations	U	R	–	R	
Automotive, Used Car Sales	–	–	–	R	
Automotive, Washing	U	A	–	R	
Boat and RV Sales	U	R	–	R	
Taxicab Companies	–	–	–	U	
Truck Repair and Sales	–	–	–	R	Chapter 17.52
Industrial, Manufacturing, and Processing Uses					
Building Materials Yard	–	U	–	R	Chapter 17.52
Industry, General	–	–	–	R	
Industry, Limited	–	–	–	R	

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Table 17.34-A—Commercial and Industrial Districts: Use Regulations (Continued)

Land Use/Zoning District	NC	CR	CMU	IMU	Special Provisions
Junkyards	–	–	–	–	Section 17.62.110
Maintenance Yards	–	–	–	R	Chapter 17.52
Recycling Services, Consumer	–	–	–	A	Section 17.58.020
Recycling Services, Donation/Collection Boxes	U	U	U	U	Section 17.58.030
Recycling Services, General	–	–	–	A	Section 17.52.030
Research and Development	–	U	U	R	
Storage, Personal	–	U	–	R	
Warehousing and Storage, Enclosed	–	–	–	R	
Warehousing and Storage, Outdoors	–	–	–	U	Chapter 17.52

1. A use permit is required if located in other than a single-family dwelling.
2. In all cases, supportive housing and transitional housing are and shall be treated as residential uses, subject only to the permitting requirements that apply to residential uses of the same housing type location in the same zone.
3. Food truck festivals require a temporary use permit.
4. Home improvement centers may be approved under retail sales, regional.

(Ord. 2016-001 § 3, 2016; Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.040 Development standards.

A. General. Table 17.34-B establishes property development standards for commercial districts. Standards shown in the table are subject to the rules of measurement set forth in Chapter 17.46, Height and Yard Requirements.

Table 17.34-B—Commercial and Industrial Districts: Development Standards

	NC	CR	CMU ²	IMU
Minimum parcel area (sf)	2,000	10,000	5,000	No minimum
Maximum building height (feet)	30	50	50	65
Minimum floor area ratio (FAR)	0.3	0.3	0.75	–
Maximum floor area ratio (FAR)				
Office	1.0	0.75	1.5	0.6
Non-office	1.0	0.5	1.5	0.6
Maximum density (du/ac)	–	–	50 ¹	–
Minimum setbacks (feet)	See Section 17.34.040(E)			

Notes:

No side yard setback is required except where the side of a parcel abuts the side of a parcel in a residential district or a parcel on which a conforming residential use is located, in which case the side yard shall be not less than ten feet.

No rear yard setback is required except where the rear of a parcel abuts a residential district or on a parcel on which a residential use is located, in which case the rear yard shall not be less than ten feet.

¹Residential uses are only allowed when the commercial FAR is 0.5 or greater.

²For properties within SP1 and SP2 please refer to each specific plan for development and other design standards.

B. **Minimum Parcel Area.** No minimum parcel area is required.

C. **Height.** The maximum building height is thirty feet in NC, fifty feet in CR and CMU, and sixty-five feet in IMU, unless otherwise specified in an adopted Specific Plan.

D. **Floor Area Ratio.** The maximum floor area ratio is 0.6.

E. **Setbacks.** The following setbacks are required:

1. No front yard setback is required.

2. No side yard setback is required except where the side of a parcel abuts the side of a parcel in a residential district or a parcel on which a conforming residential use is located, in which case the side yard shall be not less than ten feet.

3. No rear yard setback is required except where the rear of a parcel abuts a residential district or a parcel on which a residential use is located, in which case the rear yard shall not be less than ten feet.

F. **Storm Water Management.** For rules on storm water management, see Chapter 8.40. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.050 Residential uses.

Notwithstanding any other provision of this title, the following provisions apply to residential uses allowed pursuant to the planned development procedure:

A. **Density.** Residential dwelling units in a commercial district shall not exceed one dwelling unit per two thousand five hundred square feet of parcel size unless otherwise permitted in a specific plan.

B. **Development Standards.** Residential dwelling units in a commercial district shall comply with the development standards set forth in Chapter 17.32, Residential Districts, Allowed Uses, and Development Standards, or in Section 17.34.040, Development standards, whichever are more restrictive.

C. **In Combination with Other Uses.** If residential dwelling units are combined within one building or project site with nonresidential uses allowed by Section 17.34.030, Uses allowed, the following provisions shall apply:

1. The residential and nonresidential uses shall be determined to be compatible.

2. The nonresidential uses shall be at ground level along the street frontage(s).

3. The number of dwelling units shall not exceed one dwelling unit per two thousand square feet of parcel size.

4. The floor area ratio of a mixed-use residential and nonresidential building shall not exceed 0.75. The building

shall comply with the height and setback requirements of this chapter. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.060 Noncommercial uses.

A. **Presumption Against.** In the event of an application for a use permit for a project involving a noncommercial use located in a commercial district, the general welfare of the city requires that the application be denied unless the planning commission finds that the particular use will not be detrimental to the long-term economic vitality of the commercial district and/or to neighboring commercial uses.

B. **Findings.** In addition to any other finding which may lawfully be required for a use permit, the planning commission and/or city council shall make the following findings before approving a use permit subject to this section:

1. The proposed use will not adversely impact the city's existing supply of land, structures, or sites that are particularly suitable for future commercial development.

2. The requested use at the location proposed will not be materially detrimental to existing or future commercial uses in the same general area.

3. The proposed use will not encourage marginal commercial development in the same general area.

4. The proposed use is substantially compatible with existing and likely future commercial developments in the same general area. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.070 Accessory uses.

Accessory uses normally incidental to the type of principal use located on the parcel are allowed. In case of dispute, the zoning administrator shall determine if a use is an accessory or a principal use.

A. **Massage establishments** are allowed when subordinate to or part of a principal use in the same facility and serving a use incidental to such principal use only in dance and fitness studios, a nail salon, as a service ancillary thereto when provided by a massage therapist with a valid permit under Chapter 5.36. Accessory uses shall comply with the requirements set forth in Chapter 17.42, Accessory Structures.

B. In no instance shall advertising, signs, or any other display relating to the availability of massage services be visible from the exterior of the building. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.080

17.34.080 Commercial design guidelines.

The commercial design guidelines in Appendix B are not a mandatory part of the zoning ordinance. The guidelines may, however, be imposed as conditions of approval, provided the applicable approval process allows for conditions to be imposed. Their primary purpose is to serve as a guide during the review, including design review, of a proposed development. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.090 Neighborhood commercial centers.

Neighborhood commercial centers are encouraged by the general plan at particular locations near primary street intersections in all overlay districts, except the Giant Trade Center Business Park district. Neighborhood centers are intended to meet the daily needs of the immediate population, including but not limited to housing, grocery and convenience stores, salons, offices, food and beverage sales, drugstores, dry cleaners, banks, community and cultural facilities, and recreation. Development incentives for the creation of mixed-use neighborhood commercial centers are contained in Section 17.34.100, FAR development incentives. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.100 FAR development incentives.

A. FAR Increase. Properties within commercial districts or commercial projects, regardless of location, may be developed at a FAR of up to 0.75, if one or more of the following conditions are met:

1. The project provides public amenities and facility improvements such as open space and multiple (mixed) uses which serve to distinguish the development area as unique, consistent with the general plan;
2. The project incorporates feasible shared parking with adjacent or nearby development; or
3. The project consolidates parcels to facilitate efficient development, parking, access, and landscaping.

B. Use Permit Required. Any increase in FAR pursuant to subsection A of this section must be approved by a use permit. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.110 Mixed-use design guidelines.

The mixed-use design guidelines in Appendix D are not a mandatory part of the zoning ordinance. The guidelines may, however, be imposed as conditions of approval, provided the applicable approval process allows for conditions to be imposed. These guidelines are intended to encourage higher-quality, complementary mixed uses, unique design features, and pedestrian amenities, consis-

tent with the general plan. They are designed to be used in conjunction with the design guidelines for residential, commercial, and industrial development. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.34.120 Industrial design guidelines.

The industrial design guidelines in Appendix C are not a mandatory part of the zoning ordinance. The guidelines may, however, be imposed as conditions of approval, provided the applicable approval process allows for conditions to be imposed. Their primary purpose is to serve as a guide during the review, including design review, of a proposed development. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)