

OFFICE OF THE CITY CLERK  
CITY OF OAKLAND

2006 DEC -7 PM 6:07

APPROVED AS TO FORM AND LEGALITY

*Mark P. Walsh*

DEPUTY CITY ATTORNEY

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_ C.M.S.

**AN ORDINANCE TO AMEND TITLE 17 OF THE OAKLAND PLANNING CODE TO REVISE THE CITYWIDE DESIGN REVIEW PROGRAM AND MAKE OTHER MINOR ZONING CODE REVISIONS; ELIMINATE THE S-14, S-18 AND S-19 COMBINING ZONE OVERLAYS FROM THE OAKLAND ZONING MAP; AND AMEND THE PLANNING AND ZONING FEES IN THE MASTER FEE SCHEDULE**

**WHEREAS**, on December 18, 2001, the City Council adopted Ordinance No. 12376 C.M.S. (and corrected on February 26, 2002 with Ordinance No. 12406 C.M.S.), amending the Oakland Planning Code to include a new S-18 Mediated Design Review Combining Zone as a pilot program within City Council District One and the boundary area of the S-14 Overlay Zone (1991 Firestorm Area), with direction to staff to bring forward to the City Planning Commission and City Council an evaluation of the Mediated Design Review pilot program, and a recommendation of whether to retain it, eliminate it, or expand it to other areas; and

**WHEREAS**, from 2003 through 2006, staff held a series of community workshops and meetings with public and private working groups to discuss a comprehensive revision of the City's design review procedures and thresholds, and to evaluate the S-18 Mediated Design Review pilot program as part of this larger effort; and

**WHEREAS**, it is the assessment of staff that after administering the Mediated Design Review pilot program in the S-18 Zone since 2002, the program has not achieved its objective of facilitating design review through the use of mediation and in many respects has been counter-productive; and

**WHEREAS**, on May 12, 2004 and October 13, 2004, the Oakland Planning Commission held a notice public hearing to discuss conceptual revisions to the City's 1-2 unit residential design review procedures, including a proposal to eliminate the S-18 Mediated Design Review pilot program; and

**WHEREAS**, on February 15, 2005, the Oakland Planning Commission's Design Review Committee held a noticed Public Hearing to review and provide input regarding additional revisions to the City's 1-2 unit residential design review procedures; and

**WHEREAS**, on June 15, 2005, the Oakland Planning Commission held a noticed Public Hearing to discuss revisions to the City's 1-2 unit residential design review procedures and made a recommendation that the Oakland City Council adopt the proposed changes to the Planning Code; and

**WHEREAS**, following the June 15, 2005 Oakland Planning Commission hearing, staff received direction from the City Council that the proposed design review changes should be expanded to lay the groundwork for commercial design review in areas of the City that do not currently require it; and

**WHEREAS**, in order to accommodate the future expansion of nonresidential design review, staff developed additional revisions to the design review procedure changes previously endorsed by the Planning Commission to create more efficiencies through standardizing design review procedures for all residential project types citywide, and increasing the range of project types that qualify for a simple and expedited review process; and

**WHEREAS**, on November 8, 2005, the City Council's Community and Economic Development (CED) Committee held a noticed Public Hearing to discuss design review changes and directed staff to make additional revisions to the public notice and dispute resolution procedures; and

**WHEREAS**, on June 13, 2006, staff reported back to the CED Committee with an update to the design review procedure changes, a draft of the proposed zoning text amendments and a summary of public comment periods utilized by other East Bay cities; and

**WHEREAS**, on August 16, 2006, staff presented the proposed design review procedure changes and zoning text amendments to the Planning Commission's Zoning Update Committee (ZUC) for their review and recommendations; and

**WHEREAS**, on September 11, 2006, staff presented the proposed design review procedure changes and zoning text amendments to the Landmarks Preservation Advisory Board (LPAB) to receive their input and recommendations regarding amendments to historic preservation regulations and procedures; and

**WHEREAS**, on October 4, 2006, the Oakland Planning Commission held a duly noticed Public Hearing to discuss revisions to the design review procedures and thresholds citywide, revisions to other miscellaneous Zoning Code sections, and elimination of the S-14, S-18, and S-19 Combining Zones, and made a recommendation that the Oakland City Council adopt the proposed Zoning Code and Zoning Map changes; and

**WHEREAS**, in order to accommodate revisions to the citywide design review program, staff also developed revisions to the Master Fee Schedule to standardize Planning report and notification fees for similar project types citywide; and

**WHEREAS**, the revisions to the Master Fee Schedule will eliminate the specific fees for the following current design review procedures that will be eliminated as part of revisions to the

citywide design review program: S-14 Expedited Design and Bulk Review, S-18 Mediated Design Review, Special Residential Design Review, S-11 Site Development and Design Review, and R-36 Design Review; and

**WHEREAS**, since July 2006, the fees collected by CEDA are deposited into a separate “Development Services Fund”, and therefore the proposed changes to the planning fees in the Master Fee Schedule will not have a direct budget impact on the City’s General Fund; and

**WHEREAS**, the City of Oakland’s Community Economic Development Agency has studied the Master Fee Schedule changes and concluded that the following amendments to the Master Fee Schedule are reasonably related to the cost of processing design review-related applications; and

**WHEREAS**, the City of Oakland’s Community Economic Development Agency has studied the City’s existing zoning regulations, existing zoning maps, and existing applicable statutory requirements, and has found them in need of improvement and contrary to the public interest, and thus has prepared the following amendments to the Oakland Planning Code and Zoning Map to better promote the public’s health, safety and general welfare; and

**WHEREAS**, the requirements of the California Environmental Quality Act (CEQA) of 1970 are satisfied according to State CEQA Guidelines Section 15061(b)(3), “general rule”, no possibility of significant effect on the environment; Section 15183, adoption of uniformly applied development policies consistent with the General Plan; Section 15282(h), adoption of an ordinance involving second units in a single-family or multifamily residential zone; and Section 15273, the establishment, modification, restructuring, or approval of rates, fares and other charges by public agencies. Now, therefore,

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council finds and determines the forgoing recitals to be true and correct and hereby makes them a part of this ordinance.

**SECTION 2.** The City Council finds and determines, that the adoption of this Ordinance is exempt from CEQA under Sections 15061(b)(3), 15183, 15282(h), and/or Section 15273 of the State CEQA Guidelines and authorizes the filing of a Notice of Exemption with the Alameda County Clerk.

**SECTION 3.** Title 17 of the Oakland Planning Code is hereby amended pursuant to **Exhibit A** incorporated herein by reference. Additions to Title 17 of the Oakland Planning Code are shown in Exhibit A as underline and omissions are shown as ~~strikethrough~~.

**SECTION 4.** The Oakland Zoning Map is hereby amended to eliminate the S-14, S-18, and S-19 Combining Zones pursuant to **Exhibit B** incorporated herein by reference. Revisions to the Oakland Zoning Maps are shown in Exhibit B as ~~strikethrough~~.

**SECTION 5.** The Planning and Zoning fees in the Oakland Master Fee Schedule are hereby amended pursuant to **Exhibit C** incorporated herein by reference. Additions to the Master Fee Schedule are shown in Exhibit C as underline and omissions are shown as ~~strikethrough~~.

**SECTION 6.** If any section, subsection, phrase, word or provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

**SECTION 7.** This Ordinance shall be effective on **April 1, 2007**, provided, however, that all applications accepted as complete prior to the effective date of this Ordinance may go forward according to the regulations in effect at the time of initial case intake. Applicants may choose to convert their application to the applicable new review procedure if such a conversion would serve to expedite the review process and is accompanied by any appropriate change in fees.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2006  
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, AND REID

NOES- PRESIDENT DE LA FUENTE

ABSENT-

ABSTENTION-

Attest: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council of the  
City of Oakland, California

**Title 17**

**PLANNING**

**Chapters:**

- 17.01 General Provisions of Planning Code and General Plan Conformity**
- 17.03 City Planning Commission**
- 17.05 Landmarks Preservation Advisory Board**
- 17.07 Title, Purpose and Scope of the Zoning Regulations**
- 17.09 Definitions**
- 17.10 Use Classifications**
- 17.11 OS Open Space Zoning Regulations**
- 17.11A R-1 One Acre Estate Residential Zone Regulations**
- 17.12 R-10 Estate Residential Zone Regulations**
- 17.14 R-20 Low Density Residential Zone Regulations**
- 17.16 R-30 One-Family Residential Zone Regulations**
- 17.18 R-35 Special One-Family Residential Zone Regulations**
- 17.20 R-36 Small Lot Residential Zone Regulations**
- 17.22 R-40 Garden Apartment Residential Zone Regulations**
- 17.24 R-50 Medium Density Residential Zone Regulations**
- 17.26 R-60 Medium-High Density Residential Zone Regulations**
- 17.28 R-70 High Density Residential Zone Regulations**
- 17.30 R-80 High-Rise Apartment Residential Zone Regulations**
- 17.32 R-90 Downtown Apartment Residential Zone Regulations**
- 17.34 C-5 Neighborhood Commercial Zone Regulations**
- 17.36 C-10 Local Retail Commercial Zone Regulations**
- 17.38 C-20 Shopping Center**
- 17.40 C-25 Office Commercial Zone Regulations**
- 17.42 C-27 Village Commercial Zone Regulations**
- 17.44 C-28 Commercial Shopping District Zone Regulations**
- 17.46 C-30 District Thoroughfare Commercial Zone Regulations**
- 17.48 C-31 Special Retail Commercial Zone Regulations**
- 17.50 C-35 District Shopping Commercial Zone Regulations**
- 17.52 C-36 Gateway Boulevard Service Commercial Zone Regulations**
- 17.54 C-40 Community Thoroughfare Commercial Zone Regulations**
- 17.56 C-45 Community Shopping Commercial Regulations**
- 17.58 C-51 Central Business Service Commercial Zone Regulations**
- 17.60 C-52 Old Oakland Commercial Zone Regulations**
- 17.62 C-55 Central Core Commercial Zone Regulations**
- 17.64 C-60 City Service Commercial Zone Regulations**
- 17.65 HBX Housing and Business Mix (~~HBX~~) Commercial Zones Regulations**
- 17.66 M-10 Special Industrial Zone Regulations**
- 17.68 M-20 Light Industrial Zone Regulations**
- 17.70 M-30 General Industrial Zone Regulations**
- 17.72 M-40 Heavy Industrial Zone Regulations**
- 17.74 S-1 Medical Center Zone Regulations**
- 17.76 S-2 Civic Center Zone Regulations**
- 17.78 S-3 Research Center Zone Regulations**
- 17.80 S-4 Design Review Combining Zone Regulations**

- 17.82 S-6 Mobile Home Combining Zone Regulations
  - 17.84 S-7 Preservation Combining Zone Regulations
  - 17.86 S-8 Urban Street Combining Zone Regulations
  - 17.88 S-9 Retail Frontage Combining Zone Regulations
  - 17.90 S-10 Scenic Route Combining Zone Regulations
  - 17.92 S-11 Site Development and Design Review Combining Zone Regulations
  - 17.94 S-12 Residential Parking Combining Zone Regulations
  - 17.96 S-13 Mixed-Use Development Combining Zone Regulations
  - ~~17.97 S-19 Broadway Auto Row Interim Study Combining Zone~~
  - ~~17.98 S-14 Community Restoration Development Combining Zone Regulations~~
  - 17.97 S-15 Transit Oriented Development Zone Regulations
  - 17.98 S-16 Industrial-Residential Transition Combining Zone Regulations
  - 17.99 S-17 Downtown Residential Open Space Combining Zone Regulations (S-17)
  - ~~17.100 S-15 Transit Oriented Development Zone Regulations~~
  - ~~17.101 S-16 Industrial-Residential Transition Combining Zone Regulations~~
  - ~~17.101B S-18 Mediated Residential Design Review Combining Zone Regulations~~
  - ~~17.101D S-20 Historic Preservation District Combining Zone Regulations~~
  - 17.102 General Regulations Applicable to All or Several Zones
  - 17.104 General Limitations on Signs
  - 17.106 General Lot, Density, and Area Regulations
  - 17.107 Density Bonus and Incentive Procedure
  - 17.108 General Height, Yard, Court, and Fence Regulations
  - 17.110 Buffering Regulations
  - 17.112 Home Occupation Regulations
  - 17.114 Nonconforming Uses
  - 17.116 Off-Street Parking and Loading Requirements
  - 17.118 Recycling Space Allocation Requirements
  - 17.120 Performance Standards
  - 17.122 Planned Unit Development Regulations
  - 17.124 Landscaping and Screening Standards
  - 17.126 Usable Open Space Standards
  - 17.128 Telecommunications Regulations
  - 17.130 Administrative Procedures Generally
  - 17.132 Administrative Appeal Procedure
  - 17.134 Conditional Use Permit Procedure
  - 17.135 Special Use Permit Review Procedure for the OS Zone
  - 17.136 Design Review Procedure
  - 17.138 Development Agreement Procedure
  - 17.140 Planned Unit Development Procedure
  - ~~17.142 Site Development and Design Review Procedure~~
  - 17.144 Rezoning and Law Change Procedure
  - ~~17.146 Special Residential Design Review Procedure~~
  - ~~17.147 Mediated Residential Design Review Procedure~~
  - 17.148 Variance Procedure
  - 17.150 Fee Schedule
  - 17.152 Enforcement
  - 17.154 Zoning Maps
  - 17.156 Deemed Approved Alcoholic Beverage Sale Regulations
  - 17.157 Deemed Approved Hotel and Rooming House Regulations
  - 17.158 Environmental Review Regulations
- Illustrations for Title 17
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**Chapter 17.01**

**GENERAL PROVISIONS OF PLANNING CODE AND GENERAL PLAN CONFORMITY**

**Sections:**

**17.01.080 Appeal of Director's determination.**

**17.01.080 Appeal of Director's determination.**

A. Within ten calendar days of a written determination by the Director of City Planning pursuant to Section 17.01.070, an appeal of such determination may be taken to the City Planning Commission by the applicant or any other interested party. Such appeal shall be accompanied by a fee as prescribed in the city master fee schedule, and shall be processed in accordance with the administrative appeal procedure in Chapter 17.132.

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

(Ord. 12514 § 2 (part), 2003; Ord. 12054 § 2 (part), 1998)

**Chapter 17.05**

**LANDMARKS PRESERVATION ADVISORY BOARD**

**Sections:**

**17.05.080      Auxiliary committees and staffing.**

**17.05.080      Auxiliary committees and staffing.**

The Board shall make every effort to obtain assistance from, and to work with, private groups and citizens interested in preservation. It may designate auxiliary committees to assist it. The Board may seek staff assistance from the City ~~Manager~~Administrator or the City Council. (Ord. 12054 § 1(e), 1998; prior planning code § 5(h))



**Chapter 17.09**

**DEFINITIONS**

**Sections;**

**17.09.040 Definitions.**

**17.09.040 Definitions.**

“Building Facility” means any structure, open area, or object which accommodates or is intended to accommodate Residential, Civic, Commercial, Manufacturing and/or Mixed Use Activities. Building Facilities also include such facilities as are customarily associated with, and are appropriate, incidental, and subordinate to Residential, Civic, Commercial, Manufacturing and/or Mixed Use Activities.

2. **“Floor area,”** (see illustration I-2b) for all projects with one or two dwelling units on a lot, means the total square footage of all levels of all buildings on the lot. Levels shall be measured horizontally from the outside surface of exterior walls and supporting columns. The amount of floor area in each building shall be determined by the following criteria:

a. Floor area shall include all enclosed shafts, including stairwells, ventilation shafts and similar vertical shafts; the floor area of such shafts shall consist of the horizontal projection into the shaft of surrounding floor area; and

b. Floor area shall not include:

i. Unenclosed living areas such as balconies, decks and porches;

ii. Carports that are unenclosed on two or more sides;

iii. Up to four hundred forty (440) square feet within an attached or detached garage or carport that is enclosed on three or more sides;

iv. Nonhabitable accessory structures not requiring a building permit of less than one hundred twenty (120) square feet;

v. Unfinished understories, attics and basements; and

vi. ~~Any portion of finished basements if the with a height of six feet or less, as measured from finished grade at the exterior perimeter of the building to the finish floor elevation above is six (6) feet or less for at least 50% of the perimeter and does not exceed twelve (12) feet above grade at any point; those portions of finished basements with a height greater than six feet shall be considered floor area.~~

“Local Register Property” means any building, object, property or district listed in the City of Oakland’s Local Register of Historical Resources, which includes all Landmarks, Designated Historic Properties, Heritage Properties, Study List Properties, Preservation Districts, and S-7 and S-20 Preservation Combining Zone Properties; and those Potential Designated Historic Properties that are determined by the City’s Cultural Heritage Survey to have an existing rating of “A” or “B”, or to contribute or potentially contribute to an Area of Primary Importance.

~~“Lot width” (see illustration I-4) means the mean of~~ is the horizontal distances between the side lot lines measured at right angles to the side lot lines depth at all points distant thereon twenty (20) feet from ~~between the front lot line and twenty (20) feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.~~

“Lot width mean” (see illustration I-4) means is the mean of the horizontal distances between the side lot lines measured at right angles to the lot depth at points distant thereon twenty (20) feet from

## ***EXHIBIT A***

the front lot line and twenty (20) feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.

“Primary activity” means an activity which fulfills a primary function of an establishment, institution, household, or other entity.

“Primary facility” means a main building or other facility which is designed for or occupied by a primary activity.

“Potential Designated Historic Property” means any building or property that is determined by the City’s Cultural Heritage Survey to have an existing rating of “A”, “B”, or “C”, or to contribute or potentially contribute to an Area of Primary or Secondary Importance.

“Residential facility” means any structure, open area, or object which accommodates or is intended to accommodate Residential Activities. Residential Facilities also include such facilities as are customarily associated with, and are appropriate, incidental, and subordinate to Residential Activities.

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

“Story” means a portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:

1. A basement or cellar if the height from finished grade at the exterior perimeter of the building to the finish floor elevation above is six (6) feet or less for at least 50% of the perimeter and does not exceed twelve (12) feet above grade at any point; finished floor level directly above is not more than six feet above finished grade;

2. An attic or similar space under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such space.

“Upper story” means either: 1. Any story located above the bottommost story of a building; or 2. Any story with finished floor located at least twelve (12) ~~fifteen (15)~~ feet above finished grade at any point along the building perimeter.

**Chapter 17.10**

**USE CLASSIFICATIONS**

**Sections:**

- 17.10.150 Limited Child-Care Activities.**
- 17.10.180 Community Education Civic Activities.**
- 17.10.340 General Retail Sales Commercial Activities.**

**17.10.150 Limited Child-Care Activities.**

Limited Child-Care Civic Activities include the provision of day-care service for fourteen (14) ~~twelve (12)~~ or fewer children, provided, however, that care for seven (7) ~~six~~ or more children be provided only in facilities licensed by a state or county agency. They also include certain activities accessory thereto, as specified in Section 17.10.040. (Prior planning code § 2311)

**17.10.180 Community Education Civic Activities.**

Community Education Civic Activities include the activities typically performed by the following institutions. They also include certain activity accessory thereto, as specified in Section 17.10.040.

- A. Public, parochial, and private day-care centers for fifteen (15) ~~thirteen (13)~~ or more children;
- B. Public, parochial, and private nursery schools and kindergartens;
- C. Public, parochial, and private elementary, junior high, and high schools;
- D. Support services provided for independent living skills development including self-improvement education, employment and job training for both on-site and off-site residents in conjunction with Service-Enriched Permanent Housing and Transitional Housing Residential Activities. (Ord. 12138 § 4 (part), 1999; prior planning code § 2316)

**17.10.340 General Retail Sales Commercial Activities.**

General Retail Sales Commercial Activities Include the retail sale or rental from the ~~premise~~premises, primarily for personal or household use, of goods consisting primarily of items other than food and beverages and convenience items described in Section 17.10.310; but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. They also exclude Large-Scale Combined Retail and Grocery Sales Commercial Activity, as defined in Section 17.10.345. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Ord. 12547 § 3 (part), 2003; prior planning code § 2367)

**Chapter 17.11A**

**R-1 ONE ACRE ESTATE RESIDENTIAL ZONE REGULATIONS**

**Sections:**

~~17.11A.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.11A.030 — Required design review process for Telecommunications Facilities.~~

~~17.11A.100 — Maximum residential density.~~

~~17.11A.020 — Special residential design review for projects with one or two units on a lot.~~

~~A. — General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~1. — Does not require a building permit;~~

~~2. — Involves only the repair or replacement in kind of a roof;~~

~~3. — Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. — Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12501 § 5, 2003; Ord. 12376 § 4, 2001; Ord. 12272 § 3 (part), 2000)~~

**17.11A.030 — Required design review process for Telecommunications Facilities.**

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.

No Micro or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.

(Ord. 12272 § 3 (part), 2000)

**17.11A.100 — Maximum residential density.**

The maximum density of Residential Facilities shall be as set forth below. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms. No

***EXHIBIT A***

residential facility shall be permitted to have both an additional kitchen as provided for in Section 17.102.270B and a Secondary Unit.

A. Permitted Density. One primary dwelling unit is permitted on each lot. A Secondary Unit may also be permitted, thereby making a total of two dwelling units on the lot, subject to the provisions of Section 17.102.360.

(Ord. 12501 § 8, 2003; Ord. 12376 § 3 (part), 2001; Ord. 12272 § 3 (part), 2000)

**Chapter 17.12**

**R-10 ESTATE RESIDENTIAL ZONE REGULATIONS**

**Sections:**

~~17.12.020 Special residential design review for projects with one or two units on a lot.~~

~~17.12.030 Required dDesign review process. for Telecommunications Facilities.~~

~~17.12.100 Maximum residential density.~~

~~17.12.020 Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~1. Does not require a building permit;~~

~~2. Involves only the repair or replacement in kind of a roof;~~

~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12501 § 8, 2003; Ord. 12376 § 4, 2001; prior planning code § 3251)~~

**17.12.030 Required dDesign review process. for Telecommunications Facilities.**

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.

No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.

(Ord. 11904 § 5.60 (part), 1996; prior planning code § 3252)

**17.12.100 Maximum residential density.**

The maximum density of Residential Facilities shall be as set forth below. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms. No

***EXHIBIT A***

residential facility shall be permitted to have both an additional kitchen as provided for in Section 17.102.270B and a Secondary Unit.

A. Permitted Density. One primary dwelling unit is permitted on each lot. A Secondary Unit may also be permitted, thereby making a total of two dwelling units on the lot, subject to the provisions of Section 17.102.360.

(Ord. 12501 § 12, 2003; Ord. 12199 § 5A (part), 2000; Ord. 12116 § 2 (part), 1999; prior planning code § 3265)

Chapter 17.14

R-20 LOW DENSITY RESIDENTIAL ZONE REGULATIONS

Sections:

~~17.14.020 Special residential design review for projects with one or two units on a lot.~~

~~17.14.030 Required Design review process for Telecommunications Facilities.~~

17.14.100 Maximum residential density.

~~17.14.020 Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~1. Does not require a building permit;~~

~~2. Involves only the repair or replacement in kind of a roof;~~

~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

(Ord. 12501 § 13, 2003; Ord. 12376 § 4, 2001; prior planning code § 3351)

**17.14.030 Required Design review process for Telecommunications Facilities.**

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.

No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.

(Ord. 11904 § 5.60 (part), 1996; prior planning code § 3352)

**17.14.100 Maximum residential density.**

The maximum density of Residential Facilities shall be as set forth below. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms. No



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residential facility shall be permitted to have both an additional kitchen as provided for in Section 17.102.270B and a Secondary Unit.

A. Permitted Density. One primary dwelling unit is permitted on each lot. A Secondary Unit may also be permitted, thereby making a total of two dwelling units on the lot, subject to the provisions of Section 17.102.360.

(Ord. 12501 § 16, 2003; Ord. 12199 § 5A (part), 2000; Ord. 12116 § 2 (part), 1999; prior planning code § 3365)

Chapter 17.16

R-30 ONE-FAMILY RESIDENTIAL ZONE REGULATIONS

Sections:

~~17.16.020 Special residential design review for projects with one or two units on a lot.~~

~~17.16.030 Required design review process for Telecommunications Facilities.~~

~~17.16.100 Maximum residential density.~~

~~17.16.020 Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~1. Does not require a building permit;~~

~~2. Involves only the repair or replacement in kind of a roof;~~

~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building;~~

~~(Ord. 12501 § 17, 2003; Ord. 12376 § 4, 2001; prior planning code § 3451)~~

~~17.16.030 Required design review process for Telecommunications Facilities.~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 3452)~~

~~17.16.100 Maximum residential density.~~

~~The maximum density of Residential Facilities shall be as set forth below. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms. No~~

***EXHIBIT A***

residential facility shall be permitted to have both an additional kitchen as provided for in Section 17.102.270B and a Secondary Unit.

A. Permitted Density. One primary dwelling unit is permitted on each lot. A Secondary Unit may also be permitted, thereby making a total of two dwelling units on the lot, subject to the provisions of Section 17.102.360.

(Ord. 12501 § 20, 2003; Ord. 12199 § 5A (part), 2000; Ord. 12116 § 2 (part), 1999; prior planning code § 3465)

**Chapter 17.18**

**R-35 SPECIAL ONE-FAMILY RESIDENTIAL ZONE REGULATIONS**

**Sections:**

~~17.18.020 Special residential design review for projects with one or two units on a lot.~~

~~17.18.030 Required Design review process. for Telecommunications Facilities.~~

~~17.18.100 Maximum residential density.~~

~~17.18.020 Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~1. Does not require a building permit;~~
- ~~2. Involves only the repair or replacement in kind of a roof;~~
- ~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~
- ~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12501 § 21, 2003; Ord. 12376 § 4, 2001; prior planning code § 3551)~~

~~17.18.030 Required Design review process. for Telecommunications Facilities.~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 3552)~~

~~17.18.100 Maximum residential density.~~

~~The maximum density of Residential Facilities shall be as set forth below. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms. No~~

## ***EXHIBIT A***

residential facility shall be permitted to have both an additional kitchen as provided for in Section 17.102.270B and a Secondary Unit.

A. Permitted Density. One primary dwelling unit is permitted on each lot. A Secondary Unit may also be permitted, thereby making a total of two dwelling units on the lot, subject to the provisions of Section 17.102.360.

B. Conditionally Permitted Density. A total of two dwelling units may be permitted on any lot which has five thousand (5,000) square feet or more of lot area, or on any lot which has four thousand (4,000) to four thousand nine hundred ninety-nine (4,999) square feet of lot area and qualifies under Section 17.106.010 as an existing buildable parcel, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

(Ord. 12501 § 24, 2003; Ord. 12199 § 5 D (part), 2000; prior planning code § 3565)

**Chapter 17.20**

**R-36 SMALL LOT RESIDENTIAL ZONE REGULATIONS**

**Sections:**

- 17.20.020**      **Required Design review process, for construction or alteration.**
- ~~17.20.025~~      ~~Special residential design review for Secondary Units.~~
- 17.20.070**      **Design review criteria.**
- 17.20.100**      **Maximum residential density.**

**17.20.020**      **Required Design review process, for construction or alteration.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, 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 additional provisions in Section 17.20.070, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.~~

~~No building, Sign, or other facility other than a new Secondary Unit shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance unless plans for such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and the provisions of Section 17.20.070, or for Micro Telecommunications Facilities pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. However, design review approval is not required for Realty Signs, Development Signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110C, for mere changes of copy, including cutouts, on Signs the customary use of which involves frequent and periodic changes of copy.~~

(Ord. 12501 § 25, 2003; Ord. 11904 § 5.61, 1996; prior planning code § 3576)

~~17.20.025~~      ~~Special residential design review for Secondary Units.~~

~~No Secondary Unit shall be constructed or established unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146.~~

(Ord. 12501 § 26, 2003)

**17.20.070**      **Design review criteria.**

In the R-36 zone, proposals requiring regular Design review approval pursuant to Section 17.20.020 may be granted only upon determination that the proposal conforms to the regular general design review criteria set forth in the design review procedure in Chapter 17.136 and to all of the following additional criteria:

- A.      Site Design.
  - 1.      That the siting of the building is such that it is compatible with adjacent properties and respects the configuration and natural amenities of the lot;
  - 2.      That the building is oriented in such a way that it maintains direct sunlight to adjacent properties wherever possible;
  - 3.      That, where desirable, entry paths are distinct and separate elements from parking pads and driveways; and that stairways, accessways, and corridors are designed to ensure the privacy and security of residents without adversely affecting the residential amenity of adjacent properties;
  - 4.      That the design and site planning of the building, open areas, parking, and other facilities are convenient and functional;
  - 5.      That the siting and orientation of the proposal maintains views to adjacent properties wherever possible.
- B.      Parking.

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1. That parking spaces are incorporated into the design such that they are complementary elements of the overall design;

2. That, where physically feasible, unenclosed parking spaces are situated on the site in such a manner that they maintain or improve the character and integrity of the neighborhood, and are visually screened from the street and other significant vantage points to minimize their visual impact.

C. Building Design.

1. That the building has a scale, height, bulk, and massing compatible with, but not necessarily identical to, surrounding buildings;

2. That parking entrances are integrated into the overall project design;

3. That the primary entrance is identifiable and is treated such that it is consistent with the rest of the building;

4. That the design of the building is specific to its location and responds to topographic, physical, or climatic characteristics of the site.

D. Landscaping.

1. That the proposed landscaping complements the design of the building and the use of open spaces and yards;

2. That water conservation has been considered in the selection of plant material and irrigation systems.

E. General.

1. That the proposed design conforms in all significant respects with the Oakland Comprehensive General Plan and with any applicable district plan or development control map which has been adopted by the City Council.

(Prior planning code § 3587)

**17.20.100 Maximum residential density.**

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

A. Permitted Density. The numbers of dwelling units indicated in the following table are permitted on the lots of the specified sizes:

<b>Total Lot Area</b>	<b>Permitted Total Number of Dwelling Units</b>
Less than 4,000 square feet, but only in the case of a lot which qualifies under Section 17.106.010 as an existing buildable parcel.	One <u>primary</u> dwelling unit, or one <u>primary</u> dwelling unit with one Secondary Unit, subject to the provisions specified in Section 17.102.360.
4,000--4,999 square feet, but only in the case of a lot that qualifies under Section 17.106.010 as an existing buildable parcel.	Two dwelling units.
5,000 or more square feet.	Two dwelling units.

## Chapter 17.22

## R-40 GARDEN APARTMENT RESIDENTIAL ZONE REGULATIONS

## Sections:

~~17.22.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.22.030 — Design review for residential projects with three or more units on a lot.~~

~~17.22.040 — Required Design review process for Telecommunications Facilities.~~

~~17.22.110 — Maximum residential density.~~

~~17.22.020 — Special residential design review for projects with one or two units on a lot.~~

~~A. — General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~1. — Does not require a building permit;~~

~~2. — Involves only the repair or replacement in-kind of a roof;~~

~~3. — Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~

~~4. — Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent. (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12501 § 30, 2003; Ord. 12376 § 4, 2001; prior planning code § 3601)~~

~~17.22.030 — Design review for residential projects with three or more units on a lot.~~

~~A. — General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy-five (75) percent of the total floor space in the facility.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

~~1. — Does not require a building permit;~~

~~2. — Involves only the repair or replacement in-kind of a roof;~~



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~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent; and (b) that all exterior treatment matches the existing building.~~

~~(Prior planning code § 3602)~~

**17.22.040 Required ~~d~~Design review process for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996: prior planning code § 3602.1)~~

**17.22.110 Maximum residential density.**

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

A. Permitted Density. The numbers of dwelling units indicated in the following table are permitted on lots of the specified sizes:

<b>Total Lot Area</b>	<b>Permitted Total Number of Dwelling Units</b>
Less than 4,000 square feet, but only in the case of a lot which qualifies under Section 17.106.010 as an existing buildable parcel.	One <u>primary</u> dwelling unit, or one <u>primary</u> dwelling unit with one Secondary Unit, subject to the provisions specified in Section 17.102.360.
4,000--4,999 square feet, but only in the case of a lot that qualifies under Section 17.106.010 as an existing buildable parcel.	Two dwelling units.
5,000 or more square feet.	Two dwelling units.

Chapter 17.24

R-50 MEDIUM DENSITY RESIDENTIAL ZONE REGULATIONS

Sections:

~~17.24.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.24.030 — Design review for residential projects with three or more units on a lot.~~

~~17.24.040 — Required design review process for Telecommunications Facilities.~~

~~17.24.110 — Maximum residential density.~~

~~17.24.020 — Special residential design review for projects with one or two units on a lot.~~

~~A. — General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~1. — Does not require a building permit;~~
- ~~2. — Involves only the repair or replacement in kind of a roof;~~
- ~~3. — Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~
- ~~4. — Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12501 § 34, 2003; Ord. 12376 § 4, 2001; prior planning code § 3651)~~

~~17.24.030 — Design review for residential projects with three or more units on a lot.~~

~~A. — General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy five (75) percent of the total floor space in the facility.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

- ~~1. — Does not require a building permit;~~
- ~~2. — Involves only the repair or replacement in kind of a roof;~~

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~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building.~~

~~(Prior planning code § 3652)~~

**17.24.040 Required Design review process for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996: prior planning code § 3652.1)~~

**17.24.110 Maximum residential density.**

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

A. Permitted Density. The numbers of dwelling units indicated in the following table are permitted on lots of the specified sizes:

Total Lot Area	Permitted Total Number of Dwelling Units
Less than 4,000 square feet, but only in the case of a lot which qualifies under Section 17.106.010 as an existing buildable parcel.	One <u>primary</u> dwelling unit, or one <u>primary</u> dwelling unit with one Secondary Unit, subject to the provisions specified in Section 17.102.360.
4,000 or more square feet.	Two dwelling units, or one <u>primary</u> dwelling unit with one Secondary Unit, subject to the provisions specified in Section 17.102.360.

**Chapter 17.26**

**R-60 MEDIUM-HIGH DENSITY RESIDENTIAL ZONE REGULATIONS**

**Sections:**

~~17.26.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.26.030 — Design review for residential projects with three or more units on a lot.~~

~~17.26.040 — Required Design review process for Telecommunications Facilities.~~

~~17.26.020 — Special residential design review for projects with one or two units on a lot.~~

~~—— A. — General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~—— B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~—— 1. — Does not require a building permit;~~
- ~~—— 2. — Involves only the repair or replacement in-kind of a roof;~~
- ~~—— 3. — Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~
- ~~—— 4. — Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12501 § 38, 2003; Ord. 12376 § 4, 2001; prior planning code § 3751)~~

~~17.26.030 — Design review for residential projects with three or more units on a lot.~~

~~—— A. — General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy five (75) percent of the total floor space in the facility.~~

~~—— B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

- ~~—— 1. — Does not require a building permit;~~
- ~~—— 2. — Involves only the repair or replacement in-kind of a roof;~~
- ~~—— 3. — Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~

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~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building.  
(Prior planning code § 3752)~~

**17.26.040 Required Design review process, for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 3752.1)~~

**Chapter 17.28**

**R-70 HIGH DENSITY RESIDENTIAL ZONE REGULATIONS**

**Sections:**

~~17.28.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.28.030 — Design review for residential projects with three or more units on a lot.~~

~~17.28.040 — Required design review process for Telecommunications Facilities.~~

~~17.28.020 — Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~1. Does not require a building permit;~~

~~2. Involves only the repair or replacement in kind of a roof;~~

~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12501 § 41, 2003; Ord. 12376 § 4, 2001; prior planning code § 3801)~~

~~17.28.030 — Design review for residential projects with three or more units on a lot.~~

~~A. General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy-five (75) percent of the total floor space in the facility.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

~~1. Does not require a building permit;~~

~~2. Involves only the repair or replacement in kind of a roof;~~

~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building.  
(Prior planning code § 3802)~~

**17.28.040 Required Design review process, for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 3802.1)~~

**Chapter 17.30**

**R-80 HIGH-RISE APARTMENT RESIDENTIAL ZONE REGULATIONS**

**Sections:**

~~17.30.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.30.030 — Design review for residential projects with three or more units on a lot.~~

~~17.30.040 — Required Design review process for Telecommunications Facilities.~~

~~17.30.020 — Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~1. Does not require a building permit;~~
- ~~2. Involves only the repair or replacement in-kind of a roof;~~
- ~~3. Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~
- ~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12501 § 44, 2003; Ord. 12376 § 4, 2001; prior planning code § 3851)~~

~~17.30.030 — Design review for residential projects with three or more units on a lot.~~

~~A. General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the Design Review Criteria for High Density Housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy five (75) percent of the total floor space in the facility.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

- ~~1. Does not require a building permit;~~
- ~~2. Involves only the repair or replacement in-kind of a roof;~~
- ~~3. Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~



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~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building.  
(Prior planning code § 3852)~~

### **17.30.040 Required ~~d~~Design review process. for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996: prior planning code § 3852.1)~~

**Chapter 17.32**

**R-90 DOWNTOWN APARTMENT RESIDENTIAL ZONE REGULATIONS**

**Sections:**

~~17.32.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.32.030 — Design review for residential projects with three or more units on a lot.~~

~~17.32.040 — Required design review process for Telecommunications Facilities.~~

~~17.32.020 — Special residential design review for projects with one or two units on a lot.~~

~~A. — General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~1. — Does not require a building permit;~~

~~2. — Involves only the repair or replacement in kind of a roof;~~

~~3. — Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. — Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12501 § 47, 2003; Ord. 12376 § 4, 2001; prior planning code § 3901)~~

~~17.32.030 — Design review for residential projects with three or more units on a lot.~~

~~A. — General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy-five (75) percent of the total floor space in the facility.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

~~1. — Does not require a building permit;~~

~~2. — Involves only the repair or replacement in kind of a roof;~~

~~3. — Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building.  
(Prior planning code § 3902)~~

**17.32.040 Required Design review process. for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 3902.1)~~

Chapter 17.34

C-5 NEIGHBORHOOD COMMERCIAL ZONE REGULATIONS

Sections:

~~17.34.020~~ ~~Required Design review process for construction or alteration.~~

~~17.34.025~~ ~~Special residential design review for Secondary Units.~~

17.34.140 Maximum residential density.

~~17.34.020~~ ~~Required Design review process for construction or alteration.~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, 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.~~

~~No building, Sign, or other facility, other than a Secondary Unit, shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance unless plans for such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136, or for signs pursuant to the sign regulations in Chapter 17.04 and the design review procedure in Chapter 17.136, or for Micro Telecommunications Facilities pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. However, design review approval is not required for Realty Signs, Development Signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110C, for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy.~~

~~(Ord. 12606 Att. A (part), 2004; Ord. 12501 § 50, 2003; Ord. 11904 § 5.62 (part), 1996; prior planning code § 4202)~~

~~17.34.025~~ ~~Special residential design review for Secondary Units.~~

~~No Secondary Unit shall be constructed or established unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146.~~

~~(Ord. 12501 § 51, 2003)~~

17.34.140 Maximum residential density.

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.22.110 for the R-40 zone. (Prior planning code § 4215)

Chapter 17.36

C-10 LOCAL RETAIL COMMERCIAL ZONE REGULATIONS

Sections:

~~17.36.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.36.030 — Required dDesign review process. for Telecommunications Facilities.~~

~~17.36.035 — Design review for business, civic and residential signs.~~

~~17.36.130 — Maximum residential density.~~

~~17.36.020 — Special residential design review for projects with one or two units on a lot.~~

~~A. — General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. Except in the case of a Secondary Unit, this requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~1. — Does not require a building permit;~~
- ~~2. — Involves only the repair or replacement in kind of a roof;~~
- ~~3. — Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~
- ~~4. — Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building;~~

~~(Ord. 12501 § 53, 2003; Ord. 12376 § 4, 2001; prior planning code § 4251)~~

~~17.36.030 — Required dDesign review process. for Telecommunications Facilities.~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. (Ord. 11904 § 5.60 (part), 1996; prior planning code § 4252)~~

~~17.36.035 — Design review for business, civic, and residential signs.~~

~~No sign shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136. However, design review approval is~~

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~~not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110(C), for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004)~~

### **17.36.130 Maximum residential density.**

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.24.110 for the R-50 zone. (Prior planning code § 4265)

**Chapter 17.38**

**C-20 SHOPPING CENTER COMMERCIAL ZONE REGULATIONS**

**Sections:**

**17.38.020** ~~Required Design review process, for construction or alteration.~~

~~17.38.025 Special residential design review for Secondary Units.~~

**17.38.110** **Maximum residential density.**

**17.38.020** ~~Required Design review process, for construction or alteration.~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, 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.~~

~~No building, Sign, other than a Secondary Unit, or other facility, shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance unless plans for such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136, or for signs pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136, or for Micro Telecommunications Facilities pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. However, design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110(C) for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy.~~

~~(Ord. 12606 Att. A (part), 2004; Ord. 12501 § 55, 2003; Ord. 11904 § 5.63 (part), 1996; prior planning code § 4302)~~

~~17.38.025 Special residential design review for Secondary Units.~~

~~No Secondary Unit shall be constructed or established unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146.~~

~~(Ord. 12501 § 56, 2003)~~

**17.38.110** **Maximum residential density.**

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.24.110 for the R-50 zone, except that no residential living units are permitted unless a conditional use permit therefor is granted pursuant to the conditional use permit procedure in Chapter 17.134. (Prior planning code § 4315)

Chapter 17.40

C-25 OFFICE COMMERCIAL ZONE REGULATIONS

Sections:

- ~~17.40.020~~ ~~Special residential design review for projects with one or two units on a lot.~~
- ~~17.40.030~~ ~~Required dDesign review process, for construction or alteration.~~
- ~~17.40.140~~ ~~Maximum residential density.~~

~~17.40.020~~ ~~Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~1. Does not require a building permit;~~
- ~~2. Involves only the repair or replacement in kind of a roof;~~
- ~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~
- ~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building. (Ord. 12376 § 4, 2001; prior planning code § 4351)~~

**17.40.030** **Required dDesign review process, for construction or alteration.**

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, 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.

No building, Sign, or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance unless plans for such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136, or for signs pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136, or for Micro Telecommunications Facilities pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. However, design review approval is not required for Realty Signs, Development Signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110C, for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy.

(Ord. 12606 Att. A (part), 2004; Ord. 11904 § 5.62 (part), 1996; prior planning code § 4352)



**17.40.140 Maximum residential density.**

Residential uses shall be subject to the same maximum density and other\_-related regulations as are set forth in Section 17.28.120 for the R-70 zone. (Prior planning code § 4365)

## Chapter 17.42

## C-27 VILLAGE COMMERCIAL ZONE REGULATIONS

## Sections:

~~17.42.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.42.030 — Required design review process, for construction or alteration.~~

~~17.42.140 — Maximum residential density.~~

~~17.42.020 — Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~1. Does not require a building permit;~~

~~2. Involves only the repair or replacement in kind of a roof;~~

~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building. (Ord. 12376 § 4, 2001; prior planning code § 4401)~~

~~17.42.030 — Required design review process, for construction or alteration.~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, 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.~~

~~No building, Sign, or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance unless plans for such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136, or for signs pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136, or for Micro Telecommunications Facilities pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. However, design review approval is not required for Realty Signs, Development Signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110C, for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy.~~

~~(Ord. 12606 Att. A (part), 2004; Ord. 11904 § 5.62 (part), 1996; prior planning code § 4402)~~

**17.42.140 Maximum residential density.**

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.28.120 for the R-70 zone. (Prior planning code § 4415)

**Chapter 17.44**

**C-28 COMMERCIAL SHOPPING DISTRICT ZONE REGULATIONS**

**Sections:**

- 17.44.020** ~~Required Design review process. for construction or alteration.~~
- 17.44.140** **Maximum residential density.**
- 17.44.200** **Special regulations for mini-lot, planned unit developments, and bonuses for mixed use developments containing Residential and Commercial Activities, excluding joint living and work quarters.**

**17.44.020** ~~**Required Design review process. for construction or alteration.**~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, 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.~~

~~No building, Sign, or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance unless plans for such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136, or for signs pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136, or for Micro Telecommunications Facilities pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. However, design review approval is not required for Realty Signs, Development Signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110C, for mere changes of copy, including eutouts, on signs the customary use of which involves periodic changes of copy.~~

~~(Ord. 12606 Att. A (part), 2004; Ord. 11904 § 5.62 (part), 1996; prior planning code § 4427)~~

**17.44.140** **Maximum residential density.**

Residential uses shall be subject to the same maximum density, and other, related regulations as set forth in Section 17.28.120 for the R-70 zone, except as modified in Section 17.44.200 for mixed use developments. (Prior planning code § 4440)

**17.44.200** **Special regulations for mini-lot, planned unit developments, and bonuses for mixed use developments containing Residential and Commercial Activities, excluding joint living and work quarters.**

A. Mini-Lot Developments. In mini-lot developments, certain of the regulations otherwise applying to individual lots in the C-28 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 17.122 if they meet the minimum land area requirements of Section 17.22.030.

C. Mixed Use Developments Containing Residential and Commercial Activities, Excluding Joint Living and Work Quarters. To qualify as a mixed use development, a project must include at least twenty-five (25) percent of the number of residential units that would be permitted if the project were solely residential.

1. The following bonuses shall be permitted upon the granting of a conditional use permit pursuant to Section 17.44.110 and the conditional use permit procedure in Chapter 17.134:

## ***EXHIBIT A***

a. Non-retail ground floor uses prohibited in Section 17.44.070B, not including residential, shall be allowed in instances where the residential uses are provided in the ratio of at least one square foot of residential use per one square foot of non-retail ground floor commercial use.

b. The standards of the S-12 residential parking combining zone regulations relating to reduction of aisle and stall width, and number of allowable compact spaces, shall be allowed for the residential portion of the mixed use project.

c. The minimum requirements for usable open space shall be reduced from one hundred fifty (150) square feet per unit to one hundred twenty (120) square feet of group open space per unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 17.126.020.

d. The total floor area of commercial and manufacturing activities by a single establishment may exceed seven thousand five hundred (7,500) square feet.

2. In addition to the bonuses listed in subsection (C)(1) of this section, the following bonuses shall be permitted on sites a minimum of one acre in size, upon the granting of a conditional use permit pursuant to Section 17.44.110 and the conditional use permit procedure in Chapter 17.134:

a. The total amount of required parking for the residential component of the mixed use development may be reduced by up to twenty-five (25) percent.

b. The maximum height of the project may be fifty-five (55) feet. (Ord. 11892 § 3, 1996; prior planning code § 4448)

Chapter 17.46

C-30 DISTRICT THOROUGHFARE COMMERCIAL ZONE REGULATIONS

Sections:

~~17.46.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.46.030 — Design review for residential projects with three or more units on a lot.~~

~~17.46.040 — Required Design review process for Telecommunications Facilities.~~

~~17.46.045 — Design review for business, civic and residential signs.~~

17.46.130 Maximum residential density.

~~17.46.020 — Special residential design review for projects with one or two units on a lot.~~

~~—— A. — General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~—— B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~—— 1. — Does not require a building permit;~~
- ~~—— 2. — Involves only the repair or replacement in kind of a roof;~~
- ~~—— 3. — Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~
- ~~—— 4. — Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12376 § 4, 2001; prior planning code § 4451)~~

~~17.46.030 — Design review for residential projects with three or more units on a lot.~~

~~—— A. — General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the Design Review Criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy-five (75) percent of the total floor space in the facility.~~

~~—— B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

- ~~—— 1. — Does not require a building permit;~~
- ~~—— 2. — Involves only the repair or replacement in kind of a roof;~~

~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building.~~

~~(Prior planning code § 4452)~~

**17.46.040 Required Design review process for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4452.1)~~

**17.46.045 Design review for business, civic, and residential signs.**

~~No sign shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136. However, design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110(C), for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004)~~

**17.46.130 Maximum residential density.**

~~Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.28.120 for the R-70 zone. (Prior planning code § 4465)~~

**Chapter 17.48**

**C-31 SPECIAL RETAIL COMMERCIAL ZONE REGULATIONS**

**Sections:**

**17.48.020**     ~~Required dDesign review process, for construction or alteration.~~

**17.48.130**     **Maximum residential density.**

**17.48.020**     ~~Required dDesign review process, for construction or alteration.~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, 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.~~

~~———— No building, Sign, or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance unless plans for such proposal shall have been approved pursuant to the design review procedure in Chapter 17.136, or for signs pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136, or for Micro Telecommunications Facilities pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. However, design review approval is not required for Realty Signs, Development Signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110C, for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy.~~

~~(Ord. 12606 Att. A (part), 2004; Ord. 11904 § 5.62 (part), 1996; prior planning code § 4477)~~

**17.48.130**     **Maximum residential density.**

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.28.120 for the R-70 zone. (Prior planning code § 4490)



**Chapter 17.50**

**C-35 DISTRICT SHOPPING COMMERCIAL ZONE REGULATIONS**

**Sections:**

- 17.50.010 Title, purpose, and applicability.**
- ~~17.50.020 Special residential design review for projects with one or two units on a lot.~~
- ~~17.50.030 Design review for residential projects with three or more units on a lot.~~
- 17.50.040 Required Design review process for Telecommunications Facilities.**
- ~~17.50.045 Design review for business, civic and residential signs.~~
- 17.50.140 Maximum residential density.**

**17.50.010 Title, purpose, and applicability.**

The provisions of this chapter shall be known as the C-35 district shopping commercial zone regulations. The C-35 zone is intended to create, preserve, and enhance areas with a wide range of retail establishments serving both short and long term needs in compact locations oriented toward pedestrian comparison shopping, and is typically appropriate to commercial clusters ~~near~~ near intersections of major thoroughfares. These regulations shall apply in the C-35 zone. (Prior planning code § 4500)

~~17.50.020 Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~1. Does not require a building permit;~~
- ~~2. Involves only the repair or replacement in-kind of a roof;~~
- ~~3. Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~
- ~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building.~~

~~(Ord. 12376 § 4, 2001; prior planning code § 4501)~~

~~17.50.030 Design review for residential projects with three or more units on a lot.~~

~~A. General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the Design Review Criteria for High Density Housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy five (75) percent of the total floor space in the facility.~~

~~———— B. ——— Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

- ~~———— 1. ——— Does not require a building permit;~~
- ~~———— 2. ——— Involves only the repair or replacement in kind of a roof;~~
- ~~———— 3. ——— Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~
- ~~———— 4. ——— Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building.~~

~~(Prior planning code § 4502)~~

**17.50.040 Required Design review process for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~———— No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4502.1)~~

**17.50.045 Design review for business, civic, and residential signs.**

~~———— No sign shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136. However, design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110(C), for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004)~~

**17.50.140 Maximum residential density.**

~~Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.28.120 for the R-70 zone. (Prior planning code § 4515)~~

Chapter 17.52

**C-36 GATEWAY BOULEVARD SERVICE COMMERCIAL ZONE REGULATIONS**

**Sections:**

**17.52.040** ~~Required Design review process for construction or alteration.~~

**17.52.040** ~~Required Design review process for construction or alteration.~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Building Facility, Mixed Use Development, 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. Findings for design review approval shall also be consistent with the Hegenberger Design Guidelines.~~

~~A. No building, Sign or other Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance unless plans for such proposal shall have been approved to the design review procedure in Chapter 17.136, or for signs pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136, or for Micro Telecommunications Facilities pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136. Findings for design review approval shall be consistent with the Hegenberger Design Guidelines.~~

~~B. Design review is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110C, for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004; Ord. 12076 § 3 (part), 1998; Ord. 11904 § 5.60 (part), 1996; prior planning code § 4527.1)~~

Chapter 17.54

C-40 COMMUNITY THOROUGHFARE COMMERCIAL ZONE REGULATIONS

Sections:

- ~~17.54.020 — Special residential design review for projects with one or two units on a lot.~~
- ~~17.54.025 — Design review for Automotive Servicing and Automotive Repair and Cleaning Commercial Activities.~~
- ~~17.54.030 — Design review for residential projects with three or more units on a lot.~~
- ~~17.54.040 — Required ~~d~~Design review process, for Telecommunications Facilities.~~
- ~~17.54.045 — Design review for business, civic and residential signs.~~
- ~~17.54.110 — Limitations on Signs.~~
- ~~17.54.130 — Maximum residential density.~~

~~17.54.020 — Special residential design review for projects with one or two units on a lot.~~  
~~—— A. — General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~—— B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~—— 1. — Does not require a building permit;~~
- ~~—— 2. — Involves only the repair or replacement in-kind of a roof;~~
- ~~—— 3. — Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~
- ~~—— 4. — Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building. (Ord. 12376 § 4, 2001; prior planning code § 4551)~~

~~17.54.025 — Design review for Automotive Servicing and Automotive Repair and Cleaning Commercial Activities.~~

~~—— No facility accommodating an Automotive Servicing or Automotive Repair and Cleaning Commercial Activity shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such a proposal shall have been approved pursuant to the design review procedure in Chapter 17.136. (Ord. 12240 § 3, 2000)~~

~~17.54.030 — Design review for residential projects with three or more units on a lot.~~

~~—— A. — General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility~~

~~containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy five (75) percent of the total floor space in the facility.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

- ~~1. Does not require a building permit;~~
- ~~2. Involves only the repair or replacement in-kind of a roof;~~
- ~~3. Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~
- ~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building. (Prior planning code § 4552)~~

**17.54.040 Required ~~d~~Design review process for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Facility accommodating an Automotive Servicing or an Automotive Repair and Cleaning Commercial Activity, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996: prior planning code § 4552.1)~~

**17.54.045 ~~Design review for business, civic, and residential signs.~~**

~~No sign shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136. However, design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110(C), for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004)~~

**17.54.110 Limitations on Signs.**

A. General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 17.104.020.

~~B. Restriction on Size of Individual Signs. No Sign, other than a Special Sign, shall have a display surface greater than seven hundred (700) square feet on any one face.~~

~~C. Restriction on Signs Above Roof Line. No Sign, other than a Special Sign, which is attached to a building shall be located or otherwise extend above the roof line or parapet wall thereof, except as follows:~~

- ~~1. Up to one half the area of display surface of any Business, Civic, or Residential Sign which is supported by the street wall may extend above the roof line or parapet wall, but not to a height greater than ten feet above the roof line or parapet wall or thirty five (35) feet above finished grade, whichever is lower.~~

## EXHIBIT A

~~2. A Business Sign serving Automotive Servicing Commercial Activities may extend above the canopy sheltering the gasoline pumps, but not to a height greater than thirty five (35) feet above finished grade.~~

~~3. Any Business, Civic, or Residential Sign may be located or otherwise extend above the roof line or parapet wall, and may exceed the limitations in subsections (C)(1) and (2) of this section, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that the Sign will be architecturally harmonious with the building and the immediate surroundings. However, such permit shall not authorize the Sign to extend above the roof line or top of the parapet wall by more than twenty five (25) percent of the height thereof, unless the overall height of the Sign above finished grade is not more than that allowed by subsection D of this section for freestanding Signs.~~

~~D. Maximum Height of Freestanding Signs. No Sign, other than a Special Sign, which is not attached to a building shall extend more than thirty five (35) feet above finished grade. However, said height may be increased to not to exceed forty five (45) feet for a Sign which identifies an integrated shopping center including at least five firms engaging in Commercial Activities, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that the Sign will be architecturally harmonious with the on-site and nearby facilities.~~

~~E. Prohibition of Pennants and Streamers. No Signs, other than Special Signs and Signs behind a display window, shall include any pennants, streamers, propellers, or similar devices. However, such devices may be displayed during openings and other special events, for not to exceed thirty (30) days in any one year period.~~

~~F. Special Limitations on Service Station Signs. The following limitations shall apply to all Business Signs serving Automotive Servicing Commercial Activities:~~

~~1. No single Sign shall have a display surface greater than one hundred twenty five (125) square feet on any one face.~~

~~2. Illumination, if any, of all such Signs shall be nonflashing. (Prior planning code § 4563)~~

### **17.54.130 Maximum residential density.**

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.28.120 for the R-70 zone. (Prior planning code § 4565)

**Chapter 17.56**

**C-45 COMMUNITY SHOPPING COMMERCIAL REGULATIONS**

**Sections:**

~~17.56.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.56.030 — Design review for residential projects with three or more units on a lot.~~

~~17.56.040 — Required dDesign review process for Telecommunications Facilities.~~

~~17.56.045 — Design review for business, civic and residential signs.~~

~~17.56.140 — Maximum residential density.~~

~~17.56.020 — Special residential design review for projects with one or two units on a lot.~~

~~—— A. —— General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~—— B. —— Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~—— 1. —— Does not require a building permit;~~

~~—— 2. —— Involves only the repair or replacement in kind of a roof;~~

~~—— 3. —— Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~—— 4. —— Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building. (Ord. 12376 § 4, 2001; prior planning code § 4601)~~

~~17.56.030 — Design review for residential projects with three or more units on a lot.~~

~~—— A. —— General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy-five (75) percent of the total floor space in the facility.~~

~~—— B. —— Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

~~—— 1. —— Does not require a building permit;~~

~~—— 2. —— Involves only the repair or replacement in kind of a roof;~~

~~—— 3. —— Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building. (Prior planning code § 4602)~~

**17.56.040 Required ~~d~~Design review process for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4602.1)

**17.56.045 ~~Design review for business, civic, and residential signs.~~**

~~No sign shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136. However, design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110 (C), for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004)~~

**17.56.140 Maximum residential density.**

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.30.140 for the R-80 zone. (Prior planning code § 4615)



Chapter 17.58

C-51 CENTRAL BUSINESS SERVICE COMMERCIAL ZONE REGULATIONS

Sections:

~~17.58.020 — Design review for residential projects with three or more units on a lot.~~

~~17.58.030 — Special residential design review for projects with one or two units on a lot.~~

~~17.58.040 — Required Design review process for Telecommunications Facilities.~~

~~17.58.045 — Design review for business, civic and residential signs.~~

17.58.140 Maximum residential density.

~~17.58.020 — Design review for residential projects with three or more units on a lot.~~

~~A. — General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy five (75) percent of the total floor space in the facility or to any facility.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be~~

~~exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

~~1. — Does not require a building permit;~~

~~2. — Involves only the repair or replacement in kind of a roof;~~

~~3. — Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. — Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building. (Prior planning code § 4826)~~

~~17.58.030 — Special residential design review for projects with one or two units on a lot.~~

~~A. — General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. — Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~1. — Does not require a building permit;~~

~~2. — Involves only the repair or replacement in kind of a roof;~~

~~3. — Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~

~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building. (Ord. 12376 § 4, 2001; prior planning code § 4827)~~

**17.58.040 Required Design review process for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro- or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4827.1)~~

**17.58.045 Design review for business, civic, and residential signs.**

~~No sign shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136. However, design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110(C), for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004)~~

**17.58.140 Maximum residential density.**

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.32.140 for the R-90 zone.

(Prior planning code § 4840)

Chapter 17.60

**C-52 OLD OAKLAND COMMERCIAL ZONE REGULATIONS**

**Sections:**

~~17.60.020 — Special residential design review for projects with one or two units on a lot.~~

~~17.60.030 — Design review for residential projects with three or more units on a lot.~~

~~17.60.040 — Required Design review process for Telecommunications Facilities.~~

~~17.60.045 — Design review for business, civic and residential signs.~~

~~17.60.140 — Maximum residential density.~~

~~17.60.020 — Special residential design review for projects with one or two units on a lot.~~

~~—— A. —— General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~—— B. —— Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential~~

~~Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

~~—— 1. —— Does not require a building permit;~~

~~—— 2. —— Involves only the repair or replacement in-kind of a roof;~~

~~—— 3. —— Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~

~~—— 4. —— Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, (b) that all exterior treatment matches the existing building. (Ord. 12376 § 4, 2001; prior planning code § 4851)~~

~~17.60.030 — Design review for residential projects with three or more units on a lot.~~

~~—— A. —— General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy five (75) percent of the total floor space in the facility.~~

~~—— B. —— Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

~~—— 1. —— Does not require a building permit;~~

~~—— 2. —— Involves only the repair or replacement in-kind of a roof;~~

~~—— 3. —— Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~

~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building. (Prior planning code § 4852)~~

**17.60.040 Required Design review process. for Telecommunications Facilities.**

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.~~

~~No Micro- or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4852.1)~~

**17.60.045 Design review for business, civic, and residential signs.**

~~No sign shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136. However, design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110(C), for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004)~~

**17.60.140 Maximum residential density.**

~~Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.30.140 for the R-80 zone. (Prior planning code § 4865)~~

Chapter 17.62

C-55 CENTRAL CORE COMMERCIAL ZONE REGULATIONS

Sections:

- ~~17.62.020 — Design review for residential projects with three or more units on a lot.~~
- ~~17.62.030 — Special residential design review for projects with one or two units on a lot.~~
- ~~17.62.040 — Required ~~d~~Design review process for Telecommunications Facilities.~~
- ~~17.62.045 — Design review for business, civic and residential signs.~~
- 17.62.120 Limitations on Signs.
- 17.62.140 Maximum residential density.

~~17.62.020 — Design review for residential projects with three or more units on a lot.~~

~~A. General. If a project involves or results in three or more dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal shall have been approved pursuant to the design review procedure in Chapter 17.136 and upon determination that the proposal conforms to the design review criteria for high density housing as adopted by the City Council. This requirement shall not apply to any facility containing both residential and nonresidential activities unless, the floor space devoted to residential activities constitutes seventy five (75) percent of the total floor space in the facility.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in one or more dwelling units being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of one or more dwelling units and if it:~~

- ~~1. Does not require a building permit;~~
- ~~2. Involves only the repair or replacement in kind of a roof;~~
- ~~3. Is certified by the City Planning Department to involve only replacement in kind of existing building components; or~~
- ~~4. Is certified by the City Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent, and (b) that all exterior treatment matches the existing building. (Prior planning code § 4876)~~

~~17.62.030 — Special residential design review for projects with one or two units on a lot.~~

~~A. General. If a project involves or results in one or two dwelling units on a lot, no Residential Facility shall be constructed or established, or altered as set forth in subsection B of this section, unless plans for the proposal have been approved pursuant to the special residential design review procedure in Chapter 17.146. This requirement shall not apply to any Residential Facility whose proposed plans must be approved pursuant to the conditional use permit procedure in Chapter 17.134, the design review procedure in Chapter 17.136, the planned unit development procedure in Chapter 17.140, or the site development and design review procedure in Chapter 17.142. This requirement also shall not apply to any facility containing both residential and nonresidential activities or to any facility in the S-18 mediated residential design review combining zone, except as set forth in the S-18 zone.~~

~~B. Criteria for Altered Residential Facilities. Proposals to alter Residential Facilities shall be subject to the requirements set forth in subsection A of this section, if such alterations result in a dwelling unit being added to an existing Residential Facility or if they involve changes that affect exterior appearance. A proposal will be exempt from this requirement if it does not involve the addition of a dwelling unit and if it:~~

- ~~1. Does not require a building permit;~~
- ~~2. Involves only the repair or replacement in kind of a roof;~~

~~3. Is certified by the City Planning Department to involve only replacement in-kind of existing building components; or~~

~~4. Is certified by the Planning Department: (a) to involve an increase or decrease in wall area, floor area, or footprint of no more than ten percent. (b) that all exterior treatment matches the existing building. (Ord. 12376 § 4, 2001; prior planning code § 4877)~~

**17.62.040 Required Design review process for Telecommunications Facilities.**

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Mixed Use Development, 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.

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4877.1)

**17.62.045 Design review for business, civic, and residential signs.**

~~No sign shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136. However, design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110(C), for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004)~~

**17.62.120 Limitations on Signs.**

A. General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 17.104.020.

~~B. Prohibition of Signs Above Roof Line. No Sign, other than a Special Sign, which is attached to a building shall extend above the roof or parapet wall thereof.~~

~~C. Maximum Height of Freestanding Signs. No Sign, other than a Special Sign, which is not attached to a building shall extend more than twenty-four (24) feet above finished grade.~~

(Prior planning code § 4888)

**17.62.140 Maximum residential density.**

Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 17.32.140 for the R-90 zone.

(Prior planning code § 4890)

Chapter 17.64

**C-60 CITY SERVICE COMMERCIAL ZONE REGULATIONS**

**Sections:**

**17.64.020** ~~Required dDesign review process, for Telecommunications Facilities.~~

~~17.64.025~~ ~~Design review for Automotive Servicing and Automotive Repair and Cleaning Commercial Activities.~~

~~17.64.027~~ ~~Design review for business, civic and residential signs.~~

**17.64.020** ~~Required dDesign review process, for Telecommunications Facilities.~~

~~Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Facility accommodating an Automotive Servicing or an Automotive Repair and Cleaning Commercial Activity, Mixed Use Development, 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.~~

~~No Micro, or Mini Telecommunications Facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the telecommunications regulations in Chapter 17.128 and the design review procedure in Chapter 17.136.~~

~~(Ord. 11904 § 5.60 (part), 1996; prior planning code § 4902)~~

~~17.64.025~~ ~~Design review for Automotive Servicing and Automotive Repair and Cleaning Commercial Activities.~~

~~No facility accommodating an Automotive Servicing or Automotive Repair and Cleaning Commercial Activity shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such a proposal shall have been approved pursuant to the design review procedure in Chapter 17.136. (Ord. 12240 § 4, 2000)~~

~~17.64.027~~ ~~Design review for business, civic, and residential signs.~~

~~No sign shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the sign regulations in Chapter 17.104 and the design review procedure in Chapter 17.136. However, design review approval is not required for realty signs, development signs, holiday decorations, and displays behind a display window; and it is not required, except as otherwise provided in Section 17.114.110(C), for mere changes of copy, including cutouts, on signs the customary use of which involves periodic changes of copy. (Ord. 12606 Att. A (part), 2004)~~