



CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

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

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**AN ORDINANCE, AS RECOMMENDED BY THE CITY PLANNING COMMISSION:**

**1) AMENDING TITLE 17 OF THE OAKLAND MUNICIPAL CODE (THE PLANNING CODE), TO (A) ADJUST REGULATIONS FOR PERMITTED AND CONDITIONALLY PERMITTED ACTIVITIES AND FACILITIES FOR PURPOSES OF PROVIDING GREATER OPPORTUNITIES FOR GROUND FLOOR ACTIVITIES AND EASE THE PERMITTING BURDEN FOR COMMERCIAL, CIVIC, AND LOW IMPACT INDUSTRIAL ACTIVITIES; AND (B) MAKE RELATED MISCELLANEOUS AND ADMINISTRATIVE CHANGES; AND**

**2) MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.**

**WHEREAS**, the last comprehensive update to the City of Oakland (City) OS Open Space Zoning Regulations occurred in 1998 as part of the planning code amendments implementing the 1996 Open Space, Conservation, and Recreation (OSCAR) Element of the General Plan; and

**WHEREAS**, the last comprehensive update of the City's commercial zones was in 2011, when the City Council adopted amendments to the Planning Code (Ordinance No. 13064 C.M.S.), which created new zones for the City's commercial and residential areas; and

**WHEREAS**, in 2024, the City Council adopted amendments to the Planning Code (Ordinance No. 13812 C.M.S.), designating new downtown zones to implement the Downtown Oakland Specific Plan; these changes included reducing the number of uses that required a Conditional Use Permit (CUP) downtown by allowing for more uses to be permitted outright in order to make it easier for small businesses to open and help fill vacant commercial spaces; and

**WHEREAS**, on May 6, 2025, the City Council adopted amendments to the Planning Code (Ordinance No. 13840 C.M.S.), which: 1) expanded the pedestrian-oriented activities permitted in the D-BV Broadway Valdez District Commercial Zones; and 2) permitted Artisan Production commercial Activities in the D-LM Lake Merritt Station Area District Zones; and

**WHEREAS**, these amendments were intended as the pilot for the current citywide permit streamlining proposal; and

**WHEREAS**, the City's CUP approval process is often lengthy and expensive; and

**WHEREAS**, the City's CUP process has been identified as inhibiting the opening of certain types of small- and neighborhood-serving businesses, as well as the implementation of parks improvements and maintenance by the City; and

**WHEREAS**, Mayor Lee has established a permit reform initiative, and included as part of her 10-Point Plan, is streamlining permitting; and

**WHEREAS**, amendments are proposed to be made to 28 chapters of the City Planning Code (Title 17 of the Oakland Municipal Code); and

**WHEREAS**, the primary focus of these amendments is to reduce the number of activities subject to the CUP procedure and thereby allow these uses to be permitted outright; and

**WHEREAS**, on November 5, 2025, at a duly noticed public hearing, the Planning Commission recommended approval of the proposed changes included in ***Exhibit A***; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Recitals.** The City Council finds and determines the foregoing recitals to be true and correct and an integral part of the City Council's decision and hereby adopts such recitals as findings.

**SECTION 2. Amendment of Oakland Planning Code.** The Oakland Planning Code (Title 17 of the Oakland Municipal Code) is hereby amended pursuant to ***Exhibit A*** attached hereto and incorporated by reference herein. Additions to Title 17 of the Oakland Planning Code are shown as underline and deletions are shown as ~~striketrough~~.

**SECTION 3. California Environmental Quality Act.** The proposed amendments to the Planning Code rely on the following California Environmental Quality Act (CEQA) findings: (1) a determination that no further environmental review is required following the certified Oakland 2045 General Plan Update - Phase 1 Environmental Impact Report and Downtown Oakland Specific Plan Environmental Impact Report pursuant to Public Resources Code section 21166 and CEQA Guidelines Section 15162 or 15163; (2) this proposal is exempt pursuant to CEQA Guidelines section 15183 (projects consistent with General Plan and zoning); and (3) this proposal is exempt pursuant to CEQA Guidelines Sections 15061(b)(3) (general rule, no significant effect on the environment). Each of these findings provide a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance.

**SECTION 4. Filing of Notice of Exemption/Notice of Determination.** The Environmental Review Officer, or designee, is directed to file a Notice of Exemption/Notice of Determination with the appropriate agencies.

**SECTION 5. No Conflict with Federal or State Law.** Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any Federal or State law.

**SECTION 6. Necessary to Serve Public Interest.** This Ordinance serves the public interest and is necessary to protect the health, safety and/or general welfare of the citizens of Oakland and is enacted pursuant to the City of Oakland's general police powers, Section 106 of the Charter of the City of Oakland, and Article XI, Sections 5 and 7 of the California Constitution.

**SECTION 7. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional

**SECTION 8. Effective Date.** This Ordinance shall become effective upon the thirtieth day after final adoption. These changes shall not apply to (a) building/construction related permits issued prior to the effective date and not yet expired; and (b) zoning applications deemed or determined complete, approved pending appeal, or approved prior to the effective date. However, zoning applications deemed complete by the City prior to the date of final passage of this Ordinance may be processed under the provisions of these Planning Code amendments if the applicant chooses to do so.

**SECTION 9. Authorization to Make Technical Conforming Changes.** The City Council hereby authorizes the City Administrator to make non-substantive, technical conforming changes (essentially correction of typographical and clerical errors), prior to formal publication of the amendments in the Oakland Planning Code.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – BROWN, FIFE, HOUSTON, RAMACHANDRAN, REID, UNGER, WANG AND  
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_

ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California

Date of Attestation: \_\_\_\_\_

## **NOTICE AND DIGEST**

**AN ORDINANCE, AS RECOMMENDED BY THE CITY PLANNING COMMISSION:**

**1) AMENDING TITLE 17 OF THE OAKLAND MUNICIPAL CODE (THE PLANNING CODE), TO (A) ADJUST REGULATIONS FOR PERMITTED AND CONDITIONALLY PERMITTED ACTIVITIES AND FACILITIES FOR PURPOSES OF PROVIDING GREATER OPPORTUNITIES FOR GROUND FLOOR ACTIVITIES AND EASE THE PERMITTING BURDEN FOR COMMERCIAL, CIVIC, AND LOW IMPACT INDUSTRIAL ACTIVITIES; AND (B) MAKE RELATED MISCELLANEOUS AND ADMINISTRATIVE CHANGES; AND**

**2) MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.**

The ordinance proposes revisions to 28 chapters of the Oakland Planning Code. The amendments would reduce regulatory barriers to permitting certain types of small- and neighborhood-serving businesses, as well as the implementation of parks improvements and maintenance by the City.

**Exhibit A****Planning Code Amendments to Adjust Regulations for Permitted and Conditionally Permitted Activities and Facilities and Related Miscellaneous and Administrative Changes Consistent with Recently Adopted Broadway Valdez, Downtown Oakland, and 2025 Omnibus Planning Code Amendments**

The Oakland Planning Code (Title 17 of the Oakland Municipal Code) is proposed to be amended as follows. Additions are shown in underline and deletions are shown in ~~striketrough~~. Note that only the relevant code subsections being amended are included and unamended portions of tables are omitted.

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

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## Chapter 17.09 DEFINITIONS

**17.09.050 Special definitions for projects in the Open Space (OS) Zone.**

A. "Change in use" means any activity which is not already established in the particular park or open space, or the significant expansion of any existing use. Changes in the ongoing, regularly scheduled recreational programs offered by the City of Oakland, regional park district, and similar agencies shall not be considered "changes in use" unless they involve permanent structural changes to parks or park facilities. Conditionally permitted changes in use are listed in Sections 17.11.050, 17.11.060 and 17.11.090.

B. "Improvement" means any project which, if proposed by a private applicant, would require issuance of a building, grading, or demolition permit by the City of Oakland. Parking lots shall also be included. Routine building and grounds maintenance where there is no change in the size, height, or external appearance of structures or grounds; and routine landscaping and/or landscape improvements, including irrigation systems, are not included. Conditionally permitted improvements are listed in Sections 17.11.050, 17.11.060 and 17.11.090.

C. "Impervious surface" means any surface through which water does not easily pass. Impervious surface specifically includes all structures; paving materials such as brick, concrete, asphalt, or stone; swimming pools; and patios and terraces. Impervious surface does not include landscaping or furniture, play equipment, kiosks, or other individual articles used in conjunction with landscaping which individually do not cover more than ten (10) square feet and cumulatively do not cover more than one hundred (100) square feet.

D. "Open space of comparable value" means land acquired or improved by the City that is approximately equal in its potential for recreational use to land elsewhere in the City proposed for coverage by a structure or impervious surface. For the purposes of this definition, comparable value shall be based on slope, total area, dimensions, vegetation, and proximity to water features.

E. "Caretaker's quarters" means a single living unit occupied on a weekly or longer basis on public parkland where the primary occupant of the residence is employed to maintain the grounds and facilities of the associated park.

F. "Street furniture" means furnishings used to enhance the aesthetic and functional value of a park or open space, including benches, tables, planter boxes, flagpoles, water fountains, decorative trash bins, ornamental fixtures, and similar features. Map boards and kiosks are excluded. For zoning purposes, street furniture is classified into projects whose individual components sum to more than one hundred (100) square feet and those whose components sum to less than one hundred (100) square feet.

G. "No net loss" means a state in which the square footage of useable parkland added to the City's park inventory since July 28, 1998, is equal to or greater than the square footage of urban parkland covered by structures since that date. Lands within the jurisdiction of the Port of Oakland and lands classified as "Resource Conservation Areas" are excluded from this

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calculation. Structures smaller than one hundred (100) square feet shall also be exempt from this calculation.

H. "Urban parkland" means any parkland in the City of Oakland that is not designated a "Resource Conservation Area," excluding those lands within the jurisdiction of the Port of Oakland.

## Chapter 17.10 USE CLASSIFICATIONS

### Article I General Classification Rules

#### 17.10.040 Accessory activities.

In addition to the principal activities expressly included therein, each activity type shall be deemed to include such activities as are customarily associated with, and are appropriate, incidental, and subordinate to, such a principal activity; are located on the same lot as such principal activity except as otherwise provided in Subsections A., J., and K. of this Section; and meet the further conditions set forth hereinafter. Such accessory activities shall be controlled in the same manner as the principal activities within such type except as otherwise expressly provided in the zoning regulations. Such accessory activities include, but are not limited to, the activities indicated below, but exclude the sale of alcoholic beverages to the general public except at a Full-Service Restaurant, Limited-Service Restaurant and Café, or an alcoholic beverage manufacturer, as described in Sections 17.10.272, 17.10.274, 17.10.550, and 17.10.560, and subject to the standards in Section 17.103.030. (See also Section 17.10.050 for additional activities included within activity types in the case of combinations of different principal activities.)

#### [A-K OMITTED]

- L. Benches, street furniture, lighting, public art, sheds, and similar infrastructure associated with city and regional parks, the sum of which are one hundred (100) square feet or less;
- M. Public restrooms serving park and recreational facilities;
- N. Auto repair on the same lot as an auto showroom, or auto repair associated with an auto showroom but on a separate lot, in the D-BV-4 Zones specified in Chapter 17.101C upon the granting of a Conditional Use Permit according to the requirements of limitation L18. in Table 17.101C.01;
- O. Operation of Electrical Vehicle Charging Stations and similar infrastructure;
- P. Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials such as aluminum, glass, plastic, and bimetal for recycling.

### Article II Activity Types

#### Part 2 Civic Activity Types

#### 17.10.140 Essential Service Civic Activities.

Essential Service Civic Activities include the maintenance and operation of the following installations:

#### [A-J OMITTED]

- K. Electrical Vehicle Charging Stations and similar infrastructure serving automobiles and other light vehicles that have a gross vehicle weight rating of less than fourteen thousand (14,000) pounds;

#### [L OMITTED]

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

### Part 3 Commercial Activity Types

#### 17.10.350 Consumer Service Commercial Activities.

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

- Barber shops;
- Beauty salons;
- Laundromats;
- Nail salons;
- Full service laundry service and dry cleaners (not including dry cleaning plants);
- Dry cleaners (may include on-site dry cleaning but only if consumer drop-off and pick-up is provided and is less than 5,000 square feet. This classification does not include on-site dry cleaning without consumer drop-off and pick-up. Activities that do not meet these requirements are classified as Section 17.10.375 Consumer Dry Cleaning Plant Commercial Activities.);
- Shoe shine stands;
- Tailors;
- Tanning salons;
- Tattoo parlors;
- A pharmacy that exclusively sells prescription drugs, non-prescription drugs, and other medical-related products;
- Massage services.

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

#### 17.10.375 Consumer Dry Cleaning Plant Commercial Activities.

Consumer Dry Cleaning Plant Commercial Activities includes the large-scale on-site dry cleaning of personal apparel and similar items with or without consumer drop-off and pick-up. This classification does not include any activity classified as Section 17.10.350 Consumer Service Commercial Activities, such as Dry cleaners. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

#### 17.10.420 Research Service Commercial Activities.

Research Service Commercial Activities include research and development of a scientific, medical, pharmaceutical, or small- and medium-scale industrial nature leading to the development of new

products and processes. These activities generally occur in an office or laboratory setting. This classification does not include activities that fall into the Research and Development Industrial Activities classification or laboratories approved for National Institute of Health experiments using Risk Group 4 or Restricted Agents (commonly known as "bio-safety level 4") ~~(see Section 17.10.580 Heavy/High Impact Manufacturing Activities)~~. This classification includes certain activities accessory to the above, as specified in Section 17.10.040.

#### Part 4 Industrial Activity Types

##### 17.10.560 Light Manufacturing Industrial Activities.

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

- A. Production apparel manufacturing;
- B. Computer and electronic products ~~(except when part of an approved Research and Development Industrial Activity, as specified in Section 17.10.581);~~
- ~~C. Pharmaceutical production;~~
- ~~DC.~~ Beverages (including alcoholic) and food (excluding the production of highly pungent, odor-causing items, such as vinegar and yeast) with more than ten thousand (10,000) square feet of floor area (See Section 17.10.040 for allowed sales activities accessory to the production of alcoholic beverages and Section 17.103.030 for definition of an alcoholic beverage manufacturer);
- ~~ED.~~ Electrical equipment, appliances, and components ~~(except when part of an approved Research and Development Industrial Activity, as specified in Section 17.10.581);~~
- ~~FE.~~ Furniture and related products;
- ~~GF.~~ Pharmaceutical production ~~(except when part of an approved Research and Development Industrial activity, as specified in Section 17.10.581);~~
- ~~HG.~~ Sporting and athletic goods.

##### 17.10.580 Heavy/High Impact Manufacturing Industrial Activities.

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

- A. Any manufacturing use with large-scale facilities for outdoor oil and gas storage;
- ~~B. Any biotechnology research, development or production activities involving materials defined by the National Institute of Health as Risk Group 4 or Restricted Agents (commonly known as "biosafety level 4");~~
- ~~CB.~~ Battery manufacturing ~~and storage;~~

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- DC.** Lime and gypsum products manufacturing;
- ED.** Non-ferrous metals production, processing, smelting and refining;
- FE.** Painting, coating and adhesive manufacturing;
- GF.** Synthetic dye and pigment manufacturing;
- HG.** Urethane and other open-cell foam product manufacturing;
- IH.** Petroleum and coal products manufacturing and refining;
- J.** Primary metal smelting;
- KJ.** Vinegar, yeast and other pungent, odor-causing items production;
- LK.** Leather tanning;
- ML.** Cement and asphalt manufacturing;
- NM.** Explosives manufacturing;
- ON.** Fertilizer and other agricultural chemical manufacturing.

### 17.10.581 Research and Development Industrial Activities.

Research and Development Industrial Activities include large-scale industrial research and product prototype development in advance of ~~full-scale, and including, fabrication and small scale-up~~ manufacturing of final products. These activities take place ~~in an industrial setting within enclosed buildings~~. The ~~only~~ manufacturing uses ~~included~~ in this classification consist of the creation of ~~prototype~~ processes, products, plans, or designs for the primary purpose of research, development, ~~or evaluation, or rather than~~ sale.

This classification ~~excludes laboratories approved for National Institute of Health experiments using Risk Group 4 or Restricted Agents (commonly known as "bio safety level 4") (see Section 17.10.580 Heavy/High Impact Manufacturing Activities)~~includes, but is not limited to, pharmaceutical, semiconductor, technology, or biotechnology research and development activities, as well as the small scale-up manufacturing, processing, or assembly of resulting final products. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

### 17.10.585 Trucking and Truck-Related Industrial Activities.

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

#### **[A-D OMITTED]**

- E. Truck and Other Heavy Vehicle Service, Repair, and Refueling. Repair, fueling, and other servicing of medium and heavy trucks, truck tractors, construction or agricultural equipment, buses, boats, heavy equipment, and similar vehicles. This classification includes the sale, installation, and servicing of related equipment and parts. This classification also includes gasoline, diesel, natural gas, and/or hydrogen fueling stations, repair shops, body and fender shops, wheel and brake shops, engine repair and rebuilding, welding, major painting service, tire sales and installation, and upholstery shops for trucks and other heavy vehicles. This classification does

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not include electrical vehicle charging stations installed as the primary use of a site serving Trucks or Other Heavy Vehicles (see ~~Essential Service Activities, Section 17.10.140.K~~ Subsection 17.10.585.F); or vehicle dismantling or salvage (see Salvage/Junk Yards, Subsection 17.10.583.E).

F. Electrical Vehicle Charging Stations serving Trucks and Other Heavy Vehicles. This classification includes electrical vehicle charging stations serving medium and heavy trucks and other heavy vehicles that have a gross vehicle weight rating greater than or equal to fourteen thousand (14,000) pounds. This classification does not include electrical vehicle charging stations serving automobiles and other light vehicles that have a gross vehicle weight rating of less than fourteen thousand (14,000) pounds (see Essential Service Activities, Section 17.10.140.K).

## Chapter 17.11 OS OPEN SPACE ZONING REGULATIONS

**17.11.015 Special definitions for projects in the Open Space (OS) Zone.**

- A. **"Change in use"** means any activity which is not already established in the particular park or open space, or the significant expansion of any existing use. Changes in the ongoing, regularly-scheduled recreational programs offered by the City of Oakland, regional park district, and similar agencies shall not be considered "changes in use" unless they involve permanent structural changes to parks or park facilities. Conditionally permitted changes in use are listed in Sections 17.11.050, 17.11.060 and 17.11.090. Building and grounds maintenance; repair and/or in-kind replacement of existing park features, which cumulatively do not add more than one hundred (100) square feet of new impervious surface; and routine landscaping and/or landscape improvements, including irrigation systems, shall also not be considered a "change in use".
- B. **"Improvement"** means any project which, if proposed by a private applicant, would require issuance of a building, grading, or demolition permit by the City of Oakland. Parking lots shall also be included. Building and grounds maintenance; repair and/or in-kind replacement of existing park features, which cumulatively do not add more than one hundred (100) square feet of new impervious surface; and routine landscaping and/or landscape improvements, including irrigation systems, are not included. Conditionally permitted improvements are listed in Sections 17.11.050, 17.11.060 and 17.11.090.
- C. **"Impervious surface"** means any surface through which water does not easily pass. Impervious surface specifically includes all structures; paving materials such as brick, concrete, asphalt, or stone; swimming pools; and patios and terraces. Impervious surface does not include landscaping or furniture, play equipment, kiosks, or other individual articles used in conjunction with landscaping which cumulatively do not cover more than one hundred (100) square feet.
- D. **"Open space of comparable value"** means land acquired or improved by the City that is approximately equal in its potential for recreational use to land elsewhere in the City proposed for coverage by a structure or impervious surface. For the purposes of this definition, comparable value shall be based on slope, total area, dimensions, vegetation, and proximity to water features.
- E. **"Caretaker's quarters"** means a single living unit occupied on a monthly or longer basis on public parkland where the primary occupant of the residence is employed to maintain the grounds and facilities of the associated park.
- F. **"Street furniture"** means furnishings used to enhance the aesthetic and functional value of a park or open space, including benches, tables, planter boxes, flagpoles, water fountains, decorative trash bins, ornamental fixtures, and similar features. Map boards and kiosks are excluded. For zoning purposes, street furniture is classified into projects whose individual components sum to more than one hundred (100) square feet and those whose components sum to one hundred (100) square feet or less.

G. **"No net loss"** means a state in which the square footage of useable parkland added to the City's park inventory since July 28, 1998, is equal to or greater than the square footage of urban parkland covered by structures since that date. Lands within the jurisdiction of the Port of Oakland and lands classified as "Resource Conservation Areas" are excluded from this calculation. Structures equal to or smaller than one hundred (100) square feet shall also be exempt from this calculation.

H. **"Urban parkland"** means any parkland in the City of Oakland that is not designated a "Resource Conservation Area," excluding those lands within the jurisdiction of the Port of Oakland.

#### **17.11.050 Conditionally permitted activities.**

The following activities, as described in the use classifications at Chapter 17.10, and as further restricted to certain park and open space categories and specific uses as set forth in 17.11.060, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure at Chapter 17.134 and the special use permit procedure for the OS Zone at Chapter 17.135, subject to the special definitions for projects in the Open Space Zone at Section 17.09.050 ~~17.015~~ and the use permit criteria at Section 17.11.110:

- A. Residential Activities:
  - Permanent
- B. Civic Activities:
  - Essential Service, **except when certain types of Essential Service Activities are permitted in the designated open space categories, as set forth in Section 17.11.060.**
  - Limited Child Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Extensive Impact
- C. Commercial Activities:
  - Animal Care
  - Animal Boarding
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - Alcoholic Beverage Sales (in restaurants only)
- D. Agricultural and Extractive Activities:
  - Plant Nursery

**17.11.060 Special provisions for permitted and conditionally permitted activities in the OS Zone.**

The following table shall apply to those activities that are permitted and conditionally permitted constitute a "change in use", as defined in Section 17.11.015, within the OS Zone. Building and grounds maintenance, repair, and in-kind replacement of existing park features, which cumulatively do not add more than one hundred (100) square feet of new impervious surface; and routine landscaping and/or landscape improvements shall not be considered a "change in use". The specified activities shall only be permitted or conditionally permitted in the types of parks indicated in the table. Permitted activities are noted with the letter "P." Uses requiring a Minor Conditional Use Permit are indicated with a star. Uses requiring a Major Conditional Use Permit are indicated with a solid diamond. In the event that no letter or symbol appears in the matrix cell, the use is not permitted.

| USE/PARK TYPE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | RSP    | CP     | NP     | AMP | PMP | LP     | SU     | RCA | AF     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------|--------|-----|-----|--------|--------|-----|--------|
| <p><i>Legend:</i></p> <p>◆ = Major Conditional Use Permit Required</p> <p>* = Minor Conditional Use Permit Required</p> <p>P = Permitted</p> <p>L = Limitations or notes listed at the bottom of the table that activities are subject to</p> <p>No symbol=Not Permitted</p> <p>RSP (Region-Seeing Park); CP (Community Park); NP (Neighborhood Park); Active Mini-Park (AMP); Passive Mini-Park (PMP); Linear Park (LP); Special Use Park (SU); Resource Conservation Area (RCA); Athletic Field Park (AF)</p> |        |        |        |     |     |        |        |     |        |
| <b>PERMANENT RESIDENTIAL ACTIVITIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |        |        |        |     |     |        |        |     |        |
| <b>ACTIVITY TYPES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |        |        |        |     |     |        |        |     |        |
| <b>RESIDENTIAL ACTIVITIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |        |        |        |     |     |        |        |     |        |
| Permanent (Caretaker's Quarters only)                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | ◆ (L2) | ◆ (L2) | ◆ (L2) |     |     | ◆ (L2) | ◆ (L2) |     | ◆ (L2) |
| <b>ESSENTIAL SERVICE CIVIC ACTIVITIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |        |        |        |     |     |        |        |     |        |
| Botanical Gardens                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | *      | *      | *      | *   | *   | *      | *      |     | *      |
| Community Gardens                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | *      | *      | *      | *   | *   | *      | *      | *   | *      |
| Trails and Paths                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | *P     | *P     | *P     | *P  | *P  | *P     | *P     | *P  | *P     |
| Electric, gas, and telephone distribution lines and poles                                                                                                                                                                                                                                                                                                                                                                                                                                                       | *P     | *P     | *P     | *P  | *P  | *P     | *P     | *P  | *P     |
| Water, storm drainage, and sewer lines                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | *P     | *P     | *P     | *P  | *P  | *P     | *P     | *P  | *P     |
| <b>LIMITED CHILD CARE CIVIC ACTIVITIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |        |        |        |     |     |        |        |     |        |
| Child Care Centers for 12-14 or fewer children                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | ◆      | ◆      | ◆      |     |     |        | ◆      |     |        |
| <b>COMMUNITY ASSEMBLY CIVIC ACTIVITIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |        |        |        |     |     |        |        |     |        |
| Athletic Fields                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | *      | *      | *      |     |     |        | *      |     | *      |
| Basketball Courts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | *      | *      | *      | *   |     | *      | *      |     | *      |

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| USE/PARK TYPE                                                                                            | RSP | CP | NP | AMP | PMP | LP | SU | RCA | AF |
|----------------------------------------------------------------------------------------------------------|-----|----|----|-----|-----|----|----|-----|----|
| Boathouses                                                                                               | ◆   |    |    |     |     | ◆  | ◆  |     |    |
| Bocce Ball Courts                                                                                        | *   | *  | *  | *   |     | *  | *  |     | *  |
| Carousels and Similar Amusement Rides                                                                    | ◆   |    |    |     |     |    | ◆  |     |    |
| Clubhouse, lodge, meeting hall                                                                           | ◆   | ◆  | ◆  |     |     |    | ◆  |     |    |
| Dog Play Area (fenced)                                                                                   | *   | *  | *  |     |     | *  | *  |     |    |
| Fishing Ponds                                                                                            | *   | *  | *  |     |     |    | *  |     |    |
| Food Service and Other Concessions                                                                       | *p  | *p | *p | p   |     | p  | *p |     | *p |
| Gymnasium                                                                                                | ◆   | ◆  | ◆  |     |     |    | ◆  |     |    |
| Handball Courts                                                                                          | ◆   | ◆  | ◆  |     |     |    | ◆  |     | *  |
| Horseback Riding                                                                                         | ◆   |    |    |     |     |    | ◆  | ◆   |    |
| Horseshoe Pit                                                                                            | *   | *  | *  | *   |     |    | *  |     | *  |
| Lawn Bowling                                                                                             | *   | *  | *  | *   |     | *  | *  |     | *  |
| Miniature Golf                                                                                           | ◆   | ◆  |    |     |     |    | ◆  |     |    |
| Picnic Areas (the sum of which is more than 1,000 square feet)                                           | *   | *  | *  | *   | *   | *  | *  | ◆   | *  |
| Playgrounds/Tot Lots/Children's Play Equipment (the sum of which is more than 1,000 square feet)         | *   | *  | *  | ◆   | ◆   | *  | *  |     | *  |
| Playgrounds/Tot Lots/Children's Play Equipment (less than the sum of which is 1,000 square feet or less) | *   | *  | *  | *   | *   | *  | *  | *   | *  |
| Recreation Center                                                                                        | ◆   | ◆  | ◆  |     |     |    | ◆  |     | ◆  |
| Skateboard Play Area                                                                                     | *   | *  | *  | *   |     | *  | *  |     | *  |
| Swim Centers (pools)                                                                                     | ◆   | ◆  | ◆  |     |     |    | ◆  |     | ◆  |
| Temporary Uses (i.e., fairs and carnivals, special events)                                               | *p  | *p | *p | *p  | *p  | *p | *p | p   | *p |
| Tennis Courts                                                                                            | *   | *  | *  |     |     |    | *  |     | *  |
| Wading Pools                                                                                             | *   | *  | *  | *   | *   | *  | *  |     | *  |
| Water Play Feature (water park)                                                                          | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  |     | ◆  |
| <b>COMMUNITY EDUCATION CIVIC ACTIVITIES</b>                                                              |     |    |    |     |     |    |    |     |    |
| Child Care Centers (for 13-15 or more children)                                                          | ◆   | ◆  | ◆  |     |     |    | ◆  |     |    |
| <b>NON-ASSEMBLY CULTURAL CIVIC ACTIVITIES</b>                                                            |     |    |    |     |     |    |    |     |    |
| Conservatory                                                                                             | ◆   | ◆  |    |     |     |    | ◆  |     |    |

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| USE/PARK TYPE                                                                                  | RSP | CP | NP | AMP | PMP | LP | SU | RCA | AF |
|------------------------------------------------------------------------------------------------|-----|----|----|-----|-----|----|----|-----|----|
| Historic Residence Converted for Museum/Recreational Purposes                                  | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  |     |    |
| Museum                                                                                         | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  |     |    |
| Planetarium/Observatory                                                                        | ◆   |    |    |     |     |    | ◆  |     |    |
| <b>ADMINISTRATIVE CIVIC ACTIVITIES</b>                                                         |     |    |    |     |     |    |    |     |    |
| Park Offices                                                                                   | ◆   | ◆  | ◆  |     |     |    | ◆  |     | ◆  |
| <b>EXTENSIVE IMPACT CIVIC ACTIVITIES</b>                                                       |     |    |    |     |     |    |    |     |    |
| Auditoriums                                                                                    | ◆   | ◆  |    |     |     |    | ◆  |     |    |
| Bandstand                                                                                      | ◆   | ◆  | ◆  |     |     | ◆  | ◆  |     | ◆  |
| Campsites (improved)                                                                           | ◆   |    |    |     |     |    | ◆  |     |    |
| Campsites (unimproved)                                                                         | ◆   |    |    |     |     |    | ◆  | ◆   |    |
| Docks/Wharves/Piers                                                                            | ◆   |    |    |     |     | ◆  | ◆  | ◆   |    |
| Driving Range                                                                                  | ◆   |    |    |     |     |    | ◆  |     |    |
| Electric Transmission Lines                                                                    | ◆   |    |    |     |     |    | ◆  | ◆   |    |
| Equestrian Arena                                                                               | ◆   |    |    |     |     |    | ◆  |     |    |
| Golf Course                                                                                    |     |    |    |     |     |    | ◆  |     |    |
| Outdoor Performance Area/Stage/Amphitheater                                                    | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  |     | ◆  |
| Stadium or Sports Arena                                                                        | ◆   |    |    |     |     |    | ◆  |     | ◆  |
| Stormwater Detention/Water Quality Facilities, the sum of which is more than 1,000 square feet | ◆   | ◆  | ◆  |     |     | ◆  | ◆  | ◆   |    |
| Stormwater Detention/Water Quality Facilities, the sum of which is 1,000 square feet or less   | P   | P  | P  | P   | P   | P  | P  | P   | P  |
| Reservoirs and Water Supply Tanks                                                              | ◆   | ◆  | ◆  |     |     | ◆  | ◆  | ◆   | ◆  |
| Wildlife Preserve                                                                              | ◆   | ◆  |    |     |     |    | ◆  | ◆   |    |
| Zoological Gardens (Zoos)                                                                      | ◆   |    |    |     |     |    | ◆  |     |    |
| <b>ANIMAL CARE COMMERCIAL ACTIVITIES</b>                                                       |     |    |    |     |     |    |    |     |    |
| Horse Stables                                                                                  | ◆   |    |    |     |     |    | ◆  |     |    |
| <b>GENERAL FOOD SALES COMMERCIAL ACTIVITIES</b>                                                |     |    |    |     |     |    |    |     |    |
| Full-service restaurant, within a publicly-owned building                                      | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  |     | ◆  |
| Limited-service restaurant and cafe                                                            | *   | *  | *  | *   | *   | *  | *  |     | *  |
| <b>ALCOHOLIC BEVERAGE SALES COMMERCIAL ACTIVITIES</b>                                          |     |    |    |     |     |    |    |     |    |

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| USE/PARK TYPE                                                                                                                                       | RSP   | CP    | NP    | AMP   | PMP   | LP    | SU    | RCA   | AF    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Only in General Food Sales Commercial Activities that do not qualify as Full-Service RestaurantsAlcoholic Beverage Sales                            | ◆     | ◆     | ◆     | ◆     | ◆     | ◆     | ◆     |       | ◆     |
| <b>AGRICULTURAL ACTIVITIES</b>                                                                                                                      |       |       |       |       |       |       |       |       |       |
| Nurseries (Botanical)                                                                                                                               | ◆     |       |       |       |       |       | *     |       |       |
| Limited Agriculture                                                                                                                                 |       |       |       |       |       |       |       |       |       |
| Extensive Agriculture                                                                                                                               |       |       |       |       |       |       |       |       |       |
| <b>ACCESSORY ACTIVITIES</b>                                                                                                                         |       |       |       |       |       |       |       |       |       |
| Accessory Buildings                                                                                                                                 | *     | *     | *     | *     | *     | *     | *     |       | *     |
| Benches and street furniture, the sum of which is more than 100 square feet                                                                         | *     | *     | *     | *     | *     | *     | *     | *     | *     |
| Benches and street furniture, the sum of which is less than 100 square feet or less                                                                 | P     | P     | P     | P     | P     | P     | P     | *P    | P     |
| Fences, walls, or gates (Athletic Field)                                                                                                            | *     | *     | *     |       |       |       | *     |       | *     |
| Fences, walls, or gates (General)                                                                                                                   | *(L1) | *(L1) | *(L1) | *(L1) | *(L1) | *(L1) | *(L1) | *(L1) | *(L1) |
| Irrigation Systems                                                                                                                                  | P     | P     | P     | P     | P     | P     | P     | *     | P     |
| Kiosks/Map Boards                                                                                                                                   | *P    | *P    | *P    | *P    | *P    | *P    | *P    | *P    | *P    |
| Landscaping, including hedges                                                                                                                       | P     | P     | P     | P     | P     | P     | P     | *P    | P     |
| Lighting (Athletic Field)                                                                                                                           | ◆     | ◆     | ◆     |       |       |       | ◆     |       | ◆     |
| Lighting (General)                                                                                                                                  | P     | P     | P     | P     | P     | P     | *P    | *     | *P    |
| Maintenance Sheds                                                                                                                                   | *     | *     | *     | *     | *     | *     | *     | ◆*    | *     |
| Parking for use within park                                                                                                                         | *     | *     | *     |       |       | *     | *     | *     | *     |
| Public Art, the sum of which is more than 100 square feet                                                                                           | *     | *     | *     | *     | *     | *     | *     | ◆     | *     |
| Public Art, the sum of which is 100 square feet or less                                                                                             | P     | P     | P     | P     | P     | P     | P     | P     | P     |
| Pullouts and Scenic Overlooks                                                                                                                       | P     | P     |       |       |       | P     | P     | P     |       |
| Rest Room Building                                                                                                                                  | *P    | *P    | *P    | *P    | *P    | *P    | *P    | ◆*    | *P    |
| Commercial Kitchen Use in existing Recreation Center buildings                                                                                      | P     | P     | P     |       |       |       | P     |       |       |
| <b>PARK USES CONSISTENT WITH AN ADOPTED MASTER PLAN OR CULTURAL EASEMENT</b>                                                                        |       |       |       |       |       |       |       |       |       |
| Park uses consistent with a Master Plan adopted by the City Council (pursuant to Section 17.135.050), whether or not they are listed in this table. | P     | P     | P     | P     | P     | P     | P     | P     | P     |

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| USE/PARK TYPE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | RSP | CP | NP | AMP | PMP | LP | SU | RCA | AF |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|----|-----|-----|----|----|-----|----|
| Park uses on land owned by the East Bay Regional Park District (EBRPD), consistent with a Master Plan adopted by the EBRPD Board (pursuant to Section 17.135.050), whether or not they are listed in this table.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | P   | P  | P  | P   | P   | P  | P  | P   | P  |
| Park uses consistent with a recorded conservation easement adopted by the City Council and held by a qualified entity pursuant to California Civil Code section 815.3, whether or not they are listed in this table.<br>Limitations: The uses permitted under this section must be reserved for the exclusive purpose of conserving the culture present in Oakland prior to European colonization or culture descended from said time and place. The conservation easement shall establish the development standards that apply to such uses and no further approvals shall be required under this Planning Code; provided that other approvals under the Municipal Code shall still apply, including but not limited to, the Creek Protection Ordinance, Building Code, and Fire Code | P   | P  | P  | P   | P   | P  | P  | P   | P  |

**Does not include any temporary structures or movable carts or trucks (See O.M.C. Chapters 5.51 and 12.64).**

## Limitations on Table Above in Section 17.11.060:

**L1. Exception.** Fences, walls, and gates in the designated park types may be exempted from this Conditional Use Permit requirement if the City Administrator, or their designee, determines that it will increase safety and security, or could prevent a public safety hazard or damage to an environmentally sensitive area. The City Administrator, or their designee, is hereby authorized to institute standards consistent with this subsection to guide implementation of this exception.

**L2. Permanent Residential Activities are only permitted in the designated park types upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP Procedure), and only if the extent of the activity meets the definition of “Caretaker’s Quarters” in Section 17.11.015.**

## 17.11.070 Permitted facilities.

The following facilities, as described in the use classifications at Chapter 17.10, and as further restricted to certain park and open space categories and specific uses as set forth in the following table, are permitted:

A. Accessory Facilities

B. Nonresidential Facilities:

Enclosed—Permitted if the associated activity is also permitted in the designated park types set forth in Section 17.11.060; conditionally permitted if the associated activity is conditionally permitted in the designated park types set forth in Section 17.11.060 (see Chapter 17.134 for the CUP procedure).

Open—Permitted if the associated activity is also permitted in the designated park types set forth in Section 17.11.060; conditionally permitted if the associated activity is conditionally permitted in the designated park types set forth in Section 17.11.060 (see Chapter 17.134 for the CUP procedure).

**17.11.080 Conditionally permitted facilities.**

The following facilities, as described in the use classifications at Chapter 17.10, and as further restricted to certain park and open space categories and specific uses as set forth in Section 17.11.090, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure at Chapter 17.134 and the special use permit procedure for the OS Zone at Chapter 17.135, subject to the special definitions for projects in the Open Space Zone at Section 17.09.050 ~~17.11.015~~ and the use permit criteria at Section 17.11.110:

A. Residential Facilities:

One-Family Dwelling

B. Nonresidential Facilities:

Enclosed, conditionally permitted if the associated activity is also conditionally permitted in the designated park types set forth in Section 17.11.060 (see Chapter 17.134 for the CUP procedure).

Open, conditionally permitted if the associated activity is also conditionally permitted in the designated park types set forth in Section 17.11.060 (see Chapter 17.134 for the CUP procedure).

C. Telecommunications Facilities:

Mini Telecommunications

Micro Telecommunications

Macro Telecommunications

Monopole Telecommunications

**17.11.090 Special provisions for permitted and conditionally permitted facilities, and facilities allowed by variance in the OS Zone.**

**[A OMITTED]**

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- B. The following table shall apply to certain classes of facilities that are permitted and conditionally permitted within the OS Zone. The specified facilities shall only be permitted or conditionally permitted in the types of parks indicated in the table. Permitted activities are noted with the letter "P." Uses requiring a **minor conditional use permit** are indicated with a star. Uses requiring a **major conditional use permit** are indicated with a solid circle and star (solid diamond). In the event that no letter or symbol appears in the matrix cell, the use is not permitted.

| USE/PARK TYPE                                                                                                                                                                                                                                                                                                                                                     | RSP | CP | NP | AMP | PMP | LP | SU | RCA | AF |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|----|-----|-----|----|----|-----|----|
| <p><i>Legend:</i></p> <p>◆ = Requires Major Conditional Use Permit</p> <p>* = Requires Minor Conditional Use Permit</p> <p><i>RSP (Region-Seeing Park); CP (Community Park); NP (Neighborhood Park); Active Mini-Park (AMP); Passive Mini-Park (PMP); Linear Park (LP); Special Use Park (SU); Resource Conservation Area (RCA); Athletic Field Park (AF)</i></p> |     |    |    |     |     |    |    |     |    |
| <b>FACILITY TYPES</b>                                                                                                                                                                                                                                                                                                                                             |     |    |    |     |     |    |    |     |    |
| <b>ONE-FAMILY RESIDENCE</b>                                                                                                                                                                                                                                                                                                                                       |     |    |    |     |     |    |    |     |    |
| Caretaker's Quarters                                                                                                                                                                                                                                                                                                                                              | *   | *  | *  |     |     | *  | *  |     | *  |
| <b>TELECOMMUNICATIONS FACILITIES</b>                                                                                                                                                                                                                                                                                                                              |     |    |    |     |     |    |    |     |    |
| Mini Telecommunications                                                                                                                                                                                                                                                                                                                                           | ◆*  | ◆* | ◆* | ◆*  | ◆*  | ◆* | ◆* | ◆*  | ◆* |
| Micro Telecommunications                                                                                                                                                                                                                                                                                                                                          | ◆*  | ◆* | ◆* | ◆*  | ◆*  | ◆* | ◆* | ◆*  | ◆* |
| Macro Telecommunications                                                                                                                                                                                                                                                                                                                                          | *   | *  | *  | *   | *   | *  | *  | *   | *  |
| Monopole Telecommunications                                                                                                                                                                                                                                                                                                                                       | *   | *  | *  | *   | *   | *  | *  | *   | *  |
| Tower Telecommunications                                                                                                                                                                                                                                                                                                                                          |     |    |    |     |     |    |    |     |    |
| <b>SIGNS</b>                                                                                                                                                                                                                                                                                                                                                      |     |    |    |     |     |    |    |     |    |
| Residential                                                                                                                                                                                                                                                                                                                                                       | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  | ◆   | ◆  |
| Special                                                                                                                                                                                                                                                                                                                                                           | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  | ◆   | ◆  |
| Civic                                                                                                                                                                                                                                                                                                                                                             | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  | ◆   | ◆  |
| Business*                                                                                                                                                                                                                                                                                                                                                         | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  |     | ◆  |
| Advertising*                                                                                                                                                                                                                                                                                                                                                      | ◆   | ◆  | ◆  | ◆   | ◆   | ◆  | ◆  |     | ◆  |

\* Limited to the circumstances outlined in 17.11.090A.

## 17.11.150 Maximum impervious surface.

The following table sets forth the maximum permitted impervious surface standards, as defined in Section 17.09.050 **17.015**. Exceedances of the Impervious Surface limits shall require a Minor Variance, as specified in Section 17.148.020(B).

**Chapter 17.15 RD DETACHED UNIT RESIDENTIAL ZONE REGULATIONS****17.15.050 Property development standards.****[A-C OMITTED]**

- D. **Height.** Table 17.15.06 below prescribes height standards associated with different sloped lots. The numbers in the right-hand column refer to the additional regulations listed at the end of the Table. "N/A" designates the regulation is not applicable to the specified footprint slope category.

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

| Regulation                                                                                                  | Downslope Lot Height Regulations With a Footprint Slope of: |                      |                      | Upslope Lot Height Regulations With a Footprint Slope of: | Additional Regulations |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|----------------------|----------------------|-----------------------------------------------------------|------------------------|
|                                                                                                             | >20% and <40%                                               | >40% and <60%        | >60%                 | >20%                                                      |                        |
| Maximum Height for Detached Accessory Structures                                                            | 15 ft.                                                      | 15 ft.               | 15 ft.               | 15 ft.                                                    | 1                      |
| Maximum Wall Height Primary Building                                                                        | <del>32-30</del> ft.                                        | <del>34-32</del> ft. | <del>36-34</del> ft. | <del>32-30</del> ft.                                      | 1, 2                   |
| <del>Maximum Wall Height Primary Building with a CUP</del>                                                  | <del>36</del> ft.                                           | <del>38</del> ft.    | <del>40</del> ft.    | <del>35</del> ft.                                         | <del>1</del>           |
| Maximum Pitched Roof Height Primary Building                                                                | <del>36-35</del> ft.                                        | <del>38-36</del> ft. | <del>40-38</del> ft. | 35 ft.                                                    | 1, 2                   |
| Maximum Height Above Edge of Pavement                                                                       | 18 ft.                                                      | 18 ft.               | 18 ft.               | N/A                                                       | 1                      |
| Maximum Height Above the Ground Elevation at the Rear Setback Line                                          | N/A                                                         | N/A                  | N/A                  | 24 ft.                                                    | 1                      |
| Maximum Height from Finished or Existing Grade (whichever is greater) Within 20' of the Front Property Line | N/A                                                         | N/A                  | N/A                  | 24 ft.                                                    | 1, 3                   |

**Chapter 17.17 RM MIXED HOUSING TYPE RESIDENTIAL ZONES REGULATIONS****17.17.030 Permitted and conditionally permitted activities.**

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

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.17.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Base Zones |           |           |           | Combining Zone | Additional Regulations   |
|-------------------------------|------------|-----------|-----------|-----------|----------------|--------------------------|
|                               | RM-1       | RM-2      | RM-3      | RM-4      | C*             |                          |
| Residential Activities        |            |           |           |           |                |                          |
| Permanent                     | P          | P         | P         | P         | P              |                          |
| Residential Care              | P(L1)(L2)  | P(L1)(L2) | P(L1)(L2) | P(L1)(L2) | P(L1)(L2)      | 17.103.010               |
| Supportive Housing            | P          | P         | P         | P         | P              |                          |
| Transitional Housing          | P          | P         | P         | P         | P              |                          |
| Emergency Shelter             | P(L1)(L2)  | P(L1)(L2) | P(L1)(L2) | P(L1)(L2) | P(L1)(L2)      | 17.103.010<br>17.103.015 |
| Semi- Transient               | —          | —         | —         | —         | —              |                          |
| Bed and Breakfast             | C          | C         | C         | P         | P              | 17.10.125                |
| Civic Activities              |            |           |           |           |                |                          |
| Essential Service             | P          | P         | P         | P         | P              |                          |
| Limited Child-Care Activities | P          | P         | P         | P         | P              |                          |
| Community Assembly            | C          | C         | C         | C         | C              |                          |
| Recreational Assembly         | C          | C         | C         | C         | CP             |                          |
| Community Education           | C          | C         | C         | C         | C              |                          |
| Nonassembly Cultural          | C          | C         | C         | C         | C              |                          |

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| Activities                                    | Base Zones              |                         |                         |                         | Combining Zone | Additional Regulations |
|-----------------------------------------------|-------------------------|-------------------------|-------------------------|-------------------------|----------------|------------------------|
|                                               | RM-1                    | RM-2                    | RM-3                    | RM-4                    | C*             |                        |
| Administrative                                | C(L3)<br>P(L4)(L9)(L12) | C(L3)<br>P(L4)(L9)(L12) | C(L3)<br>P(L4)(L9)(L12) | C(L3)<br>P(L4)(L9)(L12) | CP(L5)(L12)    |                        |
| Health Care                                   | C(L3)(L4)(L12)          | C(L3)(L4)(L12)          | C(L3)(L4)(L12)          | C(L3)(L4)(L12)          | C(L12)         |                        |
| Special Health Care                           | —                       | —                       | —                       | —                       | —              |                        |
| Utility and Vehicular                         | C                       | C                       | C                       | C                       | C              |                        |
| Extensive Impact                              | C                       | C                       | C                       | C                       | C              | 17.102.44              |
| <b>Commercial Activities</b>                  |                         |                         |                         |                         |                |                        |
| General Food Sales                            | C(L3)P(L4)(L9)          | C(L3)P(L4)(L9)          | C(L3)P(L4)(L9)          | P(L4)(L9)               | P(L5)          |                        |
| Full Service Restaurants                      | C(L3)P(L4)(L9)          | C(L3)P(L4)(L9)          | C(L3)P(L4)(L9)          | P(L4)(L9)               | P(L5)          |                        |
| Limited Service Restaurant and Cafe           | C(L3)P(L4)(L9)          | C(L3)P(L4)(L9)          | C(L3)P(L4)(L9)          | P(L4)(L9)               | P(L5)          |                        |
| Fast-Food Restaurant                          | —                       | —                       | —                       | —                       | —              |                        |
| Convenience Market                            | —                       | —                       | —                       | —                       | —              |                        |
| Alcoholic Beverage Sales                      | —(L6)                   | —(L6)                   | —(L6)                   | —(L6)                   | —(L6)          |                        |
| Mechanical or Electronic Games                | —P(L9)                  | —P(L9)                  | —P(L9)                  | —P(L9)                  | —P(L5)         |                        |
| Medical Service                               | C(L3)P(L4)(L9)<br>(L12) | C(L3)P(L4)(L9)<br>(L12) | C(L3)P(L4)(L9)<br>(L12) | P(L4)(L9)<br>(L12)      | P(L5)(L12)     |                        |
| General Retail Sales                          | C(L3)P(L4)(L9)          | P(L4)(L9)               | P(L4)(L9)               | P(L4)(L9)               | P(L4)(L5)      |                        |
| Large-Scale Combined Retail and Grocery Sales | —                       | —                       | —                       | —                       | —              |                        |
| Consumer Service                              | C(L3)P(L4)(L9)          | C(L3)P(L4)(L9)          | P(L4)(L9)               | P(L4)(L9)               | P(L5)          |                        |
| Consultative and Financial Service            | P(L4)(L9)               | P(L4)(L9)               | P(L4)(L9)               | P(L4)(L9)               | P(L5)          |                        |

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| Activities                                                | Base Zones     |                |                |                | Combining Zone | Additional Regulations |
|-----------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|------------------------|
|                                                           | RM-1           | RM-2           | RM-3           | RM-4           | C*             |                        |
| Check Cashier and Check Cashing                           | —              | —              | —              | —              | —              |                        |
| Consumer Cleaning and Repair Service                      | C(L3)P(L4)(L9) | C(L3)P(L4)(L9) | P(L4)(L9)      | P(L4)(L9)      | P(L5)          |                        |
| Consumer Dry Cleaning Plant                               | —              | —              | —              | —              | —              |                        |
| Artisan Production                                        | P(L9)          | P(L9)          | P(L9)          | P(L9)          | P(L5)          |                        |
| Group Assembly                                            | —              | —              | —              | —              | C(L7)(L8)      |                        |
| Personal Instruction and Improvement Services             | C(L3)P(L4)(L9) | C(L3)P(L4)(L9) | C(L3)P(L4)(L9) | C(L3)P(L4)(L9) | P(L5)          |                        |
| Administrative                                            | P(L4)(L9)(L12) | P(L4)(L9)(L12) | P(L4)(L9)(L12) | P(L4)(L9)(L12) | P(L5)(L12)     |                        |
| Business, Communication, and Media Services               | —P(L9)         | —P(L9)         | C(L3)P(L4)(L9) | C(L3)P(L4)(L9) | P(L5)          |                        |
| Broadcasting and Recording Services Commercial Activities | —              | —              | —              | —              | —              |                        |
| Research Service                                          | —              | —              | —              | —              | —              |                        |
| General Wholesale Sales                                   | —              | —              | —              | —              | —              |                        |
| Transient Habitation                                      | —              | —              | —              | —              | —              |                        |
| Building Material Sales                                   | —              | —              | —              | —              | —              |                        |
| Automobile and Other Light Vehicle Sales and Rental       | —              | —              | —              | —              | —              |                        |

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| Activities                                                                                                                      | Base Zones |        |        |        | Combining Zone | Additional Regulations |
|---------------------------------------------------------------------------------------------------------------------------------|------------|--------|--------|--------|----------------|------------------------|
|                                                                                                                                 | RM-1       | RM-2   | RM-3   | RM-4   | C*             |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing                                                                    | —          | —      | —      | —      | —              |                        |
| Automobile and Other Light Vehicle Repair and Cleaning                                                                          | —          | —      | —      | —      | —              |                        |
| Taxi and Light Fleet- Based Services                                                                                            | —          | —      | —      | —      | —              |                        |
| Automotive Fee Parking                                                                                                          | —          | —      | —      | —      | —              |                        |
| Animal Boarding                                                                                                                 | —          | —      | —      | —      | —              |                        |
| Animal Care                                                                                                                     | —          | —      | —      | —      | —              |                        |
| Undertaking Service                                                                                                             | —          | —      | —      | —      | —              |                        |
| <b>Industrial Activities (all)</b>                                                                                              | —          | —      | —      | —      | —              |                        |
| <b>Agriculture and Extractive Activities</b>                                                                                    |            |        |        |        |                |                        |
| Limited Agriculture                                                                                                             | P(L10)     | P(L10) | P(L10) | P(L10) | P(L10)         |                        |
| Extensive Agriculture                                                                                                           | C(L11)     | C(L11) | C(L11) | C(L11) | C(L11)         |                        |
| Plant Nursery                                                                                                                   | C          | C      | C      | C      | C              |                        |
| Mining and Quarrying                                                                                                            | —          | —      | —      | —      | —              |                        |
| <b>Accessory off-street parking serving prohibited activities</b>                                                               | —          | —      | —      | —      | —              | 17.116.0751<br>75      |
| <b>Activities that are listed as prohibited but are permitted or conditionally permitted on nearby lots in an adjacent zone</b> | C          | C      | C      | C      | C              | 17.102.110             |

**Limitations on Table 17.17.01:**

\* If an RM Base Zone (RM-1, RM-2, RM-3, or RM-4) also has the C Combining Zone, the C regulations supersede the Base Zone.

**[L1-L2 OMITTED]**

**L3.** These activities may only be located in an existing Nonresidential Facility that was built prior to April 14, 2011. For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit. Also, these activities may only operate within the hours of 7:00 a.m. and 10:00 p.m. Notwithstanding anything to the contrary contained in the Planning Code, General Food Sales, Full Service Restaurants, Limited Service Restaurants and Cafes, and General Retail Sales are permitted, and therefore do not require a Conditional Use Permit (CUP), if the total floor area is six hundred (600) square feet or less in a food desert as defined in Section 17.09.040.

**L4.** The overall outside dimensions of an existing Nonresidential Facility built prior to April 14, 2011 devoted to this activity shall not be increased; and no open parking, loading, or production serving such activity shall be increased in size. For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit. This regulation supersedes the applicable provisions in Chapter 17.114.

**L5.** These activities may only be located in an existing Nonresidential Facility that was built prior to April 14, 2011 or on the ground floor of a new Nonresidential Facility, and may only operate within the hours of 7:00 a.m. and 10:00 p.m.; a Conditional Use Permit (CUP) is required if the total floor area devoted to these activities on any single lot exceeds three thousand (3,000) square feet (see Chapter 17.134 for the CUP procedure). For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit.

**[L6-L8 OMITTED]**

**L9.** These activities may only be located in an existing Nonresidential Facility that was built prior to April 15, 2011. For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit. Also, these activities may only operate within the hours of 7:00 a.m. and 10:00 p.m.; a Conditional Use Permit (CUP) is required if the total floor area devoted to these activities on any single lot exceeds one thousand five hundred (1,500) square feet (see Chapter 17.134 for the CUP procedure).

**[L10-L12 OMITTED]****17.17.050 Property development standards.**

- C. Height.** Table 17.17.06 below prescribes height standards associated with different sloped lots. The numbers in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "N/A" designates the regulation is not applicable to the specified footprint slope category.

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

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| Regulation                                                                                                | Downslope Lot Height Regulations With a Footprint Slope of: |                      |                      | Upslope Lot Height Regulations With a Footprint Slope of: | Additional Regulations |
|-----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|----------------------|----------------------|-----------------------------------------------------------|------------------------|
|                                                                                                           | >20% and ≤40%                                               | >40% and ≤60%        | >60%                 | >20%                                                      |                        |
| Maximum Height for Detached Accessory Structures                                                          | 15 ft.                                                      | 15 ft.               | 15 ft.               | 15 ft.                                                    | 1                      |
| Maximum Wall Height Primary Building                                                                      | <del>32-30</del> ft.                                        | <del>34-32</del> ft. | <del>36-34</del> ft. | <del>32-30</del> ft.                                      | 1, 2                   |
| Maximum Wall Height Primary Building with a CUP                                                           | <del>36</del> ft.                                           | <del>38</del> ft.    | <del>40</del> ft.    | <del>35</del> ft.                                         | <del>1</del>           |
| Maximum Pitched Roof Height Primary Building                                                              | <del>36-35</del> ft.                                        | <del>38-36</del> ft. | <del>40-38</del> ft. | 35 ft.                                                    | 1, 2                   |
| Maximum Height Above Edge of Payment                                                                      | 18 ft.                                                      | 18 ft.               | 18 ft.               | N/A                                                       | 1                      |
| Maximum Height Above the Ground Elevation at the Rear Setback Line                                        | N/A                                                         | N/A                  | N/A                  | 24 ft.                                                    | 1                      |
| Maximum Height from Finished or Existing Grade (whichever is lower) Within 20' of the Front Property Line | N/A                                                         | N/A                  | N/A                  | 24 ft.                                                    | 1, 3                   |

**Chapter 17.19 RU URBAN RESIDENTIAL ZONES REGULATIONS****17.19.030 Permitted and conditionally permitted activities.**

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

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.19.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Zones      |            |            |           |           | Additional Regulations   |
|-------------------------------|------------|------------|------------|-----------|-----------|--------------------------|
|                               | RU-1       | RU-2       | RU-3       | RU-4      | RU-5      |                          |
| Residential Activities        |            |            |            |           |           |                          |
| Permanent                     | P          | P          | P          | P         | P         |                          |
| Residential Care              | P(L1)      | P(L1)      | P(L1)      | P(L1)     | P(L1)     | 17.103.010               |
| Supportive Housing            | P          | P          | P          | P         | P         |                          |
| Transitional Housing          | P          | P          | P          | P         | P         |                          |
| Emergency Shelter             | P(L1)(L2)  | P(L1)(L2)  | P(L1)(L2)  | P(L1)(L2) | P(L1)(L2) | 17.103.010<br>17.103.015 |
| Semi-Transient                | —          | —          | —          | P         | P         |                          |
| Bed and Breakfast             | C          | C          | C          | P         | P         | 17.10.125                |
| Civic Activities              |            |            |            |           |           |                          |
| Essential Service             | P          | P          | P          | P         | P         |                          |
| Limited Child-Care Activities | P          | P          | P          | P         | P         |                          |
| Community Assembly            | C          | C          | C          | C         | C         |                          |
| Recreational Assembly         | P          | P          | P          | P         | P         |                          |
| Community Education           | C          | C          | C          | P(L3)     | P(L3)     |                          |
| Nonassembly Cultural          | P(L3)      | P(L3)      | P(L3)      | P(L3)(L4) | P(L3)(L5) |                          |
| Administrative                | CP(L7)(L9) | CP(L7)(L9) | CP(L7)(L9) | P(L3)(L4) | P(L3)(L5) |                          |

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| Activities                                    | Zones                                  |                               |                           |                    |                    | Additional Regulations    |
|-----------------------------------------------|----------------------------------------|-------------------------------|---------------------------|--------------------|--------------------|---------------------------|
|                                               | RU-1                                   | RU-2                          | RU-3                      | RU-4               | RU-5               |                           |
| Health Care                                   | C                                      | C                             | C                         | P(L3)(L4)          | P(L3)(L5)          |                           |
| Special Health Care                           | —                                      | —                             | —                         | —                  | —                  |                           |
| Utility and Vehicular                         | C                                      | C                             | C                         | C                  | C                  |                           |
| Extensive Impact                              | C                                      | C                             | C                         | C                  | C                  |                           |
| <b>Commercial Activities</b>                  |                                        |                               |                           |                    |                    |                           |
| General Food Sales                            | <del>C(L6)</del><br>P(L7)(L9)          | <del>C(L6)</del><br>P(L7)(L9) | P(L7)(L9)                 | P(L3)(L4)          | P(L3)(L5)          |                           |
| Full Service Restaurants                      | <del>C(L6)</del><br>P(L7)(L9)          | <del>C(L6)</del><br>P(L7)(L9) | <del>P(L6)</del> (L7)(L9) | P(L3)(L4)          | P(L3)(L5)          |                           |
| Limited Service Restaurant and Café           | <del>C(L6)</del><br>P(L7)(L9)          | <del>C(L6)</del><br>P(L7)(L9) | <del>P(L6)</del> (L7)(L9) | P(L3)(L4)          | P(L3)(L5)          |                           |
| Fast-Food Restaurant                          | —                                      | —                             | —                         | —                  | C(L5)              | 17.103.030                |
| Convenience Market                            | —                                      | —                             | —                         | C(L4)              | C(L5)              | 17.103.030                |
| Alcoholic Beverage Sales                      | —(L8)                                  | —(L8)                         | —(L8)                     | C(L4)              | C(L5)              | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                | <del>—P(L9)</del>                      | <del>—P(L9)</del>             | <del>—P(L9)</del>         | <del>—P(L9)</del>  | <del>C</del> P(L5) |                           |
| Medical Service                               | P(L7)(L9)                              | P(L7)(L9)                     | P(L7)(L9)                 | P(L3)(L4)          | P(L3)(L5)          |                           |
| General Retail Sales                          | P(L7)(L9)                              | P(L7)(L9)                     | P(L7)(L9)                 | P(L3)(L4)          | P(L3)(L5)          |                           |
| Large-Scale Combined Retail and Grocery Sales | —                                      | —                             | —                         | —                  | —                  |                           |
| Consumer Service                              | <del>C(L6)(L7)P(L7)</del><br>(L9)(L10) | P(L7)(L9)<br>(L10)            | P(L7)(L9)<br>(L10)        | P(L3)(L4)<br>(L10) | P(L3)(L5)<br>(L10) |                           |
| Consultative and Financial Service            | P(L7)(L9)                              | P(L7)(L9)                     | P(L7)(L9)                 | P(L3)(L4)          | P(L3)(L5)          |                           |
| Check Cashier and Check Cashing               | —                                      | —                             | —                         | —                  | —                  |                           |
| Consumer Cleaning and Repair Service          | P(L7)(L9)                              | <del>P(L7)</del> (L9)         | P(L7)(L9)                 | P(L3)(L4)          | P(L3)(L5)          |                           |

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| Activities                                                   | Zones          |                |                    |            |            | Additional Regulations |
|--------------------------------------------------------------|----------------|----------------|--------------------|------------|------------|------------------------|
|                                                              | RU-1           | RU-2           | RU-3               | RU-4       | RU-5       |                        |
| Consumer Dry Cleaning Plant                                  | —              | —              | —                  | C(L4)      | C(L5)      |                        |
| Artisan Production                                           | P(L7)(L9)      | P(L7)(L9)      | P(L7)(L9)          | P(L3)(L4)  | P(L3)(L5)  |                        |
| Group Assembly                                               | —              | —              | C(L6)(L7)(L9)(L11) | C(L4)(L11) | C(L5)(L11) |                        |
| Personal Instruction and Improvement Services                | P(L7)(L9)      | P(L7)(L9)      | P(L7)(L9)          | P(L3)(L4)  | P(L3)(L5)  |                        |
| Administrative                                               | P(L7)(L9)(L12) | P(L7)(L9)(L12) | P(L7)(L9)          | P(L3)(L4)  | P(L3)(L5)  |                        |
| Business, Communication, and Media Services                  | P(L7)(L9)      | P(L7)(L9)      | P(L7)(L9)          | P(L3)(L4)  | P(L3)(L5)  |                        |
| Broadcasting and Recording Services<br>Commercial Activities | —              | —              | —                  | P(L3)(L4)  | P(L3)(L5)  |                        |
| Research Service                                             | P(L7)(L9)(L12) | P(L7)(L9)(L12) | P(L7)(L9)          | P(L3)(L4)  | P(L3)(L5)  |                        |
| General Wholesale Sales                                      | —              | —              | —                  | —          | —          |                        |
| Transient Habitation                                         | —              | —              | —                  | —          | —          |                        |
| Building Material Sales                                      | —              | —              | —                  | —          | —          |                        |
| Automobile and Other Light Vehicle Sales and Rental          | —              | —              | —                  | —          | —          |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing | —              | —              | —                  | —          | —          |                        |

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| Activities                                                                                                                       | Zones  |        |        |        |        | Additional Regulations |
|----------------------------------------------------------------------------------------------------------------------------------|--------|--------|--------|--------|--------|------------------------|
|                                                                                                                                  | RU-1   | RU-2   | RU-3   | RU-4   | RU-5   |                        |
| Automobile and Other Light Vehicle Repair and Cleaning                                                                           | —      | —      | —      | —      | —      |                        |
| Taxi and Light Fleet-Based Services                                                                                              | —      | —      | —      | —      | —      |                        |
| Automotive Fee Parking                                                                                                           | —      | —      | —      | —      | — (L6) | 17.103.055             |
| Animal Boarding                                                                                                                  | —      | —      | —      | —      | —      |                        |
| Animal Care                                                                                                                      | —      | —      | —      | —      | —      |                        |
| Undertaking Service                                                                                                              | —      | —      | —      | —      | —      |                        |
| <b>Industrial Activities</b> (all)                                                                                               | —      | —      | —      | —      | —      |                        |
| <b>Agriculture and Extractive Activities</b>                                                                                     |        |        |        |        |        |                        |
| Limited Agriculture                                                                                                              | P(L13) | P(L13) | P(L13) | P(L13) | P(L13) |                        |
| Extensive Agriculture                                                                                                            | C(L14) | C(L14) | C(L14) | C(L14) | C(L14) |                        |
| Plant Nursery                                                                                                                    | C      | C      | C      | C      | C      |                        |
| Mining and Quarrying                                                                                                             | —      | —      | —      | —      | —      |                        |
| <b>Accessory off-street parking serving prohibited activities</b>                                                                | C      | C      | C      | C      | C      | 17.116.075<br>175      |
| <b>Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone</b> | C      | C      | C      | C      | C      | 17.102.110             |

Limitations on Table 17.19.01:

[L1-L2 OMITTED]

**L3.** The total ground floor area devoted to these activities by any single establishment on any single lot

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may only exceed five thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L4.** In the RU-4 Zone, These activities may only be located in an existing Nonresidential Facility that was built prior to April 14, 2011, or on the ground floor of a new Nonresidential Facility on a corner parcel. For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit.

**L5.** In the RU-5 Zone, These activities may only be located either in an existing Nonresidential Facility that was built prior to April 14, 2011, or on the ground floor of a new Nonresidential Facility. For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit.

**L6.** In the RU-1, RU-2, and RU-3 Zones, these activities may only be located in an existing Nonresidential Facility that was built prior to April 14, 2011. For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit. Also, these activities may only operate within the hours of 7:00 a.m. and 10:00 p.m. Automotive Fee Parking is permitted in the RU-5 Zone if the facility meets the requirements in Section 17.103.055.

**L7.** In the RU-1, RU-2, and RU-3 Zones, the overall outside dimensions of an existing Nonresidential Facility built prior to April 14, 2011 devoted to this activity shall not be increased; and no open parking, loading, or production serving such activity shall be increased in size. For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit. This regulation supersedes the applicable provisions in Chapter 17.114.

### [L8 OMITTED]

**L9.** These activities may only be located in an existing Nonresidential Facility that was built prior to April 14, 2011. For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit. These activities may only operate within the hours of 7:00 a.m. and 10:00 p.m. A Conditional Use Permit (CUP) is required if the total floor area devoted to these activities on any single lot exceeds threefour thousand (34,000) square feet (see Chapter 17.134 for the CUP procedure).

### [L10-L11 OMITTED]

**L12.** These activities may only be located in an existing Nonresidential Facility that was built prior to April 14, 2011. For the purposes of this limitation, a facility is considered existing if it received its certificate of occupancy or passed its final building inspection on its building permit. These activities may only operate within the hours of 7:00 a.m. and 10:00 p.m.; a Conditional Use Permit is required if the total floor area devoted to these activities on any single lot exceeds one thousand five hundred (1,500) square feet (see Chapter 17.134 for the CUP procedure).

### [L13-L14 OMITTED]

**Chapter 17.33 CN NEIGHBORHOOD CENTER COMMERCIAL ZONES REGULATIONS****17.33.030 Permitted and conditionally permitted activities.**

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

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.33.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Zones         |               |               |               | Additional Regulations   |
|-------------------------------|---------------|---------------|---------------|---------------|--------------------------|
|                               | CN-1          | CN-2          | CN-3          | CN-4          |                          |
| Residential Activities        |               |               |               |               |                          |
| Permanent                     | P(L3)         | P(L3)         | P(L3)         | P(L3)         |                          |
| Residential Care              | P(L1)(L3)     | P(L1)(L3)     | P(L1)(L3)     | P(L1)(L3)     | 17.103.010               |
| Supportive Housing            | P(L3)         | P(L3)         | P(L3)         | P(L3)         |                          |
| Transitional Housing          | P(L3)         | P(L3)         | P(L3)         | P(L3)         |                          |
| Emergency Shelter             | P(L1)(L3)(L5) | P(L1)(L3)(L5) | P(L1)(L3)(L5) | P(L1)(L3)(L5) | 17.103.010<br>17.103.015 |
| Semi-Transient                | —             | —             | P(L3)         | P(L3)         |                          |
| Bed and Breakfast             | C(L3)(L4)     | C(L3)(L4)     | C(L3)         | C(L3)         |                          |
| Civic Activities              |               |               |               |               |                          |
| Essential Service             | P(L17)        | P(L17)        | P(L17)        | P(L17)        |                          |
| Limited Child-Care Activities | P             | P             | P             | P             |                          |
| Community Assembly            | C(L4)         | C(L4)         | C(L4)P(L6)    | CP(L6)        |                          |
| Recreational Assembly         | P             | P             | P             | P             |                          |
| Community Education           | C(L4)         | C(L4)         | C(L4)         | C             |                          |
| Nonassembly Cultural          | P(L6)         | P(L6)         | P(L6)         | P(L6)         |                          |
| Administrative                | P(L2)         | P(L2)         | P(L6)         | P(L6)         |                          |
| Health Care                   | C(L4)         | C(L4)         | C(L4)         | C             |                          |
| Special Health Care           | C(L4)(L7)     | C(L4)(L7)     | C(L4)(L7)     | C(L7)         | 17.103.020               |
| Utility and Vehicular         | C(L4)         | C(L4)         | C(L4)         | C             |                          |
| Extensive Impact              | C(L4)         | C(L4)         | C(L4)         | C             |                          |
| Commercial Activities         |               |               |               |               |                          |

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| Activities                                          | Zones                |                      |                      |                      | Additional Regulations    |
|-----------------------------------------------------|----------------------|----------------------|----------------------|----------------------|---------------------------|
|                                                     | CN-1                 | CN-2                 | CN-3                 | CN-4                 |                           |
| General Food Sales                                  | P(L9)                | P(L9)                | P(L9)                | P(L9)                |                           |
| Full Service Restaurants                            | P(L6)                | P(L6)                | P(L6)                | P(L6)                |                           |
| Limited Service Restaurant and Cafe                 | P(L6)                | P(L6)                | P(L6)                | P(L6)                |                           |
| Fast-Food Restaurant                                | C(L4)                | C(L4)                | C(L4)                | C                    | 17.103.030 and 8.09       |
| Convenience Market                                  | C(L4)                | C(L4)                | C(L4)                | C                    | 17.103.030                |
| Alcoholic Beverage Sales                            | C(L4)                | C(L4)                | C(L4)                | C                    | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                      | P(L6)                | P(L6)                | P(L6)                | P(L6)                |                           |
| Medical Service                                     | P(L8)                | P(L8)                | P(L8)                | P(L8)                |                           |
| General Retail Sales                                | P(L9)                | P(L9)                | P(L9)                | P(L9)                |                           |
| Large-Scale Combined Retail and Grocery Sales       | —                    | —                    | —                    | —                    |                           |
| Consumer Service                                    | P(L10)               | P(L10)               | P(L10)               | P(L10)               |                           |
| Consultative and Financial Service                  | P(L11)               | P(L11)               | P(L6)                | P(L6)                |                           |
| Check Cashier and Check Cashing                     | —                    | —                    | —                    | —                    |                           |
| Consumer Cleaning and Repair Service                | P                    | P                    | P                    | P                    |                           |
| Artisan Production                                  | P(L19)               | P(L19)               | P                    | P                    |                           |
| Consumer Dry Cleaning Plant                         | C(L4)                | C(L4)                | C(L4)                | C                    |                           |
| Group Assembly                                      | P(L6)(L12)(L13)(L14) | P(L6)(L12)(L13)(L14) | P(L6)(L12)(L13)(L14) | P(L6)(L12)(L13)(L14) |                           |
| Personal Instruction and Improvement Services       | P                    | P                    | P                    | P                    |                           |
| Administrative                                      | P(L2)                | P(L2)                | P(L6)                | P(L6)                |                           |
| Business, Communication, and Media Services         | P(L2)(L6)            | P(L2)(L6)            | P(L6)                | P(L6)                |                           |
| Broadcasting and Recording Services                 | P(L2)(L13)(L14)      | P(L2)(L13)(L14)      | P(L6)(L13)(L14)      | P(L6)(L13)(L14)      |                           |
| Research Service                                    | P(L2)                | P(L2)                | P(L6)                | P(L6)                |                           |
| General Wholesale Sales                             | —                    | —                    | —                    | —                    |                           |
| Transient Habitation                                | —C                   | —C                   | —C                   | —C                   | 17.103.050                |
| Building Material Sales                             | —                    | —                    | —                    | —                    |                           |
| Automobile and Other Light Vehicle Sales and Rental | —                    | —                    | —                    | —                    |                           |

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| Activities                                                            | Zones        |              |            |           | Additional Regulations |
|-----------------------------------------------------------------------|--------------|--------------|------------|-----------|------------------------|
|                                                                       | CN-1         | CN-2         | CN-3       | CN-4      |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing          | —            | —            | —          | C         |                        |
| Automobile and Other Light Vehicle Repair and Cleaning                | —            | —            | —          | —         |                        |
| Taxi and Light Fleet-Based Services                                   | —            | —            | —          | —         |                        |
| Automotive Fee Parking                                                | C(L4)(L18)   | C(L4)(L18)   | C(L4)(L18) | C(L18)    | 17.103.055             |
| Animal Boarding                                                       | —            | —            | —          | —         |                        |
| Animal Care                                                           | C(L4)P(L8)   | C(L4)P(L8)   | P(L6)(L8)  | P(L6)(L8) |                        |
| Undertaking Service                                                   | —            | —            | —          | —         |                        |
| <b>Industrial Activities</b>                                          |              |              |            |           |                        |
| Custom Manufacturing                                                  | C(L4)        | C(L4)        | C          | C         |                        |
| Light Manufacturing                                                   | —            | —            | —          | —         |                        |
| General Manufacturing                                                 | —            | —            | —          | —         |                        |
| Heavy/High Impact                                                     | —            | —            | —          | —         |                        |
| Research and Development                                              | —            | —            | —          | —         |                        |
| Construction Operations                                               | —            | —            | —          | —         |                        |
| <b>Warehousing, Storage, and Distribution</b>                         |              |              |            |           |                        |
| A. General Warehousing, Storage and Distribution                      | —            | —            | —          | —         |                        |
| B. General Outdoor Storage                                            | —            | —            | —          | —         |                        |
| C. Self- or Mini-Storage                                              | —            | —            | —          | —         |                        |
| D. Container Storage                                                  | —            | —            | —          | —         |                        |
| E. Salvage/Junk Yards                                                 | —            | —            | —          | —         |                        |
| Regional Freight Transportation                                       | —            | —            | —          | —         |                        |
| Trucking and Truck-Related                                            | —            | —            | —          | —         |                        |
| <b>Recycling and Waste-Related</b>                                    |              |              |            |           |                        |
| A. Satellite Recycling Collection Centers                             | —(L17)       | —(L17)       | —(L17)     | —(L17)    |                        |
| B. Primary Recycling Collection Centers                               | —            | —            | —          | —         |                        |
| Hazardous Materials Production, Storage, and Waste Management-Related | —            | —            | —          | —         |                        |
| <b>Agriculture and Extractive Activities</b>                          |              |              |            |           |                        |
| Limited Agriculture                                                   | C(L14)P(L15) | C(L14)P(L15) | P(L15)     | P(L15)    |                        |
| Extensive Agriculture                                                 | C(L16)       | C(L16)       | C(L16)     | C(L16)    |                        |

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| Activities                                                                                                                       | Zones |       |       |      | Additional Regulations |
|----------------------------------------------------------------------------------------------------------------------------------|-------|-------|-------|------|------------------------|
|                                                                                                                                  | CN-1  | CN-2  | CN-3  | CN-4 |                        |
| Plant Nursery                                                                                                                    | C(L4) | C(L4) | C(L4) | C    |                        |
| Mining and Quarrying                                                                                                             | —     | —     | —     | —    |                        |
| <b>Accessory off-street parking serving prohibited activities</b>                                                                | C(L4) | C(L4) | C(L4) | C    | 17.116.075 <b>175</b>  |
| <b>Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone</b> | C(L4) | C(L4) | C(L4) | C    | 17.102.110             |

## Limitations on Table 17.33.01:

### [L1 OMITTED]

**L2.** These activities are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when located within thirty (30) feet of the principal street frontage on the ground floor of a building. Incidental pedestrian entrances that lead to one of these activities elsewhere in the building are exempted from this Conditional Use Permit requirement. In addition to the CUP criteria contained in Section 17.134.050, these conditionally permitted ground floor activities must also meet the criteria contained in L4, below.

### [L3 OMITTED]

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

**a.** That the proposal will not detract from the character desired for the area;

**ba.** That the proposal will not impair a generally continuous wall of building facades;

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

**dc.** That the proposal will not interfere with the movement of people along an important pedestrian street; and

**ed.** That the proposal will conform in all significant respects with any applicable district plan which has been adopted by the City Council.

### [L5 OMITTED]

**L6.** The total floor area devoted to these activities on the ground floor by any single establishment shall only exceed **seventeen** thousand **five hundred** **(7,50010,000)** square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, these conditionally permitted ground floor activities must also meet the criteria contained in L4, above.

**[L7 OMITTED]**

**L8.** ~~A~~The total floor area devoted to a Medical Service ~~or Animal Care~~ Commercial Activity that is located on the ground floor of a building and occupies either: 1) a street corner space, or 2) an interior lot space with more than thirty-five (35) linear feet of frontage facing the principal street, is only permitted shall only exceed five thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). ~~All ground floor window space facing the principal street shall be clear, non-reflective, and allow views into the indoor space. See Table 17.33.03, additional regulation 16, for regulations regarding special ground floor transparency requirements for Medical Service and Animal Care Commercial Activities.~~

**L9.** The total floor area devoted to these activities on the ground floor by any single establishment may only exceed ~~twentythree~~ thousand (2030,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure), except for grocery stores located within a food desert as defined in Section 17.09.040. Grocery stores in food deserts are not subject to Conditional Use Permit requirements and do not have a size threshold. In addition to the CUP criteria contained in Section 17.134.050, these conditionally permitted ground floor activities must also meet the criteria contained in L4, above.

**[L10-L12 OMITTED]**

**L13.** ~~Not permitted on the ground floor. This activity is only permitted upon granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when: a) proposing this activity in a primary or accessory Open Nonresidential Facility; or b) the total floor area devoted to this activity exceeds ten thousand (10,000) square feet.~~

**L14.** ~~Limited Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:~~

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

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

~~3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil. Any proposed Group Assembly or Broadcasting and Recording Service activity that does not require a CUP but proposes to use amplified sound shall submit an Operational Noise Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to reduce operational noise to be consistent with Chapter 17.120 of the Planning Code.~~

**L15.** Limited Agriculture is permitted if the activity occupies less than ~~twentyten~~ thousand (2010,000) square feet acre of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

**[L16 OMITTED]**

**L17.** ~~Community Gardens are permitted if they do not include any livestock production or the cultivation of animals and/or animal products by agricultural methods, except for bee keeping involving no more than~~

three (3) hives. Notwithstanding anything to the contrary contained in the Planning Code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter reduction Act of 1986, to collect beverage containers made from materials such as aluminum, glass, plastic, and bimetal for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).

**L18.** Automotive Fee Parking is permitted in the CN Zones if the facility meets the requirements in Section 17.103.055.

**L19.** During operating hours, ground floor Artisan Production Commercial Activities shall be open to the public to purchase and view items produced on site. On other floors, these activities shall either be open to the public during operating hours or available by appointment to view and purchase items produced on site.

### 17.33.040 Permitted and conditionally permitted facilities.

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

"P" designates permitted facilities in the corresponding zone.

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

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

"—" designates facilities that are prohibited.

**Table 17.33.02: Permitted and Conditionally Permitted Facilities**

| Facilities                   | Zones     |           |           |       | Additional Regulations   |
|------------------------------|-----------|-----------|-----------|-------|--------------------------|
|                              | CN-1      | CN-2      | CN-3      | CN-4  |                          |
| Residential Facilities       |           |           |           |       |                          |
| One-Family Dwelling          | —(L1)     | —(L1)     | —(L1)     | —(L1) | 17.103.080               |
| Two -to-Four-Family Dwelling | P(L1)(L2) | P(L1)(L2) | P(L1)(L3) | P(L1) | 17.103.080               |
| Multifamily Dwelling         | P(L1)(L2) | P(L1)(L2) | P(L1)(L3) | P(L1) | 17.103.080               |
| Rooming House                | P(L2)     | P(L2)     | P(L3)     | P(L3) |                          |
| Vehicular                    | P         | P         | P         | P     | 17.103.080<br>17.103.085 |
| Nonresidential Facilities    |           |           |           |       |                          |
| Enclosed Nonresidential      | P         | P         | P         | P     |                          |
| Open Nonresidential          | C(L4)     | C(L4)     | C(L4)     | C(L4) |                          |
| Sidewalk Cafe                | P         | P         | P         | P     | 17.103.090               |
| Drive-In                     | —         | —         | —         | C     |                          |

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| Facilities                           | Zones |       |       |       | Additional Regulations |
|--------------------------------------|-------|-------|-------|-------|------------------------|
|                                      | CN-1  | CN-2  | CN-3  | CN-4  |                        |
| Drive-Through                        | —     | —     | —     | C(L5) | 17.103.100             |
| <b>Telecommunications Facilities</b> |       |       |       |       |                        |
| Micro Telecommunications             | P(L6) | P(L6) | P(L6) | P(L6) | 17.128                 |
| Mini Telecommunications              | P(L6) | P(L6) | P(L6) | P(L6) | 17.128                 |
| Macro Telecommunications             | C     | C     | C     | C     | 17.128                 |
| Monopole Telecommunications          | C     | C     | C     | C     | 17.128                 |
| Tower Telecommunications             | —     | —     | —     | —     | 17.128                 |
| <b>Sign Facilities</b>               |       |       |       |       |                        |
| Residential Signs                    | P     | P     | P     | P     | 17.104                 |
| Special Signs                        | P     | P     | P     | P     | 17.104                 |
| Development Signs                    | P     | P     | P     | P     | 17.104                 |
| Realty Signs                         | P     | P     | P     | P     | 17.104                 |
| Civic Signs                          | P     | P     | P     | P     | 17.104                 |
| Business Signs                       | P     | P     | P     | P     | 17.104                 |
| Advertising Signs                    | —     | —     | —     | —     | 17.104                 |

## Limitations on Table 17.33.02:

**L1.** See Section 17.103.080 and Chapter 17.88 for regulations regarding permitted Accessory Dwelling Units. Also applicable are the provisions of Chapter 17.114 — Nonconforming Uses, for additions and alterations to legal nonconforming Residential Facilities, provided, however, that Accessory Dwelling Units are permitted when there is an existing **One-Family Dwellingprimary Residential Facility** on a lot, subject to the provisions of Section 17.103.080 and Chapter 17.88.

**L2.** Construction of new ground floor Residential Facilities **of the type specified** is not permitted within thirty (30) feet of the principal street frontage except for incidental pedestrian entrances that lead to one of these activities elsewhere in the building.

## [L3 OMITTED]

**L4.** **In the CN-1 and CN-2 Zones, no conditional use permit is required for Open Nonresidential Facilities to accommodate Civic Activities, seasonal sales, or special events.** In the CN-3 and CN-4 Zones, no conditional use permit is required for Open Nonresidential Facilities to accommodate Civic Activities, Limited Agriculture, seasonal sales, or special events.

## [L5-L6 OMITTED]

**17.33.050 Property development standards.**

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

**Table 17.33.03: Property Development Standards**

| Development Standards                                                  | Zones                                                                                         |           |           |           | Additional Regulations |
|------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-----------|-----------|-----------|------------------------|
|                                                                        | CN-1                                                                                          | CN-2      | CN-3      | CN-4      |                        |
| Minimum Lot Dimensions                                                 |                                                                                               |           |           |           |                        |
| Lot Width Mean                                                         | 25 ft.                                                                                        | 25 ft.    | 25 ft.    | 25 ft.    | 1                      |
| Frontage                                                               | 25 ft.                                                                                        | 25 ft.    | 25 ft.    | 25 ft.    | 1                      |
| Lot area                                                               | 4,000 sf.                                                                                     | 4,000 sf. | 4,000 sf. | 4,000 sf. | 1                      |
| Minimum/Maximum Setbacks                                               |                                                                                               |           |           |           |                        |
| Minimum front                                                          | 0 ft.                                                                                         | 0 ft.     | 0 ft.     | 0 ft.     | 2, 15                  |
| Maximum front                                                          | 10 ft.                                                                                        | 10 ft.    | 10 ft.    | N/A       | 3, 15                  |
| Minimum interior side                                                  | 0 ft.                                                                                         | 0 ft.     | 0 ft.     | 0 ft.     | 4, 5, 15               |
| Minimum street side                                                    | 0 ft.                                                                                         | 0 ft.     | 0 ft.     | 0 ft.     | 6, 15                  |
| Rear (Residential Facilities)                                          | 10 ft.                                                                                        | 10 ft.    | 10 ft.    | 10 ft.    | 7, 8, 15               |
| Rear (Nonresidential Facilities)                                       | 0/10 ft.                                                                                      | 0/10 ft.  | 0/10 ft.  | 0/10 ft.  | 8                      |
| Design Regulations                                                     |                                                                                               |           |           |           |                        |
| Minimum facade transparency for ground floor Nonresidential Facilities | 65%                                                                                           | 65%       | 65%       | N/A       | 9, 16                  |
| Minimum height of ground floor Nonresidential Facilities               | 15 ft.                                                                                        | 15 ft.    | 15 ft.    | 15 ft.    | 10                     |
| Minimum separation between grade and ground floor living space         | N/A                                                                                           | N/A       | N/A       | N/A       | 11                     |
| Parking and driveway location requirements                             | Yes                                                                                           | Yes       | Yes       | No        | 12                     |
| Ground floor active space requirement                                  | Yes                                                                                           | Yes       | Yes       | No        | 13                     |
| Height, Floor Area Ratio, Density, and Open Space Regulations          | See Table 17.33.04                                                                            |           |           |           |                        |
| Minimum required parking                                               | See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking requirements |           |           |           | 14                     |

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| Development Standards        | Zones                  |      |      |      | Additional Regulations |
|------------------------------|------------------------|------|------|------|------------------------|
|                              | CN-1                   | CN-2 | CN-3 | CN-4 |                        |
| <b>Courtyard regulations</b> | See Section 17.108.120 |      |      |      |                        |

## Additional Regulations for Table 17.33.03:

[1-15 OMITTED]

**16.** For ground floor Medical Service and Animal Care Commercial Activities, this level of transparency shall apply to the street-fronting adjacent spaces, such as reception, lobby, and waiting areas. Medical treatment rooms shall not face the street.

**Chapter 17.35 CC COMMUNITY COMMERCIAL ZONES REGULATIONS****17.35.030 Permitted and conditionally permitted activities.**

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

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.35.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Zones             |                   |           | Additional Regulations   |
|-------------------------------|-------------------|-------------------|-----------|--------------------------|
|                               | CC-1              | CC-2              | CC-3      |                          |
| Residential Activities        |                   |                   |           |                          |
| Permanent                     | P(L2)(L3)         | P(L2)(L3)         | C(L3)     |                          |
| Residential Care              | P(L1)(L2)(L3)     | P(L1)(L2)(L3)     | C(L1)(L3) | 17.103.010               |
| Supportive Housing            | P(L2)(L3)         | P(L2)(L3)         | C(L3)     |                          |
| Transitional Housing          | P(L2)(L3)         | P(L2)(L3)         | C(L3)     |                          |
| Emergency Shelter             | P(L1)(L2)(L3)(L4) | P(L1)(L2)(L3)(L4) | P(L1)(L3) | 17.103.010<br>17.103.015 |
| Semi-Transient                | P(L2)(L3)         | P(L2)(L3)         | —         |                          |
| Bed and Breakfast             | C                 | C                 | C(L3)     | 17.10.125                |
| Civic Activities              |                   |                   |           |                          |
| Essential Service             | P                 | P                 | P         |                          |
| Limited Child-Care Activities | P                 | P                 | C         |                          |
| Community Assembly            | CP(L16)           | CP(L16)           | CP(L16)   |                          |
| Recreational Assembly         | P                 | P                 | P         |                          |
| Community Education           | P                 | P                 | P         |                          |
| Nonassembly Cultural          | P                 | P                 | P         |                          |
| Administrative                | P                 | P                 | P         |                          |
| Health Care                   | P                 | P                 | P         |                          |
| Special Health Care           | C(L5)             | C(L5)             | C(L5)     | 17.103.020               |
| Utility and Vehicular         | C                 | C                 | C         |                          |
| Extensive Impact              | C                 | C                 | C         |                          |
| Commercial Activities         |                   |                   |           |                          |
| General Food Sales            | P                 | P                 | P         |                          |

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| Activities                                                   | Zones           |                 |                 | Additional Regulations    |
|--------------------------------------------------------------|-----------------|-----------------|-----------------|---------------------------|
|                                                              | CC-1            | CC-2            | CC-3            |                           |
| Full Service Restaurants                                     | P               | P               | P               |                           |
| Limited Service Restaurant and Cafe                          | P               | P               | P               |                           |
| Fast-Food Restaurant                                         | C               | C               | C               | 17.103.030 and 8.09       |
| Convenience Market                                           | C               | C               | C               | 17. 17.103.030            |
| Alcoholic Beverage Sales                                     | C               | C               | C               | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                               | P               | P               | P               |                           |
| Medical Service                                              | P               | P(L17)          | P               |                           |
| General Retail Sales                                         | P               | P               | P               |                           |
| Large-Scale Combined Retail and Grocery Sales                | <del>C</del>    | <del>C</del>    | —               |                           |
| Consumer Service                                             | P(L6)           | P(L6)           | P(L6)           |                           |
| Consultative and Financial Service                           | P               | P               | P               |                           |
| Check Cashier and Check Cashing                              | C(L7)           | C(L7)           | C(L7)           | 17.103.040                |
| Consumer Cleaning and Repair Service                         | P               | P               | P               |                           |
| Consumer Dry Cleaning Plant                                  | C               | C               | C               |                           |
| Artisan Production                                           | P(L18)          | P(L18)          | P               |                           |
| Group Assembly                                               | P(L8)(L14)(L19) | P(L8)(L14)(L19) | P(L8)(L14)(L19) |                           |
| Personal Instruction and Improvement Services                | P               | P               | P               |                           |
| Administrative                                               | P               | P               | P(L15)          |                           |
| Business, Communication, and Media Services                  | P               | P               | P               |                           |
| Broadcasting and Recording Services                          | P               | P               | P               |                           |
| Research Service                                             | P               | P               | P               |                           |
| General Wholesale Sales                                      | —               | —               | P               |                           |
| Transient Habitation                                         | —               | <del>C</del>    | —               | 17.103.050                |
| Building Material Sales                                      | —               | —               | P(L11)          |                           |
| Automobile and Other Light Vehicle Sales and Rental          | C               | P(L9)(L11)      | P               |                           |
| Automobile and Other Light Vehicle Gas Station and Servicing | P(L11)          | C               | P(L11)          |                           |
| Automobile and Other Light Vehicle Repair and Cleaning       | C(L10)          | C(L10)          | P               |                           |
| Taxi and Light Fleet-Based Services                          | —               | —               | C               |                           |
| Automotive Fee Parking                                       | C(L20)          | C(L20)          | C(L20)          | 17.103.055                |

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| Activities                                                                                                                       | Zones  |        |        | Additional Regulations |
|----------------------------------------------------------------------------------------------------------------------------------|--------|--------|--------|------------------------|
|                                                                                                                                  | CC-1   | CC-2   | CC-3   |                        |
| Animal Boarding                                                                                                                  | C      | C      | C      |                        |
| Animal Care                                                                                                                      | P      | P(L17) | P      |                        |
| Undertaking Service                                                                                                              | —      | —      | —      |                        |
| <b>Industrial Activities</b>                                                                                                     |        |        |        |                        |
| Custom Manufacturing                                                                                                             | C      | C      | PC     |                        |
| Light Manufacturing                                                                                                              | —      | C      | P(L11) |                        |
| General Manufacturing                                                                                                            | —      | —      | —      |                        |
| Heavy/High Impact                                                                                                                | —      | —      | —      |                        |
| Research and Development                                                                                                         | —      | —      | —      |                        |
| Construction Operations                                                                                                          | —      | —      | —      |                        |
| Warehousing, Storage, and Distribution                                                                                           |        |        |        |                        |
| A. General Warehousing, Storage and Distribution                                                                                 | —      | —      | P(L11) |                        |
| B. General Outdoor Storage                                                                                                       | —      | —      | —      |                        |
| C. Self- or Mini-Storage                                                                                                         | —      | —      | —      |                        |
| D. Container Storage                                                                                                             | —      | —      | —      |                        |
| E. Salvage/Junk Yards                                                                                                            | —      | —      | —      |                        |
| Regional Freight Transportation                                                                                                  | —      | —      | —      |                        |
| Trucking and Truck-Related                                                                                                       | —      | —      | —      |                        |
| Recycling and Waste-Related                                                                                                      |        |        |        |                        |
| A. Satellite Recycling Collection Centers                                                                                        | —(L21) | —(L21) | —(L21) |                        |
| B. Primary Recycling Collection Centers                                                                                          | —      | —      | —      |                        |
| Hazardous Materials Production, Storage, and Waste Management-Related                                                            | —      | —      | —      |                        |
| <b>Agriculture and Extractive Activities</b>                                                                                     |        |        |        |                        |
| Limited Agriculture                                                                                                              | P(L12) | P(L12) | P(L12) |                        |
| Extensive Agriculture                                                                                                            | C(L13) | C(L13) | C(L13) |                        |
| Plant Nursery                                                                                                                    | C      | C      | C      |                        |
| Mining and Quarrying                                                                                                             | —      | —      | —      |                        |
| <b>Accessory off-street parking serving prohibited activities</b>                                                                | C      | C      | C      | 17.116.075175          |
| <b>Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone</b> | C      | C      | C      | 17.102.110             |

**Limitations on Table 17.35.01:**

**[L1-L10 OMITTED]**

**L11.** This activity is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when: a) located on a lot that is within six hundred (600) feet of a Residential Zone, or b) Gas stations are proposed as a principal activity anywhere in the district.

**L12.** Limited Agriculture is permitted if the activity occupies less than twentyten thousand (2010,000) square feet of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

**[L13 OMITTED]**

**L14.** The total floor area devoted to these activities on any single lot shall only exceed seven thousand five hundred (7,500) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). This activity is only permitted upon granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when: a) proposing this activity in a primary or accessory Open Nonresidential Facility; or b) the total floor area devoted to this activity exceeds ten thousand (10,000) square feet.

**[L15 OMITTED]**

**L16.** The total floor area devoted to these activities on any single lot shall only exceed ten thousand (10,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.1344 for the CUP procedure).

**L17.** See Table 17.35.03, additional regulation 15, for regulations regarding special ground floor transparency requirements for Medical Service and Animal Care Commercial Activities.

**L18.** During operating hours, ground floor Artisan Production Commercial Activities shall be open to the public to purchase and view items produced on site. On other floors, these activities shall either be open to the public during operating hours or available by appointment to view and purchase items produced on site.

**L19.** Any proposed Group Assembly activity that does not require a CUP but proposes to use amplified sound shall submit an Operational Noise Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to reduce operational noise to be consistent with Chapter 17.120 of the Planning Code.

**L20.** Automotive Fee Parking is permitted in the CC Zones if the facility meets the requirements in Section 17.103.055.

**L21.** Notwithstanding anything to the contrary contained in the Planning code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets or shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials such as aluminum, glass, plastic, and bimetal for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).

**17.35.040 Permitted and conditionally permitted facilities.**

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

"P" designates permitted facilities in the corresponding zone.

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

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

"—" designates facilities that are prohibited.

**Table 17.35.02: Permitted and Conditionally Permitted Facilities**

| Facilities                    | Zones     |           |           | Additional Regulations   |
|-------------------------------|-----------|-----------|-----------|--------------------------|
|                               | CC-1      | CC-2      | CC-3      |                          |
| Residential Facilities        |           |           |           |                          |
| One-Family Dwelling           | —(L1)     | —(L1)     | —(L1)(L7) | 17.103.080               |
| Two- to Four-Family Dwelling  | P(L3)(L8) | P(L3)(L8) | —(L1)(L7) | 17.103.080               |
| Multifamily Dwelling          | P(L3)(L8) | P(L3)(L8) | —(L1)(L7) | 17.103.080               |
| Rooming House                 | P(L3)     | P(L3)     | —(L7)     |                          |
| Vehicular                     | P         | P         | —(L7)     | 17.103.080<br>17.108.085 |
| Nonresidential Facilities     |           |           |           |                          |
| Enclosed Nonresidential       | P         | P         | P         |                          |
| Open Nonresidential           | P(L6)     | P(L6)     | P(L6)     |                          |
| Sidewalk Cafe                 | P         | P         | P         | 17.103.090               |
| Drive-In                      | C         | C         | C         |                          |
| Drive-Through                 | C(L4)     | C(L4)     | C(L4)     |                          |
| Telecommunications Facilities |           |           |           |                          |
| Micro Telecommunications      | P(L5)     | P(L5)     | P(L5)     | 17.128                   |
| Mini Telecommunications       | P(L5)     | P(L5)     | P(L5)     | 17.128                   |
| Macro Telecommunications      | C         | C         | C         | 17.128                   |
| Monopole Telecommunications   | C         | C         | C         | 17.128                   |
| Tower Telecommunications      | —         | —         | —         | 17.128                   |
| Sign Facilities               |           |           |           |                          |
| Residential Signs             | P         | P         | P         | 17.104                   |
| Special Signs                 | P         | P         | P         | 17.104                   |

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| Facilities        | Zones |      |      | Additional Regulations |
|-------------------|-------|------|------|------------------------|
|                   | CC-1  | CC-2 | CC-3 |                        |
| Development Signs | P     | P    | P    | 17.104                 |
| Realty Signs      | P     | P    | P    | 17.104                 |
| Civic Signs       | P     | P    | P    | 17.104                 |
| Business Signs    | P     | P    | P    | 17.104                 |
| Advertising Signs | —     | —    | —    | 17.104                 |

## Limitations on Table 17.35.02:

### [L1 OMITTED]

**L2.** Construction of new ground floor Residential Facilities is only permitted if part of a development that has a majority of the ground floor area devoted to Commercial Activities.

### [L3-L5 OMITTED]

**L6.** For the CC Zones in the West Oakland District (defined for the purposes of this Chapter as all areas between Interstate 980 to the east, Interstate 880 to the south and west, and Interstate 580 to the north), Open Nonresidential Facilities accommodating activities other than Civic Activities, Limited Agriculture, seasonal sales, or special events are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

### [L7-L8 OMITTED]

## 17.35.050 Property development standards.

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

**Table 17.35.03: Property Development Standards**

| Development Standards    | Zones     |           |           | Additional Regulations |
|--------------------------|-----------|-----------|-----------|------------------------|
|                          | CC-1      | CC-2      | CC-3      |                        |
| Minimum Lot Dimensions   |           |           |           |                        |
| Lot Width mean           | 25 ft.    | 25 ft.    | 25 ft.    | 1                      |
| Frontage                 | 25 ft.    | 25 ft.    | 25 ft.    | 1                      |
| Lot area                 | 4,000 sf. | 4,000 sf. | 4,000 sf. | 1                      |
| Minimum/Maximum Setbacks |           |           |           |                        |
| Minimum front            | 0 ft.     | 0 ft.     | 0 ft.     | 2, 14                  |

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| Development Standards                                                 | Zones    |          |          | Additional Regulations |
|-----------------------------------------------------------------------|----------|----------|----------|------------------------|
|                                                                       | CC-1     | CC-2     | CC-3     |                        |
| Maximum front                                                         | N/A      | 10 ft.   | N/A      | 3, 14                  |
| Minimum interior side                                                 | 0 ft.    | 0 ft.    | 0 ft.    | 4, 5, 14               |
| Minimum street side                                                   | 0 ft.    | 0 ft.    | 0 ft.    | 6, 14                  |
| Rear (Residential Facilities)                                         | 10 ft.   | 10 ft.   | 10 ft.   | 7, 8, 14               |
| Rear (Nonresidential Facilities)                                      | 0/10 ft. | 0/10 ft. | 0/10 ft. | 8                      |
| <b>Design Regulations</b>                                             |          |          |          |                        |
| Minimum facade transparency of ground floor Nonresidential Facilities | 50%      | 55%      | N/A      | 9, 15                  |
| Minimum height of ground floor Nonresidential Facilities              | 15 ft.   | 15 ft.   | 15 ft.   | 10                     |
| Parking and driveway location requirements                            | No       | Yes      | No       | 11                     |

[1-14 OMITTED]

**15.** For ground floor Medical Service and Animal Care Commercial Activities, this level of transparency shall apply to the street-fronting adjacent spaces, such as reception, lobby, and waiting areas. Medical treatment rooms shall not face the street.

**Chapter 17.37 CR REGIONAL COMMERCIAL ZONES REGULATIONS****17.37.030 Permitted and conditionally permitted activities.**

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

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.37.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Zone  |        | Additional Regulations |
|-------------------------------|-------|--------|------------------------|
|                               | CR-1  | CR-2   |                        |
| Residential Activities        |       |        |                        |
| Permanent                     | —     | P(L13) |                        |
| Residential Care              | —     | P(L1)  |                        |
| Supportive Housing            | —     | P      |                        |
| Transitional Housing          | —     | P      |                        |
| Emergency Shelter             | P(L1) | P(L1)  | 17.103.010             |
| Semi-Transient                | C     | P      |                        |
| Bed and Breakfast             | —     | —      |                        |
| Civic Activities              |       |        |                        |
| Essential Service             | P     | P      |                        |
| Limited Child-Care Activities | P     | P      |                        |
| Community Assembly            | P     | P      |                        |
| Recreational Assembly         | P     | P      |                        |
| Community Education           | C     | C      |                        |
| Nonassembly Cultural          | P     | P      |                        |
| Administrative                | P     | P      |                        |
| Health Care                   | C     | C      |                        |
| Special Health Care           | C(L2) | C(L2)  | 17.103.020             |
| Utility and Vehicular         | C     | C      |                        |

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| Activities                                                   | Zone             |                  | Additional Regulations    |
|--------------------------------------------------------------|------------------|------------------|---------------------------|
|                                                              | CR-1             | CR-2             |                           |
| Extensive Impact                                             | C                | C                |                           |
| <b>Commercial Activities</b>                                 |                  |                  |                           |
| General Food Sales                                           | P                | P                |                           |
| Full Service Restaurants                                     | P                | P                |                           |
| Limited Service Restaurant and Cafe                          | P                | P                |                           |
| Fast-Food Restaurant                                         | C                | C                | 17.103.030 and 8.09       |
| Convenience Market                                           | C                | C                | 17.103.030                |
| Alcoholic Beverage Sales                                     | C                | C                | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                               | P(L10)           | P(L10)           |                           |
| Medical Service                                              | P                | P                |                           |
| General Retail Sales                                         | P                | P                |                           |
| Large-Scale Combined Retail and Grocery Sales                | <del>C</del>     | <del>C</del>     |                           |
| Consumer Service                                             | P(L3)            | P(L3)            |                           |
| Consultative and Financial Service                           | P                | P                |                           |
| Check Cashier and Check Cashing                              | —                | —                |                           |
| Consumer Cleaning and Repair Service                         | P(L4)            | P(L4)            |                           |
| Consumer Dry Cleaning Plant                                  | C                | C                |                           |
| Artisan Production                                           | P                | P                |                           |
| Group Assembly                                               | CP(L6)(L10)(L14) | CP(L6)(L10)(L14) |                           |
| Personal Instruction and Improvement Services                | P                | P                |                           |
| Administrative                                               | P                | P                |                           |
| Business, Communication, and Media Services                  | P                | P                |                           |
| Broadcasting and Recording Services                          | P                | P                |                           |
| Research Service                                             | P                | P                |                           |
| General Wholesale Sales                                      | C                | C                |                           |
| Transient Habitation                                         | C                | C                | 17.103.050                |
| Building Material Sales                                      | P(L4)(L12)       | C(L4)            |                           |
| Automobile and Other Light Vehicle Sales and Rental          | P                | P                |                           |
| Automobile and Other Light Vehicle Gas Station and Servicing | P(L4)            | P(L4)            |                           |

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| Activities                                                            | Zone           |                | Additional Regulations |
|-----------------------------------------------------------------------|----------------|----------------|------------------------|
|                                                                       | CR-1           | CR-2           |                        |
| Automobile and Other Light Vehicle Repair and Cleaning                | P(L4)(L12)     | P(L4)(L12)     |                        |
| Taxi and Light Fleet-Based Services                                   | P(L4)(L5)(L12) | C(L4)(L5)      |                        |
| Automotive Fee Parking                                                | —(L7)          | —(L7)          |                        |
| Animal Boarding                                                       | C              | C              |                        |
| Animal Care                                                           | P              | P              |                        |
| Undertaking Service                                                   | —              | —              |                        |
| <b>Industrial Activities</b>                                          |                |                |                        |
| Custom Manufacturing                                                  | P(L4)          | P(L4)(L11)     |                        |
| Light Manufacturing                                                   | P(L4)          | P(L4)(L11)     |                        |
| General Manufacturing                                                 | C(L4)(L5)      | —              |                        |
| Heavy/High Impact                                                     | —              | —              |                        |
| Research and Development                                              | P(L12)(L15)    | P(L12)(L15)    |                        |
| Construction Operations                                               | —              | —              |                        |
| Warehousing, Storage, and Distribution-Related                        |                |                |                        |
| A. General Warehousing, Storage and Distribution                      | P(L4)(L5)(L12) | P(L4)(L5)(L12) |                        |
| B. General Outdoor Storage                                            | C(L4)(L5)      | —              |                        |
| C. Self- or Mini-Storage                                              | —              | —              |                        |
| D. Container Storage                                                  | C(L4)(L5)      | —              |                        |
| E. Salvage/Junk Yards                                                 | —              | —              |                        |
| Regional Freight Transportation                                       | C(L4)(L5)      | —              |                        |
| Trucking and Truck-Related                                            | C(L4)(L5)      | —              |                        |
| Recycling and Waste-Related                                           |                |                |                        |
| A. Satellite Recycling Collection Centers                             | C(L4)(L16)     | C(L4)(L16)     |                        |
| B. Primary Recycling Collection Centers                               | —              | —              | 17.103.060             |
| Hazardous Materials Production, Storage, and Waste Management-Related | —              | —              |                        |
| <b>Agriculture and Extractive Activities</b>                          |                |                |                        |
| Limited Agriculture                                                   | P(L4)(L8)      | P(L4)(L8)      |                        |
| Extensive Agriculture                                                 | C(L4)(L9)      | C(L4)(L9)      |                        |
| Plant Nursery                                                         | C(L4)          | C(L4)          |                        |
| Mining and Quarrying                                                  | —              | —              |                        |

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| Activities                                                                                                               | Zone |      | Additional Regulations |
|--------------------------------------------------------------------------------------------------------------------------|------|------|------------------------|
|                                                                                                                          | CR-1 | CR-2 |                        |
| Accessory off-street parking serving prohibited activities                                                               | P    | P    | 17.116.075175          |
| Activities that are listed as prohibited but are permitted or conditionally permitted on nearby lots in an adjacent zone | C    | C    | 17.102.110             |

## Limitations on Table 17.37.01:

### [L1-L3 OMITTED]

**L4.** Except for Automobile and Other Light Vehicle Gas Station and Servicing and/or Repair and Cleaning Commercial Activities that are accessory to an approved Automobile and Other Light Vehicle Sales and Rental Commercial Activity, these activities are not permitted within three hundred (300) feet of a lot line adjacent to the Hegenberger Road right-of-way.

### [L5 OMITTED]

**L6.** No new or expanded Adult Entertainment Activity shall be located closer than one thousand (1,000) feet to the boundary of any Residential Zone or three hundred (300) feet from any other Adult Entertainment Activity. See Section 17.102.160 for further regulations regarding Adult Entertainment Activities.

### [L7 OMITTED]

**L8.** Limited Agriculture is permitted if the activity occupies less than twentyten thousand (2010,000) square feet of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

### [L9 OMITTED]

**L10.** The total floor area devoted to these activities by any single establishment shall only exceed ten thousand (10,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). This activity is only permitted upon granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when: a) proposing this activity in a primary or accessory Open Nonresidential Facility; or b) the total floor area devoted to this activity exceeds fifteen thousand (15,000) square feet.

### [L11 OMITTED]

**L12.** This activity is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when located on a lot that is within six hundred (600) feet of a Residential Zone.

### [L13 OMITTED]

**L14.** Any proposed Group Assembly activity that does not require a CUP but proposes to use amplified sound shall submit an Operational Noise Plan prepared by a qualified acoustical consultant for City review

and approval that contains a set of site-specific noise attenuation measures to reduce operational noise to be consistent with Chapter 17.120 of the Planning Code.

**L15.** If located within six hundred (600) feet of a Residential Zone boundary, any storage or use of hazardous materials or waste, as defined in O.M.C. Section 8.42.060, shall be reviewed and approved by the Fire Department prior to commencement of operation or any alteration of activity. A risk management plan may also be required, per the Certified Program Uniform Assistance (CUPA) Ordinance (O.M.C. Chapter 8.42).

**L16.** Notwithstanding anything to the contrary contained in the Planning Code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials such as aluminum, glass, plastic, and bimetal for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).

**Chapter 17.65 HBX HOUSING AND BUSINESS MIX COMMERCIAL ZONES REGULATIONS****17.65.030 Permitted, conditionally permitted, and prohibited activities.**

The following table lists the permitted, conditionally permitted, and prohibited activities in the HBX Zones. The descriptions of these activities are contained in Chapter 17.10. A legally constructed facility shall be allowed to contain or be converted to contain any activities listed as permitted in the table below if they meet all applicable regulations.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a conditional use permit (see Chapter 17.134) in the corresponding zone.

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

"—" designates uses that are prohibited in the corresponding zone.

**Table 17.65.01: Permitted, Conditionally Permitted, and Prohibited Activities**

| Activity                   | Regulations   |               |                |               | Additional Regulations   |
|----------------------------|---------------|---------------|----------------|---------------|--------------------------|
|                            | HBX-1         | HBX-2         | HBX-3          | HBX-4         |                          |
| Residential Activities     |               |               |                |               |                          |
| Permanent Residential      | P             | P             | P              | P             | 17.65.040                |
| Residential Care           | P(L1)         | P(L1)         | P(L1)          | P(L1)         | 17.103.010               |
| Supportive Housing         | P             | P             | P              | P             |                          |
| Transitional Housing       | P             | P             | P              | P             |                          |
| Emergency Shelter          | P(L1)(L2)(L6) | P(L1)(L2)(L6) | P(L1)(L2)( L6) | P(L1)(L2)(L6) | 17.103.010<br>17.103.015 |
| Semi-Transient Residential | P             | P             | P              | P             | 17.103.010               |
| Bed and Breakfast          | —             | —             | —              | C             | 17.10.125                |
| Civic Activities           |               |               |                |               |                          |
| Essential Service          | P(L16)        | P(L16)        | P(L16)         | P(L16)        |                          |
| Limited Child-Care         | P             | P             | P              | P             |                          |
| Community Assembly         | P(L3)         | P(L3)         | P(L3)          | P(L3)         |                          |
| Recreational Assembly      | P(L3)         | P(L4)         | P(L4)          | P(L4)         |                          |
| Community Education        | C             | C             | C              | C             |                          |
| Nonassembly Cultural       | P(L3)         | P(L4)         | P(L4)          | P(L4)         |                          |
| Administrative             | P(L3)         | P(L4)         | P(L4)          | P(L4)         |                          |
| Health Care                | C             | C             | C              | C             |                          |
| Special Health Care        | C(L6)         | C(L6)         | C(L6)          | C(L6)         | 17.103.020               |
| Utility and Vehicular      | C             | C             | C              | C             |                          |
| Extensive Impact           | C             | C             | C              | C             | 17.102.440               |

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| Activity                                      | Regulations      |                  |                  |                  | Additional Regulations |
|-----------------------------------------------|------------------|------------------|------------------|------------------|------------------------|
|                                               | HBX-1            | HBX-2            | HBX-3            | HBX-4            |                        |
| Commercial Activities                         |                  |                  |                  |                  |                        |
| General Food Sales                            | P(L3)            | P(L3)            | P(L3)            | P(L3)            |                        |
| Full Service Restaurant                       | P(L5)            | P(L5)            | P(L5)            | P(L3)            |                        |
| Limited Service Restaurant and Cafe           | P(L5)            | P(L5)            | P(L5)            | P(L3)            |                        |
| Fast-Food Restaurant                          | —                | —                | —                | —                | 17.103.030             |
| Convenience Market                            | C                | C                | C                | C                | 17.103.030             |
| Alcoholic Beverage Sales                      | C                | C                | C                | C                | 17.103.030             |
| Mechanical or Electronic Games                | CP               | CP               | CP               | CP               |                        |
| Medical Service                               | P(L3)            | P(L3)(L4)        | P(L3)(L4)        | P(L3)(L4)        |                        |
| General Retail Sales                          | P(L3)            | P(L4)            | P(L4)            | P(L4)            |                        |
| Large-Scale Combined Retail and Grocery Sales | —                | —                | —                | —                |                        |
| Consumer Service                              | P(L3)(L7)        | P(L7)            | P(L7)            | P(L7)            |                        |
| Consultative and Financial Service            | P(L3)            | P(L4)            | P(L4)            | P(L4)            |                        |
| Check Cashier and Check Cashing               | —                | —                | —                | —                | 17.103.040             |
| Consumer Cleaning and Repair Service          | CP(L4)           | CP(L4)           | CP(L4)           | CP(L4)           |                        |
| Consumer Dry Cleaning Plant                   | —                | C                | C                | C                |                        |
| Artisan Production                            | P(L3)            | P                | P                | P                |                        |
| Group Assembly                                | CP(L8)(L16)(L18) | CP(L8)(L16)(L18) | CP(L8)(L16)(L18) | CP(L8)(L16)(L18) |                        |
| Personal Instruction and Improvement Services | CP               | P                | P                | P                |                        |
| Administrative                                | P(L3)            | P(L4)            | P(L4)            | P(L4)            |                        |
| Business, Communication, and Media Service    | P(L5)            | P                | P                | P                |                        |
| Broadcasting and Recording Service            | P(L18)           | P(L18)           | P(L18)           | P(L18)           |                        |
| Research Service                              | P(L3)(L9)        | P(L4)(L9)        | P(L4)(L9)        | P(L4)(L9)        |                        |
| General Wholesale Sales                       | P(L5)            | P(L4)            | P(L4)            | P(L4)            |                        |
| Transient Habitation                          | —C               | —C               | —C               | C                | 17.103.050             |
| Building Material Sales                       | —                | P(L9)(L10)       | P(L9)(L10)       | P(L9)(L10)       |                        |

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| Activity                                                     | Regulations    |                |                |                    | Additional Regulations |
|--------------------------------------------------------------|----------------|----------------|----------------|--------------------|------------------------|
|                                                              | HBX-1          | HBX-2          | HBX-3          | HBX-4              |                        |
| Automotive and other Light Vehicle Sales and Rental          | —              | —              | —              | —                  |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing | —(L11)         | —              | —              | —                  |                        |
| Automotive and Other Light Vehicle Repair and Cleaning       | —(L11)         | —              | —              | —                  |                        |
| Taxi and Light Fleet-Based Service                           | —              | C              | C              | C                  |                        |
| Automotive Fee Parking                                       | —              | —              | —              | —                  |                        |
| Animal Boarding                                              | C(L15)         | C(L15)         | C(L15)         | C(L15)             |                        |
| Animal Care                                                  | CP             | CP             | CP             | CP                 |                        |
| Undertaking Service                                          | —              | —              | —              | —                  |                        |
| <b>Industrial Activities</b>                                 |                |                |                |                    |                        |
| Custom Manufacturing                                         | P(L3)(L9)(L17) | P(L3)(L9)(L17) | P(L3)(L9)(L17) | P(L4)(L9)(L17)     | 17.120                 |
| Light Manufacturing                                          | P(L3)(L9)(L17) | P(L3)(L9)(L17) | P(L3)(L9)(L17) | P(L4)(L9)(L17)     | 17.120                 |
| General Manufacturing                                        | —              | —              | —              | —                  |                        |
| Heavy/High Impact Manufacturing                              | —              | —              | —              | —                  |                        |
| Research and Development                                     | P(L3)(L9)(L19) | P(L3)(L9)(L19) | P(L3)(L9)(L19) | P(L3)(L4)(L9)(L19) |                        |
| Construction Operations                                      | —              | C(L9)(L10)     | C(L9)(L10)     | C(L9)(L10)         |                        |
| <b>Warehousing, Storage and Distribution-Related</b>         |                |                |                |                    |                        |
| A. General Warehousing, Storage and Distribution             | C(L9)(L10)     | P(L3)(L9)      | P(L3)(L9)      | P(L3)(L9)          |                        |
| B. General Outdoor Storage                                   | —              | C(L15)         | C(L15)         | C(L15)             |                        |
| C. Self- or Mini-Storage                                     | —              | C(L12)         | C(L12)         | C(L12)             |                        |
| D. Container Storage                                         | —              | —              | —              | —                  |                        |
| E. Salvage/Junk Yards                                        | —              | —              | —              | —                  |                        |
| Regional Freight Transportation                              | —              | —              | —              | —                  |                        |
| Trucking and Truck-Related                                   | —              | —              | —              | —                  |                        |
| <b>Recycling and Waste-Related</b>                           |                |                |                |                    |                        |
| A. Satellite Recycling Collection Centers                    | —(L20)         | —(L20)         | —(L20)         | —(L20)             |                        |

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| Activity                                                                                                                           | Regulations |        |        |        | Additional Regulations |
|------------------------------------------------------------------------------------------------------------------------------------|-------------|--------|--------|--------|------------------------|
|                                                                                                                                    | HBX-1       | HBX-2  | HBX-3  | HBX-4  |                        |
| A. Primary Recycling Collection Centers                                                                                            | —           | —      | —      | —      |                        |
| Hazardous Materials Production, Storage, and Waste Management-Related                                                              | —           | —      | —      | —      |                        |
| <b>Agricultural and Extractive Activities</b>                                                                                      |             |        |        |        |                        |
| Plant Nursery                                                                                                                      | C           | C      | C      | C      |                        |
| Limited Agriculture                                                                                                                | P(L13)      | P(L13) | P(L13) | P(L13) |                        |
| Extensive Agriculture                                                                                                              | C(L14)      | C(L14) | C(L14) | C(L14) |                        |
| Mining and Quarrying Extractive                                                                                                    | —           | —      | —      | —      |                        |
| <b>Accessory off-street parking serving prohibited activities</b>                                                                  | C           | C      | C      | C      | 17.116.175             |
| <b>Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof</b> | C           | C      | C      | C      | 17.102.110             |

**Limitations on Table 17.65.01:**

**[L1-L2 OMITTED]**

**L3.** ~~Except for the HBX-1 zoned area near Lowell Street, the total floor area devoted to these activities on any single lot shall only exceed tenfifteen thousand (1015,000) square feet upon the granting of a Conditional Use Permit (CUP) (see Chapter 17.134 for the CUP procedure).~~ ~~For the HBX-1 zoned area near Lowell Street, the total floor area devoted to these activities on any single lot shall only exceed five thousand (5,000) square feet upon the granting of a Conditional Use Permit (CUP) (see Chapter 17.134 for the CUP procedure).~~

**L4.** The total floor area devoted to these activities on any single lot shall only exceed twenty-five thousand (25,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L5.** The total floor area devoted to these activities on any single lot shall only exceed ~~threefour~~ thousand (34,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**[L6-L12 OMITTED]**

**L13.** Limited Agriculture is permitted if the activity occupies less than ~~twentyten~~ thousand (2010,000) square feet of land area and any on-site sales occur no more than two (2) times per week between the hours of 8:00 am and 9:00 pm in a temporary movable structure not exceeding two hundred (200) square feet

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in size; conditionally permitted if the activity is larger in either land area, or in sales area, frequency, or hours of operation (see Chapter 17.134 for the CUP procedure).

### [L14-L15 OMITTED]

**L16.** Community Gardens are permitted if they do not include any livestock production or the cultivation of animals and/or animal products by agricultural methods, except for bee keeping involving no more than three (3) hives. This activity is only permitted upon granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when: a) proposing this activity in a primary or accessory Open Nonresidential Facility; or b) the total floor area devoted to this activity exceeds fifteen thousand (15,000) square feet.

### [L17 OMITTED]

**L18.** Any proposed Group Assembly or Broadcasting and Recording Service activity that does not require a CUP but proposes to use amplified sound shall submit an Operational Noise Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to reduce operational noise to be consistent with Chapter 17.120 of the Planning Code.

**L19.** This activity is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when located on a lot that is within six hundred (600) feet of a Residential Zone. If located within six hundred (600) feet of a Residential Zone boundary, any storage or use of hazardous materials or waste, as defined in O.M.C. Section 8.42.060, shall be reviewed and approved by the Fire Department prior to commencement of operation or any alteration of activity. A risk management plan may also be required, per the Certified Program Uniform Assistance (CUPA) Ordinance (O.M.C. Chapter 8.42).

**L20.** Notwithstanding anything to the contrary contained in the Planning Code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials such as aluminum, glass, plastic, and bimetal for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).

**Chapter 17.72 M-40 INDUSTRIAL ZONE REGULATIONS****17.72.030 Permitted and conditionally permitted activities.**

Table 17.72.01 lists the permitted, conditionally permitted, and prohibited activities in the M-40 Zone. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.72.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Zone   | Additional Regulations |
|-------------------------------|--------|------------------------|
|                               | M-40   |                        |
| Residential Activities        |        |                        |
| Permanent                     | —      |                        |
| Residential Care              | —      |                        |
| Supportive Housing            | —      |                        |
| Transitional Housing          | —      |                        |
| Emergency Shelter             | —      | 17.103.015             |
| Semi-Transient                | —      |                        |
| Bed and Breakfast             | —      |                        |
| Civic Activities              |        |                        |
| Essential Service             | P      |                        |
| Limited Child-Care Activities | C(L17) |                        |
| Community Assembly            | C      |                        |
| Recreational Assembly         | C      |                        |
| Community Education           | C(L17) |                        |
| Nonassembly Cultural          | P      |                        |
| Administrative                | P(L2)  |                        |
| Health Care                   | —      |                        |
| Special Health Care           | C(L3)  | 17.103.020             |
| Utility and Vehicular         | P(L4)  |                        |
| Extensive Impact              | C      | 17.102.440             |

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| Activities                                                   | Zone      | Additional Regulations    |
|--------------------------------------------------------------|-----------|---------------------------|
|                                                              | M-40      |                           |
| Commercial Activities                                        |           |                           |
| General Food Sales                                           | P         |                           |
| Full Service Restaurants                                     | P         |                           |
| Limited Service Restaurant and Cafe                          | P         |                           |
| Fast-Food Restaurant                                         | C         | 17.103.030 and 8.09       |
| Convenience Market                                           | C         | 17.103.030                |
| Alcoholic Beverage Sales                                     | C         | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                               | P         |                           |
| Medical Service                                              | P(L2)     |                           |
| General Retail Sales                                         | P(L5)     |                           |
| Large-Scale Combined Retail and Grocery Sales                | —         |                           |
| Consumer Service                                             | P(L5)(L6) |                           |
| Consultative and Financial Service                           | P(L2)     |                           |
| Check Cashier and Check Cashing                              | —         |                           |
| Consumer Cleaning and Repair Service                         | CP(L5)    |                           |
| Consumer Dry Cleaning Plant                                  | C         |                           |
| Artisan Production                                           | P(L5)     |                           |
| Group Assembly                                               | P(L7)     |                           |
| Personal Instruction and Improvement Services                | P(L7)     |                           |
| Administrative                                               | P(L2)     |                           |
| Business, Communication, and Media Services                  | P         |                           |
| Broadcasting and Recording Services                          | P         |                           |
| Research Service                                             | P         |                           |
| General Wholesale Sales                                      | P         |                           |
| Transient Habitation                                         | —         |                           |
| Building Material Sales                                      | P(L9)     |                           |
| Automobile and Other Light Vehicle Sales and Rental          | P(L9)     |                           |
| Automobile and Other Light Vehicle Gas Station and Servicing | P(L8)(L9) |                           |
| Automobile and Other Light Vehicle Repair and Cleaning       | P(L8)(L9) |                           |
| Taxi and Light Fleet-Based Services                          | P(L9)     |                           |

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| Activities                                                                     | Zone           | Additional Regulations   |
|--------------------------------------------------------------------------------|----------------|--------------------------|
|                                                                                | <b>M-40</b>    |                          |
| Automotive Fee Parking                                                         | P              |                          |
| Animal Boarding                                                                | C              |                          |
| Animal Care                                                                    | C              |                          |
| Undertaking Service                                                            | —              |                          |
| <b>Industrial Activities</b>                                                   |                |                          |
| Custom Manufacturing                                                           | P              |                          |
| Light Manufacturing                                                            | P(L9)          |                          |
| General Manufacturing                                                          | C(L10)(L1)     | 17.103.065               |
| Heavy/High Impact                                                              | —              |                          |
| Research and Development                                                       | P(L9)(L19)     |                          |
| Construction Operations                                                        | P(L9)          | 17.103.065               |
| Warehousing, Storage, and Distribution-Related                                 |                |                          |
| A. General Warehousing, Storage and Distribution                               | P(L9)(L16)     | 17.103.065               |
| B. General Outdoor Storage                                                     | P(L9)          |                          |
| C. Self- or Mini-Storage                                                       | C(L17)         |                          |
| D. Container Storage                                                           | P              |                          |
| E. Salvage/Junk Yards                                                          | P(L11)         |                          |
| Regional Freight Transportation                                                | C(L1)          | 17.103.065               |
| Trucking and Truck-Related                                                     |                |                          |
| A. Freight/Truck Terminal                                                      | P(L8)(L9)(L12) | 17.103.065               |
| B. Truck Yard                                                                  | P(L8)(L9)(L12) | 17.103.065               |
| C. Truck Weigh Stations                                                        | P(L8)(L9)(L12) | 17.103.065               |
| D. Truck and Other Heavy Vehicle Sales. Rental and Leasing                     | P(L9)(L13)     | 17.103.065               |
| E. Truck and Other Heavy Vehicle Service, Repair and Refueling                 | P(L8)(L9)(L12) | 17.103.065               |
| F. Electrical Vehicle Charging Station Serving Trucks and Other Heavy Vehicles | P              | 17.10.585.F              |
| Recycling and Waste-Related                                                    |                |                          |
| A. Satellite Recycling Collection Centers                                      | C(L20)         | 17.10.040.P              |
| B. Primary Recycling Collection Centers                                        | C(L1)          | 17.103.060<br>17.103.065 |
| Hazardous Materials Production, Storage, and Waste Management-Related          | C(L13)         |                          |
| <b>Agriculture and Extractive Activities</b>                                   |                |                          |

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| Activities                                                                                                                        | Zone        | Additional Regulations |
|-----------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------|
|                                                                                                                                   | <b>M-40</b> |                        |
| Plant Nursery                                                                                                                     | P           |                        |
| Limited Agriculture                                                                                                               | P(L14)      |                        |
| Extensive Agriculture                                                                                                             | C(L15)      |                        |
| Mining and Quarrying                                                                                                              | C(L18)      |                        |
| <b>Accessory off-street parking serving prohibited activities</b>                                                                 | P           | 17.116.075-175         |
| <b>Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof</b> | C           | 17.102.110             |

## Limitations on Table 17.72.01:

### [L1-L4 OMITTED]

**L5.** The total floor area devoted to these activities on any single lot may only exceed five thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

### [L6-L8 OMITTED]

**L9.** These activities are only permitted upon the granting of a Conditional Use Permit **if when a):** located within six hundred (600) feet of a Residential Zone, **or b) Gas Stations are proposed as a principal activity anywhere in the district** (see Chapter 17.134 for the CUP procedure), and Section 17.103.065 for special findings and additional regulations for Truck-Intensive Industrial Activities in the M-40, CIX, IG, IO, D-DT-JLI, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones).

### [L10-L13 OMITTED]

**L14.** Limited Agriculture is permitted if the activity occupies less than **twentyten** thousand (**2010**,000) square feet of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

### [L15-L18 OMITTED]

**L19.** If located within six hundred (600) feet of a Residential Zone boundary, any storage or use of hazardous materials or waste, as defined in O.M.C. Section 8.42.060, shall be reviewed and approved by the Fire Department prior to commencement of operation or any alteration of activity. A risk management plan may also be required, per the Certified Program Uniform Assistance (CUPA) Ordinance (O.M.C. Chapter 8.42).

**L20.** Notwithstanding anything to the contrary contained in the Planning Code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials, such as aluminum, glass, plastic, and bimetal for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).

**Chapter 17.73 CIX, IG AND IO INDUSTRIAL ZONES REGULATIONS****17.73.020 Permitted and conditionally permitted activities and facilities.**

The following table lists the permitted, conditionally permitted, and prohibited activities and facilities in the CIX, IG, and IO Zones. The descriptions of these uses are contained in Chapter 17.10.

"P" designates permitted activities and facilities in the corresponding zone.

"C" designates activities and facilities that are permitted only upon the granting of a conditional use permit (see Chapter 17.134) in the corresponding zone.

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

"—" designates activities and facilities that are prohibited in the corresponding zone.

**Table 17.73.020: Permitted and Conditionally Permitted Activities and Facilities**

| Activity Types         | Base Zones |        |        |        |        |        |        |        | Combining Zone | Additional Regulations |
|------------------------|------------|--------|--------|--------|--------|--------|--------|--------|----------------|------------------------|
|                        | CIX-1A     | CIX-1B | CIX-1C | CIX-1D | CIX-1  | CIX-2  | IG     | IO     | T*             |                        |
| Residential Activities |            |        |        |        |        |        |        |        |                |                        |
| Permanent              | —          | —      | —      | —      | —      | C(L1)  | —      | —      | —              |                        |
| Residential Care       | —          | —      | —      | —      | —      | C(L1)  | —      | —      | —              |                        |
| Supportive Housing     | —          | —      | —      | —      | —      | C(L1)  | —      | —      | —              |                        |
| Transitional Housing   | —          | —      | —      | —      | —      | C(L1)  | —      | —      | —              |                        |
| Emergency Shelter      | P(L1)      | P(L1)  | P(L1)  | P(L1)  | P(L1)  | P(L1)  | P(L1)  | P(L1)  | P(L1)          | 17.103.015             |
| Civic Activities       |            |        |        |        |        |        |        |        |                |                        |
| Essential Service      | P          | P      | P      | P      | P      | P      | P(L21) | P(L21) | P(L21)         |                        |
| Limited Child-Care     | C(L23)     | C(L23) | C(L23) | C(L23) | —      | —      | —      | —      | —              |                        |
| Community Assembly     | C          | C      | C      | C      | C(L23) | C(L23) | —      | C      |                |                        |
| Recreational Assembly  | C          | C      | C      | C      | C(L23) | C(L23) | —      | C      |                |                        |
| Community Education    | C(L23)     | C(L23) | C(L23) | C(L23) | C(L23) | C(L23) | —      | C(L23) |                |                        |
| Nonassembly Cultural   | P          | P      | P      | P      | P      | C      | —      | C      |                |                        |
| Administrative         | P          | P      | P      | P      | P      | C      | —      | C      |                |                        |
| Health Care            | C          | C      | C      | C      | —      | —      | —      | —      | P              |                        |

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| Activity Types                                | Base Zones |        |        |        |        |        |       |        | Combining Zone | Additional Regulations                 |
|-----------------------------------------------|------------|--------|--------|--------|--------|--------|-------|--------|----------------|----------------------------------------|
|                                               | CIX-1A     | CIX-1B | CIX-1C | CIX-1D | CIX-1  | CIX-2  | IG    | IO     | T*             |                                        |
| Special Health Care                           | —          | —      | —      | —      | C(L22) | C(L22) | —     | —      |                |                                        |
| Utility and Vehicular                         | C          | C      | C      | C      | C      | C      | C     | C      | P              |                                        |
| Extensive Impact                              | C          | C      | C      | C      | C      | C      | C     | C      |                | 17.102.440                             |
| <b>Commercial Activities</b>                  |            |        |        |        |        |        |       |        |                |                                        |
| General Food Sales                            | P          | P      | P      | P      | P      | P(L17) | P(L2) | P(L2)  |                |                                        |
| Full Service Restaurant                       | P          | P      | P      | P      | P      | P(L17) | P(L2) | P(L2)  |                |                                        |
| Limited Service Restaurant and Cafe           | P          | P      | P      | P      | P      | P(L2)  | P(L2) | P(L2)  |                |                                        |
| Fast Food Restaurant                          | C          | C      | C      | C      | C      | C      | —     | C      | C              | 17.103.030                             |
| Convenience Market                            | C          | C      | C      | C      | C      | C      | —     | C      | C              |                                        |
| Alcoholic Beverage Sales                      | C          | C      | C      | C      | C      | C      | —     | —      |                | See Sections 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                | P          | P      | P      | CP     | P      | —      | —     | —      |                |                                        |
| Medical Service                               | P          | P      | P      | P      | P      | CP     | —     | CP     |                |                                        |
| General Retail Sales                          | P          | P      | P      | P      | P      | P(L17) | —     | P(L17) |                |                                        |
| Large-Scale Combined Retail and Grocery Sales | —          | CP     | C      | C      | CP     | CP     | —     | —      |                |                                        |
| Consumer Service                              | P(L20)     | P(L20) | P(L20) | P(L20) | P(L20) | P(L20) | —     | C(L20) |                |                                        |
| Consultative and Financial Service            | P          | P      | P      | P      | P      | CP     | —     | CP     |                |                                        |
| Check Cashier and Check Cashing               | —          | —      | —      | —      | —      | —      | —     | —      |                |                                        |

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| Activity Types                                               | Base Zones |            |            |            |            |            |            |             | Combining Zone | Additional Regulations |
|--------------------------------------------------------------|------------|------------|------------|------------|------------|------------|------------|-------------|----------------|------------------------|
|                                                              | CIX-1A     | CIX-1B     | CIX-1C     | CIX-1D     | CIX-1      | CIX-2      | IG         | IO          | T*             |                        |
| Consumer Cleaning and Repair Service                         | P          | P          | P          | P          | P          | CP         | —          | —P          |                |                        |
| Consumer Dry Cleaning Plant                                  | C          | C          | C          | C          | C          | C          | —          | —           |                |                        |
| Artisan Production                                           | P(L18)     | P(L18)     | P(L18)     | P(L18)     | P(L18)     | P(L18)     | P(L18)     | P(L18)      |                |                        |
| Group Assembly                                               | P(L9)(L18) | P(L9)(L18) | P(L9)(L18) | P(L9)(L18) | P(L9)(L18) | P(L9)(L18) | P(L9)(L18) | CP(L9)(L18) |                |                        |
| Personal Instruction and Improvement Services                | P(L9)      | P(L9)      | P(L9)      | P(L9)      | P(L9)      | P(L9)      | P(L9)      | C           |                |                        |
| Administrative                                               | P          | P          | P          | P          | P          | P          | L9—(L10)   | P           |                |                        |
| Business, Communication, and Media Service                   | P          | P          | P          | P          | P          | P          | P          | P           |                |                        |
| Broadcasting and Recording Service                           | P          | P          | P          | P          | P          | P          | P          | P           |                |                        |
| Research Service                                             | P          | P          | P          | P          | P          | P          | P          | P           |                |                        |
| General Wholesale Sales                                      | P(L4)      | P(L4)      | P(L4)      | P(L4)      | P          | P          | P          | P           |                |                        |
| Transient Habitation                                         | C          | C          | C          | C          | —          | —          | —          | —           |                | 17.103.050             |
| Building Material Sales                                      | P(L4)      | P(L4)      | P(L4)      | P(L4)      | P(L4)      | P(L4)      | —          | —           | P(L4)          |                        |
| Automobile and Other Light Vehicle Sales and Rental          | C          | C          | P          | P          | P          | P(L4)      | —          | C           | P              |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing | C(L13)     | C(L13)     | C(L13)     | P(L7)      | P(L4)      | P(L4)      | P          | —           | P(L4)          |                        |

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| Activity Types                                         | Base Zones     |                |                |                |                |                |                |                | Combining Zone | Additional Regulations |
|--------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|------------------------|
|                                                        | CIX-1A         | CIX-1B         | CIX-1C         | CIX-1D         | CIX-1          | CIX-2          | IG             | IO             | T*             |                        |
| Automotive and Other Light Vehicle Repair and Cleaning | P(L7)          | P(L7)          | P(L7)          | P(L7)          | P(L4)          | P(L4)          | P              | —              | P(L4)          |                        |
| Taxi and Light Fleet- Based Services                   | C              | C              | C              | C              | P(L4)          | P(L4)          | P              | —              | P              |                        |
| Automotive Fee Parking                                 | C              | C              | C              | C              | P(L4)          | P              | P              | P              |                |                        |
| Animal Care                                            | P(L5)          | P(L5)          | P(L5)          | C              | P(L5)          | CP(L5)         | C              | —              |                |                        |
| Animal Boarding                                        | P(L5)          | P(L5)          | P(L5)          | C              | P(L5)          | C              | C              | —              |                |                        |
| Undertaking Service                                    | C              | C              | —              | —              | C              | C              | C              | —              |                |                        |
| <b>Industrial Activities</b>                           |                |                |                |                |                |                |                |                |                |                        |
| Custom Manufacturing                                   | P              | P              | P              | P              | P              | P              | P              | P              |                |                        |
| Light Manufacturing                                    | P              | P              | P              | P              | P              | P              | P              | P              |                |                        |
| General Manufacturing                                  | P(L4)<br>(L8)  | P(L4)<br>(L8)  | P(L4)<br>(L8)  | —              | P(L4)<br>(L8)  | P(L4)<br>(L8)  | P(L4)<br>(L8)  | —              | P(L4)<br>(L8)  |                        |
| Heavy/High Impact Manufacturing                        | —              | —              | —              | —              | —              | —              | C(L6)          | —              |                |                        |
| Research and Development                               | P(L4)<br>(L19) | P(L4)<br>(L19) | P(L4)<br>(L19) | P(L4)<br>(L19) | P(L4)<br>(L19) | P(L4)<br>(L19) | P(L4)<br>(L19) | P(L4)<br>(L19) |                |                        |
| Construction Operations                                | P(L4)<br>(L8)  | P(L4)<br>(L8)  | P(L4)<br>(L8)  | C              | P(L4)<br>(L8)  | P(L4)<br>(L8)  | P(L4)<br>(L8)  | C              | P(L4)<br>(L8)  | 17.103.065             |
| <b>Warehousing, Storage and Distribution-Related:</b>  |                |                |                |                |                |                |                |                |                |                        |
| A. General Warehousing, Storage and Distribution       | P(L4)<br>(L18) | P(L4)<br>(L18) | P(L4)<br>(L18) | C              | P(L4)          | P(L4)          | P(L4)          | P(L4)          | P              | 17.103.065             |
| B. General Outdoor Storage                             | C(L6)          | C(L6)          | C(L6)          | C(L6)          | C(L6)          | P(L4)<br>(L8)  | P(L4)<br>(L8)  | C(L6)          | P(L4)<br>(L8)  |                        |
| C. Self- or Mini-Storage                               | —              | —              | —              | —              | C(L23)         | C(L23)         | —              | C(L23)         | C              |                        |
| D. Container Storage                                   | —              | —              | —              | —              | P(L4)          | P(L4)          | P(L4)          | —              |                |                        |

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| Activity Types                                                                  | Base Zones      |                 |                 |                 |                 |                 |                 |                 | Combining Zone | Additional Regulations               |
|---------------------------------------------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|----------------|--------------------------------------|
|                                                                                 | CIX-1A          | CIX-1B          | CIX-1C          | CIX-1D          | CIX-1           | CIX-2           | IG              | IO              | T*             |                                      |
| E. Automotive Salvage and Junk Yards                                            | —               | —               | —               | —               | —               | —               | P(L4)<br>(L8)   | —               |                |                                      |
| <b>Regional Freight Transportation-Related:</b>                                 |                 |                 |                 |                 |                 |                 |                 |                 |                |                                      |
| A. Seaport                                                                      | —               | —               | —               | —               | —               | —               | P               | C               |                | 17.103.065                           |
| B. Rail Yard                                                                    | —               | —               | —               | —               | —               | C               | P               | —               |                |                                      |
| <b>Trucking and Truck-Related:</b>                                              |                 |                 |                 |                 |                 |                 |                 |                 |                |                                      |
| A. Freight/Truck Terminal                                                       | —               | —               | —               | —               | C(L6)<br>(L8)   | C(L6)<br>(L8)   | P(L4)<br>(L8)   | —               | P              | 17.103.065                           |
| B. Truck Yard                                                                   | —               | —               | —               | —               | C(L6)<br>(L8)   | C(L6)<br>(L8)   | P(L4)<br>(L8)   | C(L6)<br>(L8)   | P              | 17.103.065                           |
| C. Truck Weigh Stations                                                         | —               | —               | —               | —               | —               | P(L4)<br>(L8)   | P(L4)<br>(L8)   | —               |                | 17.103.065                           |
| D. Truck and Other Heavy Vehicle Sales, Rental and Leasing                      | —               | —               | —               | —               | P(L7)           | P(L7)           | P(L4)           | P(L4)<br>(L8)   | P              | 17.103.065                           |
| E. Truck and Other Heavy Vehicle Service, Repair, and Refueling                 | —               | —               | —               | —               | C(L6)<br>(L8)   | C(L6)<br>(L8)   | P(L4)<br>(L8)   | —               | P              | 17.103.065                           |
| F. Electrical Vehicle Charging Stations Serving Trucks and Other Heavy Vehicles | —               | —               | —               | —               | P               | P               | P               | P               | P              | 17.10.585.F                          |
| <b>Recycling and Waste-Related:</b>                                             |                 |                 |                 |                 |                 |                 |                 |                 |                |                                      |
| A. Satellite Recycling Collection Centers                                       | C(L24)<br>(L24) | C(L24)<br>(L24) | C(L24)<br>(L24) | C(L24)<br>(L24) | C(L24)<br>(L24) | C(L24)<br>(L24) | C(L24)<br>(L24) | C(L24)<br>(L24) |                |                                      |
| B. Primary Recycling Collection Centers                                         | —               | —               | —               | —               | C(L1)<br>(L11)  | C(L1)<br>(L11)  | P(L12)          | —               | —              | See Section 17.73.035 and 17.103.065 |

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| Activity Types                                                                                                             | Base Zones |        |        |        |        |               |               |        | Combining Zone | Additional Regulations                                  |
|----------------------------------------------------------------------------------------------------------------------------|------------|--------|--------|--------|--------|---------------|---------------|--------|----------------|---------------------------------------------------------|
|                                                                                                                            | CIX-1A     | CIX-1B | CIX-1C | CIX-1D | CIX-1  | CIX-2         | IG            | IO     | T*             |                                                         |
| Hazardous Materials Production, Storage & and Waste Management-Related:                                                    |            |        |        |        |        |               |               |        |                |                                                         |
| A. Small Scale Transfer and Storage                                                                                        | —          | —      | —      | —      | —      | C(L6)<br>(L8) | C(L6)<br>(L8) | —      |                | L12 - See also Health and Safety Protection Zone (S-19) |
| B. Industrial Transfer/ Storage                                                                                            | —          | —      | —      | —      | —      | —             | C(L6)<br>(L8) | —      |                |                                                         |
| C. Residuals Repositories                                                                                                  | —          | —      | —      | —      | —      | —             | C(L6)<br>(L8) | —      |                |                                                         |
| D. Oil and Gas Storage                                                                                                     | —          | —      | —      | —      | —      | —             | C(L6)<br>(L8) | —      |                |                                                         |
| Agricultural and Extractive Activities                                                                                     |            |        |        |        |        |               |               |        |                |                                                         |
| Plant Nursery                                                                                                              | P          | P      | P      | C      | P      | P             | P             | —      |                |                                                         |
| Limited Agriculture                                                                                                        | P(L14)     | P(L14) | P(L14) | P(L14) | P(L14) | P(L14)        | C(L15)        | C(L15) | C(L15)         |                                                         |
| Extensive Agriculture                                                                                                      | C(L16)     | C(L16) | C(L16) | C(L16) | C(L16) | C(L16)        | C(L16)        | C(L16) |                |                                                         |
| Mining and Quarrying Extractive                                                                                            | —          | —      | —      | —      | —      | —             | C(L6)         | —      |                | See Chapter 17.155                                      |
| Accessory off-street parking serving prohibited activities                                                                 | C          | C      | C      | C      | P      | P             | P             | P      | P              | 17.116.0751<br>(L8)                                     |
| Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof | C          | C      | C      | C      | C      | C             | C             | C      |                | 17.102.110                                              |

\* If a CIX-1A, CIX-1B, CIX-1C or CIX-1D Base Zone also has the T Combining Zone, the T regulations shall supersede the Base Zone. Wherever the T Combining Zone regulations are silent, the Base Zone regulations shall supersede.

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| Facility Types                | Base Zones                                                                                                                                                                                                                                                                                                                                                                                                        |        |        |        |       |       |        |        | Combining Zone | Additional Regulations |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------|--------|-------|-------|--------|--------|----------------|------------------------|
|                               | CIX-1A                                                                                                                                                                                                                                                                                                                                                                                                            | CIX-1B | CIX-1C | CIX-1D | CIX-1 | CIX-2 | IG     | IO     | T*             |                        |
| Residential Facilities        | All Residential Facilities are prohibited in the CIX, IG and IO Zones, except for those approved in conjunction with a permitted Emergency Shelter Activity; or a conditionally permitted conversion of an existing Transient Habitation Commercial Activity in any portion of the CIX-2 Zone not located within one thousand five hundred (1,500) feet of Hegenberger Road, as indicated in Limitation L1 below. |        |        |        |       |       |        |        |                |                        |
| Nonresidential Facilities     |                                                                                                                                                                                                                                                                                                                                                                                                                   |        |        |        |       |       |        |        |                |                        |
| Enclosed Nonresidential       | P                                                                                                                                                                                                                                                                                                                                                                                                                 | P      | P      | P      | P     | P     | P      | P      | P              |                        |
| Open Nonresidential           | P                                                                                                                                                                                                                                                                                                                                                                                                                 | P      | P      | P      | P     | P     | P(L21) | P(L21) | P(L21)         |                        |
| Sidewalk Cafe                 | P                                                                                                                                                                                                                                                                                                                                                                                                                 | P      | P      | P      | P     | P     | —      | —      | —              | 17.103.090             |
| Drive-In Nonresidential       | —                                                                                                                                                                                                                                                                                                                                                                                                                 | —      | —      | —      | —     | —     | —      | —      | —              |                        |
| Drive- Through Nonresidential | C                                                                                                                                                                                                                                                                                                                                                                                                                 | C      | C      | C      | C     | C     | C      | C      | C              | 17.103.100             |
| Telecommunications Facilities |                                                                                                                                                                                                                                                                                                                                                                                                                   |        |        |        |       |       |        |        |                |                        |
| Micro Telecommunications      | P                                                                                                                                                                                                                                                                                                                                                                                                                 | P      | P      | P      | P     | P     | P      | P      | P              | See Chapter 17.128     |
| Mini Telecommunications       | P                                                                                                                                                                                                                                                                                                                                                                                                                 | P      | P      | P      | P     | P     | P      | P      | P              |                        |
| Macro Telecommunications      | C                                                                                                                                                                                                                                                                                                                                                                                                                 | C      | C      | C      | C     | C     | P      | P      | P              |                        |
| Monopole Telecommunications   | C                                                                                                                                                                                                                                                                                                                                                                                                                 | C      | C      | C      | C     | C     | P      | PC     | P              |                        |
| Tower Telecommunications      | —                                                                                                                                                                                                                                                                                                                                                                                                                 | —      | —      | —      | —     | —     | P      | PC     | P              |                        |
| Sign Facilities               |                                                                                                                                                                                                                                                                                                                                                                                                                   |        |        |        |       |       |        |        |                |                        |
| Residential Signs             | —                                                                                                                                                                                                                                                                                                                                                                                                                 | —      | —      | —      | —     | —     | —      | —      | —              | See Chapter 17.104     |
| Special Signs                 | P                                                                                                                                                                                                                                                                                                                                                                                                                 | P      | P      | P      | P     | P     | P      | P      | P              |                        |
| Development Signs             | P                                                                                                                                                                                                                                                                                                                                                                                                                 | P      | P      | P      | P     | P     | —P     | —P     | —P             |                        |
| Realty Signs                  | P                                                                                                                                                                                                                                                                                                                                                                                                                 | P      | P      | P      | P     | P     | P      | P      | P              |                        |

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| Facility Types    | Base Zones |        |        |        |       |       |    |    | Combining Zone | Additional Regulations |
|-------------------|------------|--------|--------|--------|-------|-------|----|----|----------------|------------------------|
|                   | CIX-1A     | CIX-1B | CIX-1C | CIX-1D | CIX-1 | CIX-2 | IG | IO | T*             |                        |
| Civic Signs       | P          | P      | P      | P      | P     | P     | P  | P  | P              |                        |
| Business Signs    | P          | P      | P      | P      | P     | P     | P  | P  | P              |                        |
| Advertising Signs | —          | —      | —      | —      | —     | —     | —  | —  | —              |                        |

\* If a CIX-1A, CIX-1B, CIX-1C or CIX-1D Base Zone also has the T Combining Zone, the T regulations shall supersede the Base Zone. Wherever the T Combining Zone regulations are silent, the Base Zone regulations shall supersede.

## Limitations on Table 17.73.020:

### [L1-L2 OMITTED]

**L3.** Prohibited if located within six hundred (600) feet of a Residential Zone and requires a Conditional Use Permit elsewhere throughout the zone.

**L4.** A Conditional Use Permit is required if located within six hundred (600) feet of a Residential Zone boundary or one-half (1/2) mile of a BART Station (see Chapter 17.134 for the CUP procedure, and Section 17.103.065 for special findings and additional requirements for Truck- Intensive Industrial Activities in the M-40, CIX, IG, IO, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones). Permitted if located beyond six hundred (600) feet of a Residential Zone or one-half (1/2) mile of a BART Station.

**L5.** A Conditional Use Permit is required if the use involves any of the following: a) outdoor yard activities; or b) ancillary overnight boarding.

**L6.** Prohibited if located within six hundred (600) feet of a Residential Zone or one-half (1/2) mile of a BART Station. A Conditional Use Permit is required elsewhere throughout the zone. (see Chapter 17.134 for the CUP procedure, and Section 17.103.065 for special findings and additional requirements for Truck- Intensive Industrial Activities in the M-40, CIX, IG, IO, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones).

**L7.** A Conditional Use Permit is required if: a) within six hundred (600) feet of a Residential Zone, and b) if located anywhere in the district when outdoor repair and service activity exceeds fifty percent (50%) of site area, or c) gas stations are proposed as a principal activity anywhere in the district.

**L8.** A Conditional Use Permit is required for entertainment uses. Also, no new or expanded Adult Entertainment Activity shall be located closer than one thousand (1,000) feet to the boundary of any Residential Zone or three hundred (300) feet from any other Adult Entertainment Activity. See Section 17.102.160 for further regulations regarding Adult Entertainment Activities. All outdoor activities shall be screened in a manner as determined by the Planning Director, including but not limited to, solid fencing and buffer planting installed and maintained along the applicable areas of the site exterior.

**L9.** A Conditional Use Permit is required for entertainment, educational and athletic uses (see Chapter 17.134 for the CUP procedure). Also, no new or expanded Adult Entertainment Activity shall be located closer than one thousand (1,000) feet to the boundary of any Residential Zone or three hundred (300) feet from any other Adult Entertainment Activity. See Section 17.102.160 for further regulations regarding

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### Adult Entertainment Activities.

**L10.** In the IG Zone, Administrative activities are only permitted if accessory to an approved Industrial Activity are limited to twenty percent (20%) of floor area.

**L11.** Prohibited if located within six hundred (600) feet of a Residential Zone; a Conditional Use Permit containing requirements no less stringent than the performance standards set out in Section 17.73.035 is required if located beyond six hundred (600) feet of a Residential Zone boundary.

### [L12 OMITTED]

**L13.** A Conditional Use Permit is required for Electroplating Activities.

**L14.** Limited Agriculture is permitted if the activity occupies less than ~~twenty ten~~ thousand (2010,000) square feet of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

### [L15-L17 OMITTED]

**L18.** The total floor area devoted to these activities shall only exceed twenty-five thousand (25,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134).

**L19.** ~~A Conditional Use Permit is required if the use involves any outdoor activities within three hundred (300) feet of a Residential Zone. Outdoor activities are permitted if the use is located greater than three hundred (300) feet from a Residential Zone. If located within six hundred (600) feet of a Residential Zone boundary, any storage or use of hazardous materials or waste, as defined in O.M.C. Section 8.42.060, shall be reviewed and approved by the Fire Department prior to commencement of operation or any alteration of activity. A risk management plan may also be required, per the Certified Program uniform Assistance (CUPA) Ordinance (O.M.C. Chapter 8.42).~~

### [L20 OMITTED]

**L21.** ~~Community Gardens and~~ Botanical Gardens are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

### [L22 OMITTED]

**L23.** A Conditional Use Permit is required if located within six hundred (600) feet of a Residential Zone (see Chapter 17.134 for the CUP procedure); prohibited if located beyond six hundred (600) feet.

**L24.** ~~Permitted if located within six hundred (600) feet of a Residential Zone; prohibited if located beyond six hundred (600) feet. Notwithstanding anything to the contrary contained in the Planning Code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials such as aluminum, glass, plastic, and bimetal for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).~~

### 17.73.060 Referral to other applicable regulations.

The following table contains referrals to other regulations that may apply:

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**Table 17.73.050: Referral to Other Regulations**

| Subject                                                                                                                                                                                  | Section                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Required number, dimensions, and location of parking spaces; maneuvering aisle dimensions, and related regulations                                                                       | 17.116                   |
| Sign regulations                                                                                                                                                                         | 17.104.020<br>17.104.060 |
| Buffering regulations, including the buffering of parking, loading, glare, and storage from other properties                                                                             | 17.110                   |
| Landscaping and screening, including street trees                                                                                                                                        | 17.124                   |
| Recycling space requirements                                                                                                                                                             | 17.118                   |
| Nonconforming uses and facilities                                                                                                                                                        | 17.114                   |
| Joint living and working quarters                                                                                                                                                        | 17.102.190               |
| Performance standards regarding the control of noise, odor, smoke, and other objectionable impacts                                                                                       | 17.120                   |
| The demolition of living units and the conversion of a living unit to a Nonresidential Use                                                                                               | 17.102.230               |
| Accessory Uses                                                                                                                                                                           | 17.10.040                |
| Fence and retaining wall standards, including location, height, and materials                                                                                                            | 17.108.140               |
| Expanding a use into adjacent zones                                                                                                                                                      | 17.102.110               |
| Application of zoning regulations to lots divided by zone boundaries                                                                                                                     | 17.154.060               |
| Landmarks                                                                                                                                                                                | 17.05                    |
| Regulations applying to tobacco-oriented activities                                                                                                                                      | 17.102.350               |
| Microwave and satellite dishes over three (3) feet in diameter located in or near Residential Zones                                                                                      | 17.102.240               |
| Special regulations applying to Adult Entertainment Activities                                                                                                                           | 17.102.160               |
| Special regulations applying to massage service activities                                                                                                                               | 17.102.170               |
| Buffering regulations for lots with three (3) or more required parking spaces. This includes the screening of parking, loading, glare, and storage from Residential properties and Zones | 17.110.030               |
| Buffer Regulations for commercial and industrial uses next to Residential and Open Space Zones                                                                                           | 17.110                   |
| Special regulations applying to Electroplating Activities                                                                                                                                | 17.102.340               |
| S-19 Health and Safety Protection Overlay Zone                                                                                                                                           | 17.100A                  |

## **Chapter 17.74 S-1 MEDICAL CENTER COMMERCIAL ZONE REGULATIONS**

### **17.74.030 Permitted activities.**

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

#### **A. Residential Activities:**

Permanent

Residential Care

Supportive Housing

Transitional Housing

Semi-Transient

Emergency Shelter (Emergency Shelters are permitted by-right on properties owned by churches, temples, synagogues, and other similar places of worship approved for Community Assembly Civic Activities; and within those portions of the Martin Luther King Jr. Way corridor and Webster Street area described in Section 17.103.015(A)(1)(3) respectively and subject to the development standards in Section 17.103.015(B); permitted upon the granting of a Conditional Use Permit elsewhere in the zone subject to the standards in Section 17.103.010)

#### **B. Civic Activities:**

Essential Service (Community Gardens are permitted if they do not include any livestock production or the cultivation of animals and/or animal products by agricultural methods, except for bee keeping involving no more than three (3) hives)

Limited Child-Care

Community Assembly

Recreational Assembly

Community Education

Nonassembly Cultural

Administrative

Health Care

#### **C. Commercial Activities:**

General Food Sales

Full Service Restaurant

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Limited-Service Restaurant and Cafe General

Retail Sales

Consumer Service - (see Section 17.102.170 for special regulations relating to massage services)

Consumer Cleaning and Repair Service

Consultative and Financial Service

Medical Service

Group Assembly - but only if the total floor area devoted to these activities on any single lot does not exceed ~~five~~ **ten** thousand (~~510~~,000) square feet; conditionally permitted if the activity is larger in floor area (see Chapter 17.134 for the CUP procedure). No new or expanded Adult Entertainment Activity shall be located closer than one thousand (1,000) feet to the boundary of any Residential Zone or three hundred (300) feet from any other Adult Entertainment Activity. See Section 17.102.160 for further regulations regarding Adult Entertainment Activities

Personal Instruction and Improvement Services

Business, Communication, and Media Service

Administrative

**Research Service**

### D. **Agricultural and Extractive Activities:**

Limited Agriculture, permitted if the activity occupies less than ~~twenty~~ **ten** thousand (~~2010~~,000) square feet of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure)

### **17.74.040 Conditionally permitted activities.**

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

#### A. **Civic Activities:**

Utility and Vehicular

Community Education

Special Health Care Civic Activities (see Section 17.103.020)

#### B. **Commercial Activities:**

Fast Food Restaurant

Convenience Market

Alcoholic Beverage Sales

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Broadcasting and Recording Service

Research Service

Automotive Fee Parking (see permitted if the facility meets the requirements in Section 17.103.055 for  
~~Automotive Fee Parking on a lot containing a principal activity in a principal facility~~)

Animal Care

Animal Boarding

**C. Agricultural and Extractive Activities:**

Extensive Agriculture (see Section 17.74.075)

- D. Off-street parking serving activities other than those listed above or in Section 17.74.030, subject to the conditions set forth in Section 17.116.075175.
- E. Activities that are listed neither as permitted nor conditionally permitted, but are permitted or conditionally permitted on nearby lots in an adjacent zone, subject to the conditions set forth in Section 17.102.110

**Chapter 17.97 S-15 TRANSIT-ORIENTED DEVELOPMENT COMMERCIAL ZONES REGULATIONS****17.97.040 Permitted and conditionally permitted activities.**

Table 17.97.01 lists the permitted, conditionally permitted, and prohibited activities in the S- 15 Zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.97.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Zone  |       | Additional Regulations |
|-------------------------------|-------|-------|------------------------|
|                               | S-15  | S-15W |                        |
| Residential Activities        |       |       |                        |
| Permanent                     | P     | P     |                        |
| Residential Care              | P(L1) | P(L1) | 17.103.010             |
| Supportive Housing            | P     | P     |                        |
| Transitional Housing          | P     | P     |                        |
| Emergency Shelter             | P(L1) | P(L1) | 17.103.010             |
| Semi-Transient                | —     | —     |                        |
| Bed and Breakfast             | —     | —     | 17.10.125              |
| Civic Activities              |       |       |                        |
| Essential Service             | P(L2) | P(L2) |                        |
| Limited Child-Care Activities | P     | P     |                        |
| Community Assembly            | P     | P     |                        |
| Recreational Assembly         | P     | P     |                        |
| Community Education           | P     | P     |                        |
| Nonassembly Cultural          | P     | P     |                        |
| Administrative                | P     | P     |                        |
| Health Care                   | P     | P     |                        |
| Special Health Care           | —     | —     | 17.103.020             |
| Utility and Vehicular         | C     | C     |                        |

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| Activities                                                   | Zone   |        | Additional Regulations    |
|--------------------------------------------------------------|--------|--------|---------------------------|
|                                                              | S-15   | S-15W  |                           |
| Extensive Impact                                             | C      | C      |                           |
| <b>Commercial Activities</b>                                 |        |        |                           |
| General Food Sales                                           | P      | P      |                           |
| Full Service Restaurants                                     | P      | P      |                           |
| Limited Service Restaurant and Cafe                          | P      | P      |                           |
| Fast-Food Restaurant                                         | C      | C      | 17.103.030 and 8.09       |
| Convenience Market                                           | C      | C      | 17.103.030                |
| Alcoholic Beverage Sales                                     | C      | C      | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                               | P      | P      |                           |
| Medical Service                                              | P      | P      |                           |
| General Retail Sales                                         | P      | P      |                           |
| Large-Scale Combined Retail and Grocery Sales                | —      | —      |                           |
| Consumer Service                                             | P      | P      | 17.102.170 and 17.102.450 |
| Consultative and Financial Service                           | P      | P      |                           |
| Check Cashier and Check Cashing                              | —      | —      |                           |
| Consumer Cleaning and Repair Service                         | CP(L6) | CP(L6) |                           |
| Consumer Dry Cleaning Plant                                  | C      | C      |                           |
| Artisan Production                                           | P      | P      |                           |
| Group Assembly                                               | P      | P      |                           |
| Personal Instruction and Improvement Services                | P      | P      |                           |
| Administrative                                               | P      | P      |                           |
| Business, Communication, and Media Services                  | P      | P      |                           |
| Broadcasting and Recording Services                          | P      | P      |                           |
| Research Service                                             | P      | P      |                           |
| General Wholesale Sales                                      | —      | C      |                           |
| Transient Habitation                                         | C      | C      | 17.103.050                |
| Building Material Sales                                      | —      | —      |                           |
| Automobile and Other Light Vehicle Sales and Rental          | —      | —      |                           |
| Automobile and Other Light Vehicle Gas Station and Servicing | —      | —      |                           |
| Automobile and Other Light Vehicle Repair and Cleaning       | —      | —      |                           |

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| Activities                                                            | Zone          |               | Additional Regulations |
|-----------------------------------------------------------------------|---------------|---------------|------------------------|
|                                                                       | S-15          | S-15W         |                        |
| Taxi and Light Fleet-Based Services                                   | —             | —             |                        |
| Automotive Fee Parking                                                | C             | C             |                        |
| Animal Boarding                                                       | C             | C             |                        |
| Animal Care                                                           | CP(L6)        | CP(L6)        |                        |
| Undertaking Service                                                   | —             | —             |                        |
| <b>Industrial Activities</b>                                          |               |               |                        |
| Custom Manufacturing                                                  | C(L3)<br>(L2) | P(L3)<br>(L2) |                        |
| Light Manufacturing                                                   | —             | C             |                        |
| General Manufacturing                                                 | —             | —             |                        |
| Heavy/High Impact                                                     | —             | —             |                        |
| Research and Development                                              | C(L3)<br>(L2) | C(L3)<br>(L2) |                        |
| Construction Operations                                               | —             | —             |                        |
| <b>Warehousing, Storage, and Distribution-Related</b>                 |               |               |                        |
| A. General Warehousing, Storage and Distribution                      | —             | —             |                        |
| B. General Outdoor Storage                                            | —             | —             |                        |
| C. Self- or Mini-Storage                                              | —             | —             |                        |
| D. Container Storage                                                  | —             | —             |                        |
| E. Salvage/Junk Yards                                                 | —             | —             |                        |
| Regional Freight Transportation                                       | —             | —             |                        |
| Trucking and Truck-Related                                            | —             | —             |                        |
| Recycling and Waste-Related                                           | —             | —             |                        |
| A. Satellite Recycling Collection Centers                             | —(L5)         | —(L5)         |                        |
| B. Primary Recycling Collection Centers                               | —             | —             | 17.103.060             |
| Hazardous Materials Production, Storage, and Waste Management-Related | —             | —             |                        |
| <b>Agriculture and Extractive Activities</b>                          |               |               |                        |
| Limited Agriculture                                                   | P(L4)<br>(L3) | P(L4)<br>(L3) |                        |
| Extensive Agriculture                                                 | C(L5)<br>(L4) | C(L5)<br>(L4) |                        |
| Plant Nursery                                                         | —             | —             |                        |
| Mining and Quarrying                                                  | —             | —             |                        |

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| Activities                                                                                                               | Zone |       | Additional Regulations |
|--------------------------------------------------------------------------------------------------------------------------|------|-------|------------------------|
|                                                                                                                          | S-15 | S-15W |                        |
| Accessory off-street parking serving prohibited activities                                                               | —    | —     | 17.116.075175          |
| Activities that are listed as prohibited but are permitted or conditionally permitted on nearby lots in an adjacent zone | C    | C     | 17.102.110             |

## Limitations on Table 17.97.01:

### [L1 OMITTED]

**L2.** Community Gardens are permitted if they do not include the cultivation of animals, animal products, and/or livestock production, except for bee keeping involving no more than three (3) hives.

**L3.** Industrial Activities. All Industrial Activities shall be conducted entirely within an enclosed facility.

**L4L3.** Limited Agriculture is permitted if the activity occupies less than five thousand (5,000) square feet of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

**LSL4.** Extensive Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, these activities must meet the use permit criteria in Section 17.97.025.

**L5.** Notwithstanding anything to the contrary contained in the Planning Code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials such as aluminum, glass, plastic, and bimetal for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).

**L6.** The total floor area devoted to these activities on the ground floor by any single establishment may only exceed seven thousand five hundred (7,500) square feet or in the case of Animal Care Commercial Activity five thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**Chapter 17.98 S-16 INTERSTATE CORRIDOR COMMERCIAL ZONES REGULATIONS****17.98.030 – Permitted and Conditionally Permitted Activities.**

Table 17.98.01 lists the permitted, conditionally permitted, and prohibited activities in the S-16 Zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities. Any proposed activity also requires approval from the California Department of Transportation (Caltrans).

"P" designates permitted activities in the corresponding zone.

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

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

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.10.040.

**Table 17.98.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Zones     |           |               | Additional Regulations |
|-------------------------------|-----------|-----------|---------------|------------------------|
|                               | S-16-A    | S-16-B    | S-16-C        |                        |
| Residential Activities        |           |           |               |                        |
| Permanent                     | --        | --        | --            |                        |
| Residential Care              | --        | --        | --            |                        |
| Supportive Housing            | --        | --        | --            |                        |
| Transitional Housing          | --        | --        | --            |                        |
| Emergency Shelter             | P(L1)(L2) | P(L1)(L2) | P(L1)(L2)(L3) | 17.07.060A             |
| Semi-Transient                | --        | --        | --            |                        |
| Bed and Breakfast             | --        | --        | --            |                        |
| Civic Activities              |           |           |               |                        |
| Essential Service             | P         | P         | P             |                        |
| Limited Child-Care Activities | --        | --        | --            |                        |
| Community Assembly            | --        | --        | --            |                        |
| Recreational Assembly         | P         | P         | --            |                        |
| Community Education           | --        | --        | --            |                        |
| Nonassembly Cultural          | P(L5)     | P(L5)     | --            |                        |
| Administrative                | --        | --        | --            |                        |
| Health Care                   | --        | --        | --            |                        |
| Special Health Care           | --        | --        | --            |                        |
| Utility and Vehicular         | --        | P(L4)     | P             |                        |
| Extensive Impact              | --        | --        | --            |                        |

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| Activities                                          | Zones  |        |        | Additional Regulations                |
|-----------------------------------------------------|--------|--------|--------|---------------------------------------|
|                                                     | S-16-A | S-16-B | S-16-C |                                       |
| Commercial Activities                               |        |        |        |                                       |
| General Food Sales                                  | --     | --     | --     |                                       |
| Full-Service Restaurants                            | --     | --     | --     |                                       |
| Limited-Service Restaurant and Café                 | P(L5)  | P(L5)  | --     | Chapter 9.52 (Special Event Permits)  |
| Fast-Food Restaurant                                | --     | --     | --     |                                       |
| Convenience Market                                  | --     | --     | --     |                                       |
| Alcoholic Beverage Sales                            | --     | --     | --     |                                       |
| Mechanical or Electronic Games                      | --     | --     | --     |                                       |
| Medical Service                                     | --     | --     | --     |                                       |
| General Retail Sales                                | P(L5)  | P(L5)  | --     | Chapter 9.52 (Special Events Permits) |
| Large-Scale Combined Retail and Grocery Sales       | --     | --     | ---    |                                       |
| Consumer Service                                    | --     | --     | --     |                                       |
| Consultative and Financial Service                  | --     | --     | --     |                                       |
| Check Cashier and Check Cashing                     | --     | --     | --     |                                       |
| Consumer Cleaning and Repair Service                | --     | --     | --     |                                       |
| Consumer Dry Cleaning Plant                         | --     | --     | --     |                                       |
| Artisan Production                                  | P(L5)  | P(L5)  | --     |                                       |
| Group Assembly                                      | P(L5)  | P(L5)  | --     | Chapter 9.52 (Special Events Permits) |
| Personal Instruction and Improvement Services       | --     | --     | --     |                                       |
| Administrative                                      | --     | --     | --     |                                       |
| Business, Communication, and Media Services         | --     | --     | --     |                                       |
| Broadcasting and Recording Services                 | --     | --     | --     |                                       |
| Research Service                                    | --     | --     | --     |                                       |
| General Wholesale Sales                             | --     | --     | --     |                                       |
| Transient Habitation                                | --     | --     | --     |                                       |
| Building Material Sales                             | --     | --     | --     |                                       |
| Automobile and Other Light Vehicle Sales and Rental | --     | --     | --     |                                       |

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| Activities                                                                      | Zones  |        |        | Additional Regulations |
|---------------------------------------------------------------------------------|--------|--------|--------|------------------------|
|                                                                                 | S-16-A | S-16-B | S-16-C |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing                    | --     | --     | --     |                        |
| Automobile and Other Light Vehicle Repair and Cleaning                          | --     | --     | --     |                        |
| Taxi and Light Fleet-Based Services                                             | --     | P(L4)  | P(L4)  |                        |
| Automotive Fee Parking                                                          | CP(L9) | P(L9)  | P(L9)  | 17.103.055             |
| Animal Boarding                                                                 | --     | --     | --     |                        |
| Animal Care                                                                     | --     | --     | --     |                        |
| Undertaking Service                                                             | --     | --     | --     |                        |
| <b>Industrial Activities</b>                                                    |        |        |        |                        |
| Custom Manufacturing                                                            | --     | --     | --     |                        |
| Light Manufacturing                                                             | --     | --     | --     |                        |
| General Manufacturing                                                           | --     | --     | --     |                        |
| Heavy/High Impact                                                               | --     | --     | --     |                        |
| Research and Development                                                        | --     | --     | --     |                        |
| Construction Operations                                                         | --     | --     | --     |                        |
| Warehousing, Storage and Distribution-Related                                   | --     | --     | --     |                        |
| Regional Freight Transportation                                                 | --     | --     | --     |                        |
| <b>Trucking and Truck-Related</b>                                               |        |        |        |                        |
| A. Freight/Truck Terminal                                                       | --     | --     | --     |                        |
| B. Truck Yard                                                                   | --     | --     | P(L6)  |                        |
| C. Truck Weigh Stations                                                         | --     | --     | --     |                        |
| D. Truck and Other Heavy Vehicle Sales. Rental and Leasing.                     | --     | --     | --     |                        |
| E. Truck and Other Heavy Vehicle Service, Repair and Refueling                  | --     | --     | --     |                        |
| F. Electrical Vehicle Charging Stations Serving Trucks and Other Heavy Vehicles | --     | --     | P(L6)  |                        |
| Recycling and Waste Related                                                     | --     | --     | --     |                        |
| <b>Agricultural and Extractive Industries</b>                                   |        |        |        |                        |
| Limited Agriculture                                                             | P(L7)  | P(L7)  | P(L7)  |                        |
| Extensive Agriculture                                                           | --     | --     | --     |                        |
| Plant Nursery                                                                   | P(L7)  | P(L7)  | P(L7)  |                        |

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| Activities                                                                   | Zones  |        |        | Additional Regulations |
|------------------------------------------------------------------------------|--------|--------|--------|------------------------|
|                                                                              | S-16-A | S-16-B | S-16-C |                        |
| Mining and Quarrying                                                         | --     | --     | --     |                        |
| Accessory off-street parking serving prohibited activities                   | C(L4)  | C(L4)  | C(L4)  |                        |
| Activities that are listed as prohibited, but are permitted or conditionally | --     | --     | --     |                        |

## Limitations on Table 17.98.01

### [L1-L4 OMITTED]

**L5.** General Retail Sales, Limited-Service Restaurant and Café, **Artisan Production**, Group Assembly Commercial Activities, and Nonassembly Cultural Civic Activities are restricted to temporary “pop-up” establishments approved through a city Special Event permit.

**L6.** Truck Yards shall be primarily for the purpose of truck parking and/or electric truck charging and not include other storage or repair activities. The site shall be improved with pavement, curb, and gutter; and fencing and landscaping shall be provided along the perimeter of the applicable lease areas. All plantings shall be of a type that will survive in the environment under and adjacent to the freeway. **Also, any Electrical Vehicle Charging Stations Serving Trucks and Other Heavy Vehicles shall be primarily for the purpose of electric truck and other heavy vehicle charging and not include other storage or repair activities.**

### [L7-L8 OMITTED]

**L9.** **Any Auto Fee Parking areas in the S-16-A Zone that are designated as mitigation for the loss of parking due to the Oakland Alameda Access Project shall not be subject to the otherwise required Conditional Use Permit.** For all auto fee parking sites in the S-16 Combining Zones, the parking areas shall be improved with pavement, curb, gutter, and wheel stops. Fencing and landscaping shall be provided along the perimeter of the applicable lease areas. Any plantings shall be of a type that will survive in the environment under and adjacent to the freeway.

**Chapter 17.101A D-WS WOOD STREET DISTRICT ZONES REGULATIONS****17.101A.020 Permitted and conditionally permitted activities.**

Table 17.101A.01 lists the permitted, conditionally permitted, and prohibited activities in the D-WS Zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding D-WS Zone.

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

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

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

**Table 17.101A.01: Permitted and Conditionally Permitted Activities**

| Activities             | Zones  |        |        |        |        |        |        |        |        | Additional Regulations   |
|------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------------------------|
|                        | D-WS-1 | D-WS-2 | D-WS-3 | D-WS-4 | D-WS-5 | D-WS-6 | D-WS-7 | D-WS-8 | D-WS-9 |                          |
| Residential Activities |        |        |        |        |        |        |        |        |        |                          |
| Permanent              | P      | P      | P      | P      | —      | P      | P      | P      | —      |                          |
| Residential Care       | P(L1)  | P(L1)  | P(L1)  | P(L1)  | —      | P(L1)  | P(L1)  | P(L1)  | —      | 17.103.010               |
| Supportive Housing     | P      | P      | P      | P      | —      | P      | P      | P      | —      |                          |
| Transitional Housing   | P      | P      | P      | P      | —      | P      | P      | P      | —      |                          |
| Emergency Shelter      | P(L1)  | P(L1)  | P(L1)  | P(L1)  | —      | P(L1)  | P(L1)  | P(L1)  | —      | 17.103.010<br>17.103.015 |
| Semi- Transient        | —      | —      | —      | —      | —      | —      | —      | —      | —      |                          |
| Bed and Breakfast      |        |        |        |        |        |        |        |        |        | 17.10.125                |
| Civic Activities       |        |        |        |        |        |        |        |        |        |                          |
| Essential Service      | P(L13) | P(L13) | P(L13) | P(L13) | P(L13) | P(L13) | P(L13) | P(L13) | P(L13) |                          |
| Limited Child-Care     | —      | P      | —      | P      | P      | P      | —      | P      | —      |                          |
| Community Assembly     | —      | P(L2)  | —      | P(L2)  | P(L2)  | P(L2)  | —      | P(L2)  | C(L12) |                          |
| Recreational Assembly  | —      | —      | —      | —      | CP     | —      | —      | —      | C(L12) |                          |
| Community Education    | C      | C      | C      | C      | C      | C      | C      | C      | C      |                          |
| Nonassembly Cultural   | —      | P      | —      | P      | P      | P      | —      | P      | —      |                          |

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| Activities                                    | Zones  |        |        |        |        |        |        |        |        | Additional Regulations    |
|-----------------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------------------------|
|                                               | D-WS-1 | D-WS-2 | D-WS-3 | D-WS-4 | D-WS-5 | D-WS-6 | D-WS-7 | D-WS-8 | D-WS-9 |                           |
| Administrative                                | —      | P(L3)  | —      | P(L3)  | P      | P(L3)  | —      | P      | —      |                           |
| Health Care                                   | —      | P(L3)  | —      | C      | C      | C      | —      | P      | —      |                           |
| Special Health Care                           | —      | —      | —      | —      | —      | —      | —      | —      | —      | 17.103.020                |
| Utility and Vehicular                         | —      | P(L4)  | —      | P(L4)  | P(L4)  | P(L3)  | —      | P(L4)  | —      |                           |
| Extensive Impact                              | —      | —      | —      | —      | —      | —      | —      | —      | —      |                           |
| <b>Commercial Activities</b>                  |        |        |        |        |        |        |        |        |        |                           |
| General Food Sales                            | —      | P(L5)  | —      | P(L5)  | P      | P(L5)  | —      | P(L5)  | —      |                           |
| Full Service Restaurant                       | —      | P      | —      | P      | P      | P      | —      | P      | —      |                           |
| Limited Service Restaurant and Cafe           | —      | P      | —      | P      | P      | P      | —      | P      | —      |                           |
| Fast Food Restaurant                          | —      | —      | —      | C      | C      | C      | —      | C      | —      | 17.103.030 and 8.09       |
| Convenience Market                            | —      | C(L6)  | —      | C(L6)  | C(L6)  | C(L6)  | —      | C(L6)  | —      | 17.103.030                |
| Alcoholic Beverage Sales                      | —      | C(L7)  | —      | C(L7)  | C(L7)  | C(L7)  | —      | C(L7)  | —      | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                | —      | —      | —      | —      | —      | —      | —      | —      | —      |                           |
| Medical Service                               | —      | P(L8)  | —      | P(L8)  | P(L8)  | P(L8)  | —      | P(L8)  | —      |                           |
| General Retail Sales                          | —      | P(L3)  | —      | P(L3)  | P      | P      | —      | P      | —      |                           |
| Large-Scale Combined Retail and Grocery Sales | —      | —      | —      | —      | —      | —      | —      | —      | —      |                           |
| Consumer Service                              | —      | P(L3)  | —      | P(L3)  | P(L3)  | P(L3)  | —      | P      | —      |                           |
| Consultative and Financial Service            | —      | P(L3)  | —      | P(L3)  | P(L3)  | P(L3)  | —      | P      | —      |                           |
| Check Cashier and Check Cashing               | —      | —      | —      | —      | —      | —      | —      | —      | —      | 17.103.040                |

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| Activities                                                   | Zones  |        |        |        |        |        |        |        |        | Additional Regulations |
|--------------------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------------|
|                                                              | D-WS-1 | D-WS-2 | D-WS-3 | D-WS-4 | D-WS-5 | D-WS-6 | D-WS-7 | D-WS-8 | D-WS-9 |                        |
| Consumer Cleaning and Repair Service                         | —      | P(L3)  | —      | P(L3)  | P(L3)  | P(L3)  | —      | P      | —      |                        |
| Consumer Dry Cleaning Plant                                  | —      | —      | —      | —      | —      | —      | —      | —      | —      |                        |
| Artisan Production                                           | —      | P(L3)  | —      | P(L3)  | P(L3)  | P(L3)  | —      | P      | —      |                        |
| Group Assembly                                               | —      | —      | —      | —      | C      | —      | —      | P      | C(L12) |                        |
| Personal Instruction and Improvement Services                | —      | P(L3)  | —      | P(L3)  | P(L3)  | P(L3)  | —      | P      | —      |                        |
| Administrative                                               | —      | P(L3)  | —      | P(L3)  | P      | P      | —      | P      | —      |                        |
| Business, Communication, and Media Service                   | —      | C      | —      | C      | C      | C      | —      | P      | —      |                        |
| Broadcasting and Recording Service                           | —      | C      | —      | C      | C      | C      | —      | P      | —      |                        |
| Research Service                                             | —      | C(L11) | —      | —      | —C     | —      | —      | P      | —      |                        |
| General Wholesale Sales                                      | —      | C(L11) | —      | —      | —      | —      | —      | P      | —      |                        |
| Transient Habitation                                         | —      | —      | —      | —      | —      | —      | —      | C      | —      | 17.103.050             |
| Building Material Sales                                      | —      | P(L10) | —      | P(L10) | P(L10) | P(L10) | —      | P      | —      |                        |
| Automobile and Other Light Vehicle Sales and Rental          | —      | —      | —      | —      | —      | —      | —      | —      | —      |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing | —      | —      | —      | —      | —      | —      | —      | —      | —      |                        |
| Automotive and Other Light Vehicle Repair and Cleaning       | —      | —      | —      | —      | —      | —      | —      | —      | —      |                        |

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| Activities                                            | Zones  |             |        |        |        |        |        |             |        | Additional Regulations |
|-------------------------------------------------------|--------|-------------|--------|--------|--------|--------|--------|-------------|--------|------------------------|
|                                                       | D-WS-1 | D-WS-2      | D-WS-3 | D-WS-4 | D-WS-5 | D-WS-6 | D-WS-7 | D-WS-8      | D-WS-9 |                        |
| Taxi and Light Fleet- Based Services                  | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |
| Automotive Fee Parking                                | —      | —           | —      | —      | —      | —      | —      | —           | —      | 17.103.055             |
| Animal Care                                           | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |
| Animal Boarding                                       | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |
| Undertaking Service                                   | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |
| <b>Industrial Activities</b>                          |        |             |        |        |        |        |        |             |        |                        |
| Custom Manufacturing                                  | —      | P(L16)      | —      | C      | C      | C      | —      | P(L16)<br>C | —      |                        |
| Light Manufacturing                                   | —      | C           | —      | —      | C      | —      | —      | C           | —      |                        |
| General Manufacturing                                 | —      | —           | —      | —      | —      | —      | —      | C           | —      |                        |
| Heavy/High Impact Manufacturing                       | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |
| Research and Development                              | —      | C(L11)<br>C | —      | —      | C      | —      | —      | —           | —      |                        |
| Construction Operations                               | —      | P(L10)      | —      | P(L10) | P(L10) | P(L10) | —      | P(L10)      | —      |                        |
| <b>Warehousing, Storage and Distribution-Related:</b> |        |             |        |        |        |        |        |             |        |                        |
| A. General Warehousing, Storage and Distribution      | —      | C(L11)      | —      | —      | —      | —      | —      | —           | —      |                        |
| B. General Outdoor Storage                            | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |
| C. Self- or Mini-Storage                              | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |
| D. Container Storage                                  | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |
| E. Automotive Salvage and Junk Yards                  | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |
| Regional Freight Transportation:                      | —      | —           | —      | —      | —      | —      | —      | —           | —      |                        |

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| Activities                                                             | Zones   |         |         |         |         |         |         |         |         | Additional Regulations |
|------------------------------------------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|------------------------|
|                                                                        | D-WS-1  | D-WS-2  | D-WS-3  | D-WS-4  | D-WS-5  | D-WS-6  | D-WS-7  | D-WS-8  | D-WS-9  |                        |
| Trucking and Truck-Related:                                            | —       | —       | —       | —       | —       | —       | —       | —       | —       |                        |
| Recycling and Waste-Related:                                           |         |         |         |         |         |         |         |         |         |                        |
| A. Satellite Recycling Collection Centers                              | —       | —       | —       | —       | —       | —       | —       | —       | —       |                        |
| B. Primary Recycling Collection Centers                                | —       | —       | —       | —       | —       | —       | —       | —       | —       |                        |
| Hazardous Materials Production, Storage & and Waste Management-Related | —       | —       | —       | —       | —       | —       | —       | —       | —       |                        |
| <b>Agricultural and Extractive Activities</b>                          |         |         |         |         |         |         |         |         |         |                        |
| Plant Nursery                                                          | —       | —       | —       | —       | —       | P(L14)  | P(L14)  | —       | P(L14)  |                        |
| Limited Agriculture                                                    | CP(L14) | CP(L14) | CP(L14) | CP(L14) | CP(L14) | CP(L14) | CP(L14) | CP(L14) | CP(L14) |                        |
| Extensive Agriculture                                                  | C(L15)  | C(L15)  | C(L15)  | C(L15)  | C(L15)  | C(L15)  | C(L15)  | C(L15)  | C(L15)  |                        |
| Mining and Quarrying Extractive                                        | —       | —       | —       | —       | —       | —       | —       | —       | —       |                        |
| <b>Accessory off-street parking serving prohibited activities</b>      | —       | —       | —       | —       | —       | —       | —       | —       | —       | 17.116.175             |

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| Activities                                                                                                                 | Zones  |        |        |        |        |        |        |        |        | Additional Regulations |
|----------------------------------------------------------------------------------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------------|
|                                                                                                                            | D-WS-1 | D-WS-2 | D-WS-3 | D-WS-4 | D-WS-5 | D-WS-6 | D-WS-7 | D-WS-8 | D-WS-9 |                        |
| Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof | —      | —      | —      | —      | —      | —      | —      | —      | —      | 17.102.110             |

## Limitations on Table 17.101A.01:

### [L1 OMITTED]

**L2.** Only the following activities are permitted: 1) places of worship, churches, temples, mosques, and synagogues with a total floor area of three thousand (3,000) square feet or less; and 2) public, parochial, private and non-profit clubs and lodges, meeting halls, recreation centers, and gymnasiums with a floor area of five thousand (5,000) square feet or less.

**L3.** Activities with a total floor area greater than three thousand (3,000) square feet require the granting of a conditional use permit (see Chapter 17.134), and activities with a floor area over five thousand (5,000) square feet are prohibited.

**L4.** Only police substations and neighborhood-servicing post offices that have a total floor area not exceeding ~~one thousand~~ **one thousand** (1,000) square feet are permitted. Other Utility and Vehicular Civic Activities are prohibited.

### [L5-L7 OMITTED]

**L8.** Floor area devoted to Medical Service Commercial Activities is limited to a maximum ~~two thousand~~ **two thousand** (2,000) square feet.

**L9.** ~~Retail Business supply stores shall be: 1) limited to office and art supply stores; and 2) limited to a maximum of three thousand (3,000) square feet.~~

### [L10 OMITTED]

**L11.** Only applies to the "Icehouse" building located in the portion of the D-WS-2 Zone designated in the separate Wood Street Zoning District document as Development Area 2B.

### [L12 OMITTED]

**L13.** ~~Community Gardens and~~ Botanical Gardens are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L14.** Limited Agriculture ~~is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:~~

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

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

~~3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil and Plant Nurseries are permitted if the activity occupies less than twenty thousand (20,000) square feet of land area and any on-site sales occur no more than two (2) times per week between the hours of 8:00 am and 9:00 pm in a temporary movable structure not exceeding two hundred (200) square feet in size; conditionally permitted if the activity is larger in either land area, or in sales area, frequency, or hours of operation (see Chapter 17.134 for the CUP procedure).~~

### [L15 OMITTED]

**L16.** Commercial kitchen operations that include the retail sale, from the premises, of any type of prepared food or beverage where orders are placed predominantly online or by telephone or mail order, and delivery to customers is provided by motor vehicle shall only be permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**Chapter 17.101B D-OTN OAK TO NINTH DISTRICT ZONE REGULATIONS****17.101B.100 Permitted and Conditionally Permitted Activities**

Table 17.101B.01 lists the permitted, conditionally permitted, and prohibited activities in the D-OTN and OS-RSP Zones within the Oak to Ninth (Brooklyn Basin) area. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.101B.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Zones |        | Additional Regulations |
|-------------------------------|-------|--------|------------------------|
|                               | D-OTN | OS-RSP |                        |
| Residential Activities        |       |        |                        |
| Permanent                     | P     | C(L4)  |                        |
| Residential Care              | P(L3) | —      | 17.103.010             |
| Supportive Housing            | P     | —      |                        |
| Transitional Housing          | P     | —      |                        |
| Emergency Shelter             | P(L3) | —      | 17.103.010             |
| Semi-Transient                | C     | —      |                        |
| Bed and Breakfast             | —     | —      | 17.10.125              |
| Civic Activities              |       |        |                        |
| Essential Service             | P     | C      |                        |
| Limited Child-Care Activities | P     | C      |                        |
| Community Assembly            | P     | C      |                        |
| Recreational Assembly         | P     | C      |                        |
| Community Education           | P     | C      |                        |
| Nonassembly Cultural          | P     | C      |                        |
| Administrative                | P     | C      |                        |
| Health Care                   | C     | —      |                        |
| Special Health Care           | C     | —      | 17.103.020             |
| Utility and Vehicular         | C     | —      |                        |

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| Activities                                                   | Zones  |        | Additional Regulations    |
|--------------------------------------------------------------|--------|--------|---------------------------|
|                                                              | D-OTN  | OS-RSP |                           |
| Extensive Impact                                             | C      | C      |                           |
| A. Marinas                                                   | —      | C      |                           |
| <b>Commercial Activities</b>                                 |        |        |                           |
| General Food Sales                                           | P      | —      |                           |
| Full Service Restaurants                                     | P      | C      |                           |
| Limited Service Restaurant and Cafe                          | P      | C      |                           |
| Fast-Food Restaurant                                         | C      | —      | 17.103.030 and 8.09       |
| Convenience Market                                           | P      | —      | 17.103.030                |
| Alcoholic Beverage Sales                                     | C      | C      | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                               | C      | —      |                           |
| Medical Service                                              | C      | —      |                           |
| General Retail Sales                                         | P      | —      |                           |
| Large-Scale Combined Retail and Grocery Sales                | —      | —      |                           |
| Consumer Service                                             | P      | —      | 17.102.170 and 17.102.450 |
| Consultative and Financial Service                           | P      | —      |                           |
| Check Cashier and Check Cashing                              | —      | —      |                           |
| Consumer Cleaning and Repair Service                         | P      | —      |                           |
| Consumer Dry Cleaning Plant                                  | C      | —      |                           |
| Artisan Production                                           | P (L5) | —      |                           |
| Group Assembly                                               | C      | —      |                           |
| Personal Instruction and Improvement Services                | P      | —      |                           |
| Administrative                                               | P      | —      |                           |
| Business, Communication, and Media Services                  | P      | —      |                           |
| Broadcasting and Recording Services                          | P      | —      |                           |
| Research Service                                             | P      | —      |                           |
| General Wholesale Sales                                      | —      | —      |                           |
| Transient Habitation                                         | C      | —      | 17.103.050                |
| Building Material Sales                                      | —      | —      |                           |
| Automobile and Other Light Vehicle Sales and Rental          | —      | —      |                           |
| Automobile and Other Light Vehicle Gas Station and Servicing | —      | —      |                           |

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| Activities                                                            | Zones |        | Additional Regulations |
|-----------------------------------------------------------------------|-------|--------|------------------------|
|                                                                       | D-OTN | OS-RSP |                        |
| Automobile and Other Light Vehicle Repair and Cleaning                | —     | —      |                        |
| Taxi and Light Fleet-Based Services                                   | —     | —      |                        |
| Automotive Fee Parking                                                | C     | —      | 17.103.055             |
| Animal Boarding                                                       | —     | —      |                        |
| Animal Care                                                           | —     | C      |                        |
| Undertaking Service                                                   | —     | —      |                        |
| <b>Industrial Activities</b>                                          |       |        |                        |
| Custom Manufacturing                                                  | —     | —      |                        |
| Light Manufacturing                                                   | —     | —      |                        |
| General Manufacturing                                                 | —     | —      |                        |
| Heavy/High Impact                                                     | —     | —      |                        |
| Research and Development                                              | —     | —      |                        |
| Construction Operations                                               | —     | —      |                        |
| <b>Warehousing, Storage, and Distribution-Related</b>                 |       |        |                        |
| A. General Warehousing, Storage and Distribution                      | —     | —      |                        |
| B. General Outdoor Storage                                            | —     | —      |                        |
| C. Self- or Mini-Storage                                              | —     | —      |                        |
| D. Container Storage                                                  | —     | —      |                        |
| E. Salvage/Junk Yards                                                 | —     | —      |                        |
| Regional Freight Transportation                                       | —     | —      |                        |
| Trucking and Truck-Related                                            | —     | —      |                        |
| Recycling and Waste-Related                                           | —     | —      |                        |
| A. Satellite Recycling Collection Centers                             | —     | —      |                        |
| B. Primary Recycling Collection Centers                               | —     | —      | 17.103.060             |
| Hazardous Materials Production, Storage, and Waste Management-Related | —     | —      |                        |
| <b>Agriculture and Extractive Activities</b>                          |       |        |                        |
| Limited Agriculture                                                   | C(L1) | —      |                        |
| Extensive Agriculture                                                 | C(L2) | —      |                        |
| Plant Nursery                                                         | —     | —      |                        |
| Mining and Quarrying                                                  | —     | —      |                        |
| <b>Accessory off-street parking serving prohibited activities</b>     | —     | —      | 17.116.075             |

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| Activities                                                                                                               | Zones |        | Additional Regulations |
|--------------------------------------------------------------------------------------------------------------------------|-------|--------|------------------------|
|                                                                                                                          | D-OTN | OS-RSP |                        |
| Activities that are listed as prohibited but are permitted or conditionally permitted on nearby lots in an adjacent zone | C     | C      | 17.102.110             |

## Limitations on Table 17.101B.01:

### [L1-L3 OMITTED]

**L4.** Permanent Residential activities are only permitted in the OS-RSP Zone upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure), and only if the extent of the activity meets the definition of the “Caretaker’s quarters” in Section 17.09.050015.

**L5.** During operating hours, ground floor Artisan Production Commercial Activities shall be open to the public to purchase and view items produced on site. On other floors, these activities shall either be open to the public during operating hours or available by appointment to view and purchase items produced on site.

**Chapter 17.101C D-BV BROADWAY VALDEZ DISTRICT COMMERCIAL ZONES REGULATIONS****17.101C.030 - Permitted and conditionally permitted activities.**

Table 17.101C.01 lists the permitted, conditionally permitted, and prohibited activities in the D-BV Zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.101C.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Base Zones    |               |               |               | Combining Zone* | Additional Regulations |
|-------------------------------|---------------|---------------|---------------|---------------|-----------------|------------------------|
|                               | D-BV-1        | D-BV-2        | D-BV-3        | D-BV-4        | N*              |                        |
| Residential Activities        |               |               |               |               |                 |                        |
| Permanent                     | C(L2)(L3)     | P(L3)(L4)     | P(L3)(L5)     | P(L3)(L6)     | P(L3)(L6)       |                        |
| Residential Care              | C(L1)(L2)(L3) | P(L1)(L3)(L4) | P(L1)(L3)(L5) | P(L1)(L3)(L6) | P(L1)(L3)(L6)   | 17.103.010             |
| Supportive Housing            | C(L2)(L3)     | P(L3)(L4)     | P(L3)(L5)     | P(L3)(L6)     | P(L3)(L6)       |                        |
| Transitional Housing          | C(L2)(L3)     | P(L3)(L4)     | P(L3)(L5)     | P(L3)(L6)     | P(L3)(L6)       |                        |
| Emergency Shelter             | P(L1)(L7)     | P(L1)(L7)     | P(L1)(L7)     | P(L1)(L7)     | P(L1)(L7)       | 17.103.010             |
| Semi-Transient                | —             | —             | —             | —             | —               |                        |
| Bed and Breakfast             | —             | C             | C             | C             | C               | 17.10.125              |
| Civic Activities              |               |               |               |               |                 |                        |
| Essential Service             | P(L20)        | P(L20)        | P(L20)        | P             | P(L20)          |                        |
| Limited Child-Care Activities | P(L4)         | P(L4)         | P(L4)         | P             | P(L6)           |                        |
| Community Assembly            | C(L4)         | C             | C             | C             | C               |                        |
| Recreational Assembly         | P             | P             | P             | P             | P               |                        |
| Community Education           | P(L4)         | P(L5)         | P(L5)         | P             | P               |                        |

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| Activities                                    | Base Zones  |        |            |        | Combining Zone* | Additional Regulations    |
|-----------------------------------------------|-------------|--------|------------|--------|-----------------|---------------------------|
|                                               | D-BV-1      | D-BV-2 | D-BV-3     | D-BV-4 | N*              |                           |
| Nonassembly Cultural                          | P           | P      | P          | P      | P               |                           |
| Administrative                                | P(L4)       | P(L6)  | P(L5)      | P      | P(L6)           |                           |
| Health Care                                   | C(L4)       | P(L6)  | P(L5)      | P      | P(L6)           |                           |
| Special Health Care                           | —           | —      | C(L9)(L10) | C(L9)  | C(L9)(L10)      | 17.103.020                |
| Utility and Vehicular                         | C           | C      | C          | C      | C               |                           |
| Extensive Impact                              | C           | C      | C          | C      | C               |                           |
| <b>Commercial Activities</b>                  |             |        |            |        |                 |                           |
| General Food Sales                            | P(L12)      | P      | P          | P      | P               |                           |
| Full Service Restaurants                      | P(L12)      | P      | P          | P      | P               |                           |
| Limited Service Restaurant and Cafe           | P(L12)      | P      | P          | P      | P               |                           |
| Fast-Food Restaurant                          | C(L12)      | C      | C          | C      | C               | 17.103.030 and 8.09       |
| Convenience Market                            | —           | C      | C          | C      | —               | 17.103.030                |
| Alcoholic Beverage Sales                      | C(L12)(L24) | C(L24) | C          | C      | C               | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                | P(L12)      | P      | P          | P      | P               |                           |
| Medical Service                               | P(L12)(L25) | P(L25) | P(L25)     | P      | P(L25)          |                           |
| General Retail Sales                          | P(L12)      | P      | P          | P      | P               |                           |
| Large-Scale Combined Retail and Grocery Sales | —           | —      | —          | —      | C               |                           |
| Consumer Service                              | P(L12)(L13) | P(L13) | P(L13)     | P(L13) | P               |                           |
| Consultative and Financial Service            | P(L12)      | P      | P          | P      | P               |                           |

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| Activities                                                   | Base Zones       |             |                         |             | Combining Zone* | Additional Regulations |
|--------------------------------------------------------------|------------------|-------------|-------------------------|-------------|-----------------|------------------------|
|                                                              | D-BV-1           | D-BV-2      | D-BV-3                  | D-BV-4      | N*              |                        |
| Check Cashier and Check Cashing                              | —                | —           | —                       | —           | —               |                        |
| Consumer Cleaning and Repair Service                         | P(L14)           | P(L14)      | P(L14)                  | P(L14)      | P(L14)          |                        |
| Consumer Dry Cleaning Plant                                  | —                | —           | —                       | —           | --              |                        |
| Artisan Production                                           | P(L12)(L26)      | P(L26)      | P(L26)                  | P(L26)      | P(L26)          |                        |
| Group Assembly                                               | P(L12)(L14)(L15) | P(L14)(L15) | P(L14) (L15)            | P(L14)(L15) | P(L14)(L15)     |                        |
| Personal Instruction and Improvement Services                | P(L12)           | P           | P                       | P           | P               |                        |
| Administrative                                               | P(L4)            | P(L6)       | P(L5)                   | P           | P(L6)           |                        |
| Business, Communication, and Media Services                  | P(L12)           | P           | P                       | P           | P               |                        |
| Broadcasting and Recording Services                          | P(L5)            | P(L5)       | P(L5)                   | P           | P(L5)           |                        |
| Research Service                                             | P(L4)            | P(L6)       | P(L5)                   | P           | P(L6)           |                        |
| General Wholesale Sales                                      | —                | —           | —                       | —           | —               |                        |
| Transient Habitation                                         | C(L2)            | C           | C                       | —           | C               | 17.103.050             |
| Building Material Sales                                      | —                | —           | —                       | —           | —               |                        |
| Automobile and Other Light Vehicle Sales and Rental          | P(L12)(L16)      | P(L16)      | P(L16)                  | P (L16)     | P(L16)          |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing | —(L17)           | —(L17)      | <del>—(L17)</del> C(L8) | —(L17)      | —(L17)          |                        |

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| Activities                                             | Base Zones |             |           |             | Combining Zone* | Additional Regulations |
|--------------------------------------------------------|------------|-------------|-----------|-------------|-----------------|------------------------|
|                                                        | D-BV-1     | D-BV-2      | D-BV-3    | D-BV-4      | N*              |                        |
| Automobile and Other Light Vehicle Repair and Cleaning | —(L17)     | —(L17)(L18) | C(L5)(L8) | —(L17)(L18) | —(L17)(L18)     |                        |
| Taxi and Light Fleet-Based Services                    | —          | —           | —         | —           | —               |                        |
| Automotive Fee Parking                                 | P(L19)     | P(L19)      | P(L19)    | P(L19)      | P(L19)          |                        |
| Animal Boarding                                        | —          | —           | —         | C           | —               |                        |
| Animal Care                                            | P(L25)     | P(L25)      | P(L25)    | P           | P(L25)          |                        |
| Undertaking Service                                    | —          | —           | —         | —           | —               |                        |
| <b>Industrial Activities</b>                           |            |             |           |             |                 |                        |
| Custom Manufacturing                                   | C(L11)     | C           | C(L5)     | C(L5)       | C               | 17.120                 |
| Light Manufacturing                                    | —          | —           | —         | —           | —               |                        |
| General Manufacturing                                  | —          | —           | —         | —           | —               |                        |
| Heavy/High Impact                                      | —          | —           | —         | —           | —               |                        |
| Research and Development                               | —          | —           | —         | —           | —               |                        |
| Construction Operations                                | —          | —           | —         | —           | —               |                        |
| <b>Warehousing, Storage, and Distribution-Related</b>  |            |             |           |             |                 |                        |
| A. General Warehousing, Storage and Distribution       | —          | —           | —         | —           | —               |                        |
| B. General Outdoor Storage                             | —          | —           | —         | —           | —               |                        |
| C. Self- or Mini-Storage                               | —          | —           | —         | —           | —               |                        |
| D. Container Storage                                   | —          | —           | —         | —           | —               |                        |
| E. Salvage/Junk Yards                                  | —          | —           | —         | —           | —               |                        |

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| Activities                                                                                             | Base Zones |        |        |        | Combining Zone* | Additional Regulations |
|--------------------------------------------------------------------------------------------------------|------------|--------|--------|--------|-----------------|------------------------|
|                                                                                                        | D-BV-1     | D-BV-2 | D-BV-3 | D-BV-4 | N*              |                        |
| Regional Freight Transportation                                                                        | —          | —      | —      | —      | —               |                        |
| Trucking and Truck- Related                                                                            | —          | —      | —      | —      | —               |                        |
| Recycling and Waste-Related                                                                            |            |        |        |        |                 |                        |
| A. Satellite Recycling Collection Centers                                                              | —          | —      | —      | —      | —               |                        |
| B. Primary Recycling Collection Centers                                                                | —          | —      | —      | —      | —               |                        |
| Hazardous Materials Production, Storage, and Waste Management-Related                                  | —          | —      | —      | —      | —               |                        |
| Agriculture and Extractive Activities                                                                  |            |        |        |        |                 |                        |
| Limited Agriculture                                                                                    | —          | —      | —      | C(L21) | —               |                        |
| Extensive Agriculture                                                                                  | —          | —      | —      | C(L22) | —               |                        |
| Plant Nursery                                                                                          | —          | —      | C(L5)  | C      | —               |                        |
| Mining and Quarrying                                                                                   | —          | —      | —      | —      | —               |                        |
| Accessory off-street parking serving prohibited activities                                             | C(L5)      | C(L5)  | C(L5)  | C      | C(L5)           | 17.116.175             |
| Activities that are listed as prohibited or conditionally permitted on nearby lots in an adjacent zone | C(L5)      | C(L5)  | C(L5)  | C      | C(L5)           | 17.102.110             |

\*If the N Combining Zone, the N regulations supersede the base zone.

**Limitations on Table 17.101C.01:**

**[L1-L7 OMITTED]**

**L8.** These activities, including accessory activities, are only allowed to be performed indoors. This requirement includes but is not limited to: vehicles stored before and after servicing, general storage, vehicle and other repair, and automotive cleaning. This requirement excludes parking for customers currently at the business and automotive fueling. Gas stations are prohibited.

**[L9-L1 OMITTED]**

**L18.** The auto showroom for an approved Automobile and Other Light Vehicle Sales and Rental Commercial Activity and its accessory Automotive and Other Light Vehicle Repair and Cleaning activity are permitted to be on separate lots upon the granting of a Conditional Use Permit (see Chapter 17.134 or the CUP procedure). In addition to the CUP criteria contained in Chapter 17.134, the project must also meet each of the following criteria:

1. The auto repair facility is at, or between 24<sup>th</sup> Street and I-580, and the auto showroom is on Broadway;
2. With the exception of the building addition described in criteria 3 below, the auto repair activity is within an existing Nonresidential Facility;
3. The amount of added floor area devoted to the auto repair activity does not exceed twenty percent (20%) of that already existing on the affected lot; and
4. All overnight storage (including inoperable vehicle storage) and auto repair takes place indoors.

**L19.** Automotive Fee Parking is permitted when located on a lot containing a principal facility or in a multi-story parking garage to serve nearby businesses—upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, these conditionally permitted ground floor activities must also meet each of the additional criteria contained in L5.

**L20.** Community Gardens and Botanical Gardens are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**[L21-L26 OMITTED]**

**17.101C.040 - Permitted and conditionally permitted facilities.**

Table 17.101C.02 lists the permitted, conditionally permitted, and prohibited facilities in the D-BV Zones. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

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

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

"—" designates facilities that are prohibited.

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**Table 17.101C.02: Permitted and Conditionally Permitted Facilities**

| Facilities                    | Base Zones |            |               |        | Combining Zone* | Additional Regulations   |
|-------------------------------|------------|------------|---------------|--------|-----------------|--------------------------|
|                               | D-BV-1     | D-BV-2     | D-BV-3        | D-BV-4 | N               |                          |
| Residential Facilities        |            |            |               |        |                 |                          |
| One-Family Dwelling           | —(L1)      | —(L1)      | —(L1)         | —(L1)  | —(L1)           | 17.103.080               |
| Two- to Four-Family Dwelling  | —(L1)      | —(L1)      | —(L1)         | P(L11) | —(L1)           | 17.103.080               |
| Multifamily Dwelling          | C(L2)(L11) | P(L3)(L11) | P(L4)(L11)    | P(L11) | P(L5)(L11)      | 17.103.080               |
| Rooming House                 | C(L2)      | P(L3)      | P(L4)         | P      | P(L5)           |                          |
| Micro Living Quarters         | —          | C(L3)(L7)  | C(L4)(L6)(L7) | —      | —               | 17.101C.055              |
| Vehicular                     | C(L2)      | C(L3)      | C(L4)         | P      | P(L5)           | 17.103.080<br>17.103.085 |
| Nonresidential Facilities     |            |            |               |        |                 |                          |
| Enclosed Nonresidential       | P          | P          | P             | P      | P               |                          |
| Open Nonresidential           | C(L8)      | C(L8)      | C(L8)         | C(L8)  | C(L8)           |                          |
| Sidewalk Cafe                 | P          | P          | P             | P      | P               | 17.103.090               |
| Drive-In                      | —          | —          | —             | —      | —               |                          |
| Drive-Through                 | —          | —          | C(L9)         | —      | —               | 17.103.100               |
| Telecommunications Facilities |            |            |               |        |                 |                          |
| Micro Telecommunications      | P(L10)     | P(L10)     | P(L10)        | P(L10) | P(L10)          | 17.128                   |
| Mini Telecommunications       | P(L10)     | P(L10)     | P(L10)        | P(L10) | P(L10)          | 17.128                   |
| Macro Telecommunications      | C          | C          | C             | C      | C               | 17.128                   |
| Monopole Telecommunications   | —          | —          | —             | —      | —               | 17.128                   |

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| Facilities               | Base Zones |        |        |        | Combining Zone* | Additional Regulations |
|--------------------------|------------|--------|--------|--------|-----------------|------------------------|
|                          | D-BV-1     | D-BV-2 | D-BV-3 | D-BV-4 | N               |                        |
| Tower Telecommunications | —          | —      | —      | —      | —               | 17.128                 |
| <b>Sign Facilities</b>   |            |        |        |        |                 |                        |
| Residential Signs        | P          | P      | P      | P      | P               | 17.104                 |
| Special Signs            | P          | P      | P      | P      | P               | 17.104                 |
| Development Signs        | P          | P      | P      | P      | P               | 17.104                 |
| Realty Signs             | P          | P      | P      | P      | P               | 17.104                 |
| Civic Signs              | P          | P      | P      | P      | P               | 17.104                 |
| Business Signs           | P          | P      | P      | P      | P               | 17.104                 |
| Advertising Signs        | —          | —      | —      | —      | —               | 17.104                 |

\*In the N Combining Zone, the N regulations supersede the base zone.

## Limitations on Table 17.101C.02:

### [L1-L2 OMITTED]

**L3.** Construction of new ground-floor Residential Facilities is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). Incidental pedestrian entrances that lead to one of these activities elsewhere in the building are exempted from this Conditional Use Permit requirement.

### [L4-L7 OMITTED]

**L8.** In the D-BV-1, D-BV-2, and D-BV-3 Zones, no conditional use permit is required for Open Nonresidential Facilities to accommodate seasonal sales or special events. In the D-BV-4 Zone, no conditional use permit is required for Open Nonresidential Facilities to accommodate Civic Activities, seasonal sales, or special events.

### [L9-L11 OMITTED]

**Chapter 17.101E D-CE CENTRAL ESTUARY DISTRICT ZONES REGULATIONS****17.101E.030 Permitted and conditionally permitted activities.**

For the purposes of this Chapter only, the following definition is added as an Activity. Definitions for the other Activities listed in Table 17.101E.01 are contained in the Oakland Planning Code Chapter 17.10.

[A OMITTED]

Table 17.101E.01 lists the permitted, conditionally permitted, and prohibited activities in the D-CE Zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

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

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

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.10.040.

**Table 17.101E.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Zones  |        |             |             |        |        | Additional Regulations |
|-------------------------------|--------|--------|-------------|-------------|--------|--------|------------------------|
|                               | D-CE-1 | D-CE-2 | D-CE-3      | D-CE-4      | D-CE-5 | D-CE-6 |                        |
| Residential Activities        |        |        |             |             |        |        |                        |
| Permanent                     | —      | —      | P           | P           | —      | —      |                        |
| Residential Care              | —      | —      | P(L1)       | P(L1)       | —      | —      | 17.103.010             |
| Supportive Housing            | —      | —      | P           | P           | —      | —      |                        |
| Transitional Housing          | —      | —      | P           | P           | —      | —      |                        |
| Emergency Shelter             | —      | —      | P(L1)       | P(L1)       | —      | —      | 17.103.010             |
| Semi-Transient                | —      | —      | P           | P           | —      | —      | 17.103.010             |
| Bed and Breakfast             | —      | —      | P           | —           | —      | —      | 17.10.125              |
| Civic Activities              |        |        |             |             |        |        |                        |
| Essential Service             | P(L18) | P(L18) | P(L18)(L22) | P(L18)(L22) | P(L18) | P(L18) |                        |
| Limited Child-Care Activities | —      | —      | P           | —           | —      | —      |                        |
| Community Assembly            | —      | C      | P(L2)       | —           | C      | —      |                        |

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| Activities                                    | Zones  |        |            |            |        |        | Additional Regulations    |
|-----------------------------------------------|--------|--------|------------|------------|--------|--------|---------------------------|
|                                               | D-CE-1 | D-CE-2 | D-CE-3     | D-CE-4     | D-CE-5 | D-CE-6 |                           |
| Recreational Assembly                         | P      | C      | P(L2)      | C          | C      | —      |                           |
| Community Education                           | P      | P(L2)  | C          | C          | C      | —      |                           |
| Nonassembly Cultural                          | P      | P      | P(L2)      | P(L3)      | C      | —      |                           |
| Administrative                                | P      | P      | P(L3)      | P(L3)      | C      | —      |                           |
| Health Care                                   | —      | —      | C          | C          | —      | —      |                           |
| Special Health Care                           | —      | —      | —          | —          | —      | —      |                           |
| Utility and Vehicular                         | C      | C      | C          | C          | C      | C      |                           |
| Extensive Impact                              | C      | C      | C          | C          | C      | C      |                           |
| <b>Commercial Activities</b>                  |        |        |            |            |        |        |                           |
| General Food Sales                            | P      | P      | P(L2)(L12) | P(L4)(L12) | P(L5)  | P(L5)  |                           |
| Full Service Restaurants                      | P      | P      | P(L4)      | P(L4)      | P(L5)  | P(L5)  |                           |
| Limited Service Restaurant and Cafe           | P      | P      | P(L4)      | P(L4)      | P(L5)  | P(L5)  |                           |
| Fast-Food Restaurant                          | —      | C      | —          | —          | C      | —      | 17.103.030 and 8.09       |
| Convenience Market                            | C      | C      | C          | C          | —      | —      | 17.103.030                |
| Alcoholic Beverage Sales                      | C      | C      | C          | C          | C      | —      | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                | CP     | CP     | CP         | CP         | —      | —      |                           |
| Medical Service                               | —P(L2) | —P(L2) | P(L2)      | —P(L2)     | —      | —      |                           |
| General Retail Sales                          | P      | P      | P(L5)      | P(L5)      | P(L5)  | P(L6)  |                           |
| Large-Scale Combined Retail and Grocery Sales | —      | C      | —          | —          | —      | —      |                           |

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| Activities                                                   | Zones                        |                              |                              |                              |                              |                                  | Additional Regulations |
|--------------------------------------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|----------------------------------|------------------------|
|                                                              | D-CE-1                       | D-CE-2                       | D-CE-3                       | D-CE-4                       | D-CE-5                       | D-CE-6                           |                        |
| Consumer Service                                             | P                            | P                            | P                            | P                            | P                            | —                                |                        |
| Consultative and Financial Service                           | P                            | P                            | P(L3)                        | P                            | C                            | —                                |                        |
| Check Cashier and Check Cashing                              | —                            | C                            | —                            | —                            | —                            | —                                | 17.103.040             |
| Consumer Cleaning and Repair Service                         | <del>C(L2)</del>             | P                            | <del>CP(L2)</del>            | <del>CP(L2)</del>            | C                            | —                                |                        |
| Consumer Dry Cleaning Plant                                  | —                            | —                            | —                            | —                            | C                            | C                                |                        |
| Artisan Production                                           | P                            | P                            | P                            | P                            | P                            | P                                |                        |
| Group Assembly                                               | <del>CP(L22)(L26)(L27)</del> | <del>CP(L22)(L26)(L27)</del> | <del>CP(L22)(L26)(L27)</del> | <del>CP(L22)(L26)(L27)</del> | <del>CP(L22)(L26)(L27)</del> | <del>CP(L8)(L22)(L26)(L27)</del> |                        |
| Personal Instruction and Improvement Services                | P                            | P                            | P                            | P                            | C                            | C(L8)                            |                        |
| Administrative                                               | P                            | P                            | P(L3)                        | P(L3)                        | P                            | —(L9)                            |                        |
| Business, Communication, and Media Services                  | P                            | P                            | P                            | P                            | P                            | P                                |                        |
| Broadcasting and Recording Services                          | P                            | P                            | P(L27)                       | P(L27)                       | P                            | P                                |                        |
| Research Service                                             | P                            | P                            | P(L3)(L10)                   | P(L3)(L10)                   | P                            | P                                |                        |
| General Wholesale Sales                                      | —                            | P(L7)                        | P(L2)                        | P(L3)                        | P(L3)(L11)                   | P                                |                        |
| Transient Habitation                                         | C                            | C                            | C                            | C                            | —                            | —                                | 17.103.050             |
| Building Material Sales                                      | —                            | P                            | P(L2)(L10)                   | P(L2)(L10)                   | P                            | —                                |                        |
| Boat and Marine- Related Sales, Rental, Repair and Servicing | P                            | —                            | —                            | —                            | —                            | C                                |                        |

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| Activities                                                   | Zones           |                      |                      |                      |              |              | Additional Regulations |
|--------------------------------------------------------------|-----------------|----------------------|----------------------|----------------------|--------------|--------------|------------------------|
|                                                              | D-CE-1          | D-CE-2               | D-CE-3               | D-CE-4               | D-CE-5       | D-CE-6       |                        |
| Automobile and Other Light Vehicle Sales and Rental          | —               | C                    | —                    | —                    | —            | C            |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing | —               | C                    | —                    | —                    | C            | P(L14)       |                        |
| Automobile and Other Light Vehicle Repair and Cleaning       | —               | C(L13)               | —                    | —                    | C            | P(L14)       |                        |
| Taxi and Light Fleet-Based Services                          | —               | —                    | —                    | —                    | —            | C            |                        |
| Automotive Fee Parking                                       | — (L28)         | — (L28)              | — (L28)              | C (L28)              | C            | C            | 17.103.055             |
| Animal Boarding                                              | —               | C                    | C                    | C                    | —            | —            |                        |
| Animal Care                                                  | —               | P                    | C                    | C                    | —            | —            |                        |
| Undertaking Service                                          | —               | —                    | —                    | —                    | C            | C            |                        |
| <b>Industrial Activities</b>                                 |                 |                      |                      |                      |              |              |                        |
| Custom Manufacturing                                         | C               | P (L3)(L10)          | P (L2)(L3)(L10)(L12) | P(L3)(L10)(L12)      | P            | P            | 17.120                 |
| Light Manufacturing                                          | C               | P (L3)(L10)          | P(L2)(L10)(L12)      | P(L3)(L10)(L12)      | P            | P            | 17.120                 |
| General Manufacturing                                        | —               | —                    | —                    | —                    | P (L14)      | P (L14)      |                        |
| Heavy/High Impact                                            | —               | —                    | —                    | —                    | —            | C(L24)       |                        |
| Research and Development                                     | P(L2)(L10)(L29) | P (L2)(L3)(L10)(L29) | P (L2)(L3)(L10)(L29) | P (L2)(L3)(L10)(L29) | P (L10)(L29) | P (L10)(L29) |                        |
| Construction Operations                                      | —               | —                    | —                    | C(L10)               | P(L14)       | P(L14)       | 17.103.065             |
| <b>Warehousing, Storage, and Distribution-Related:</b>       |                 |                      |                      |                      |              |              |                        |
| A. General Warehousing, Storage and Distribution             | C               | —                    | P(L2)(L10)           | P (L2)(L3)(L10)      | P(L23)       | P(L23)       | 17.103.065             |

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| Activities                                                                      | Zones  |        |        |        |        |        | Additional Regulations  |
|---------------------------------------------------------------------------------|--------|--------|--------|--------|--------|--------|-------------------------|
|                                                                                 | D-CE-1 | D-CE-2 | D-CE-3 | D-CE-4 | D-CE-5 | D-CE-6 |                         |
| B. General Outdoor Storage                                                      | —      | —      | —      | —      | P(L14) | P(L14) |                         |
| C. Self- or Mini-Storage                                                        | —      | —      | —      | —      | C(L25) | —      |                         |
| D. Container Storage                                                            | —      | —      | —      | —      | P(L14) | P(L14) |                         |
| E. Salvage/Junk Yards                                                           | —      | —      | —      | —      | —      | C(L24) |                         |
| Regional Freight Transportation-Related:                                        |        |        |        |        |        |        |                         |
| A. Seaport                                                                      | —      | —      | —      | —      | —      | C      |                         |
| B. Rail Yard                                                                    | —      | —      | —      | —      | C      | C      | 17.103.065              |
| Trucking and Truck-Related:                                                     |        |        |        |        |        |        |                         |
| A. Freight/Truck Terminal                                                       | —      | —      | —      | —      | P(L14) | P(L14) | 17.103.065              |
| B. Truck Yard                                                                   | —      | —      | —      | —      | C(L24) | P(L14) | 17.103.065              |
| C. Truck Weigh Stations                                                         | —      | —      | —      | —      | P(L14) | P(L14) | 17.103.065              |
| D. Truck & Other Heavy Vehicle Sales, Rental & Leasing                          | —      | —      | —      | —      | P(L14) | P(L14) | 17.103.065              |
| E. Truck & Other Heavy Vehicle Service, Repair, and Refueling                   | —      | —      | —      | —      | P(L14) | P(L14) | 17.103.065              |
| F. Electrical Vehicle Charging Stations Serving Trucks and Other Heavy Vehicles | —      | —      | —      | —      | P      | P      | 17.10.585.F             |
| Recycling and Waste-Related:                                                    |        |        |        |        |        |        |                         |
| A. Satellite Recycling Collection Centers                                       | —      | P(L15) | P(L15) | P(L15) | P(L15) | P(L15) | 17.10.040.P             |
| B. Primary Recycling Collection Centers                                         | —      | —      | —      | —      | —      | C(L16) | 17.73.035<br>17.103.065 |

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| Activities                                                                                                                  | Zones  |        |        |        |        |             | Additional Regulations |
|-----------------------------------------------------------------------------------------------------------------------------|--------|--------|--------|--------|--------|-------------|------------------------|
|                                                                                                                             | D-CE-1 | D-CE-2 | D-CE-3 | D-CE-4 | D-CE-5 | D-CE-6      |                        |
| Hazardous Materials Production, Storage, and Waste Management-Related:                                                      |        |        |        |        |        |             |                        |
| A. Small Scale Transfer and Storage                                                                                         | —      | —      | —      | —      | C(L24) | C(L17)(L24) |                        |
| B. Industrial Transfer/Storage                                                                                              | —      | —      | —      | —      | —      | C(L17)(L24) |                        |
| C. Residuals Repositories                                                                                                   | —      | —      | —      | —      | —      | C(L17)(L24) |                        |
| D. Oil and Gas Storage                                                                                                      | —      | —      | —      | —      | —      | C(L17)(L24) |                        |
| Agriculture and Extractive Activities                                                                                       |        |        |        |        |        |             |                        |
| Limited Agriculture                                                                                                         | C(L19) | C(L19) | P(L20) | P(L20) | C(L19) | C(L19)      |                        |
| Extensive Agriculture                                                                                                       | C(L21) | C(L21) | C(L21) | C(L21) | C(L21) | C(L21)      |                        |
| Plant Nursery                                                                                                               | —      | C      | C      | C      | P      | P           |                        |
| Mining and Quarrying                                                                                                        | —      | —      | —      | —      | —      | —           |                        |
| Accessory off-street parking serving prohibited activities                                                                  | C      | C      | C      | C      | C      | C           | 17.116.175             |
| Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof. | C      | C      | C      | C      | C      | C           | 17.102.110             |

**Limitations on Table 17.101E.01:**

**[L1 OMITTED]**

**L2.** The total floor area devoted to these activities by any single establishment shall only exceed ~~ten-fifteen~~ thousand (1015,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L3.** The total floor area devoted to these activities by any single establishment shall only exceed

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~~twenty-three~~ five thousand (2535,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L4.** The total floor area devoted to a grocery store shall only exceed ~~twenty-three~~ thousand (2030,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). The total floor area devoted to a restaurant shall only exceed ~~three-four~~ thousand (34,000) square feet upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure).

**L5.** These activities are only allowed on the ground floor of a building. Except in D-CE-4, the total floor area devoted to these activities by any single establishment shall only exceed ~~ten-fifteen~~ thousand (1015,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L6.** Except for parcels facing High Street, Kennedy Street, Fruitvale Avenue, Alameda Avenue, and 23rd Avenue, General Retail Sales is only allowed as an accessory use per Section 17.10.040. For parcels facing High Street, Kennedy Street, Fruitvale Avenue, Alameda Avenue, and 23rd Avenue, the total floor area devoted to General Retail Sales by any single establishment shall only exceed ~~ten-fifteen~~ thousand (1015,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

### [L7 OMITTED]

**L8.** ~~Entertainment~~ A Conditional Use Permit is required for entertainment, educational, and athletic ~~services are not permitted~~ uses (see Chapter 17.134 for the CUP procedure).

### [L9 OMITTED]

**L10.** Not including accessory activities, this activity shall take place entirely within an enclosed building. Other outdoor activities shall only be permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure), and Section 17.103.065 for special findings and additional requirements for Truck-Intensive Industrial Activities in the M-40, CIX, IG, IO, D-DT-JLI, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones).

### [L11-L13 OMITTED]

**L14.** A Conditional Use Permit is required if: ~~a)~~ located within six hundred (600) of: ~~a)~~ the estuary shoreline, ~~b)~~ the D-CE-3 or D-CE-4 Zone, ~~c)~~ any Open Space Zone, ~~or b)~~ Gas Stations are proposed as a principal activity anywhere in the district (see Chapter 17.134 for the CUP procedure, and Section 17.103.065 for special findings and additional requirements for Truck-Intensive Industrial Activities in the M-40, CIX, IG, IO, D-DT-JLI, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones). This activity is permitted if located beyond six hundred (600) feet ~~unless Gas Stations are proposed as a principal activity.~~

**L15.** Permitted within a grocery store or other large associated development, but if it is a stand-alone collector center then a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) is required. If the recycling collection is placed within the parking lot the overall parking requirements for the principal activity shall still be met. Notwithstanding anything to the contrary contained in the Planning Code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials, such as aluminum, glass, plastic, and bimetal, for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).

[L16-L17 OMITTED]

**L18.** Community Gardens and Botanical Gardens are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

[L19 OMITTED]

**L20.** Limited Agriculture is permitted if the activity occupies less than twenty ten thousand (2010,000) square feet of land area and any on-site sales occur no more than two (2) times per week between the hours of 8:00 am and 9:00 pm in a temporary movable structure not exceeding two hundred (200) square feet in size; conditionally permitted if the activity is larger in either land area, or in sales area, frequency, or hours of operation (see Chapter 17.134 for the CUP procedure).

[L21 OMITTED]

**L22.** Community Gardens are permitted if they do not include any livestock production or the cultivation of animals and/or animal products by agricultural methods, except for bee keeping involving no more than three (3) hives. No new or expanded Adult Entertainment Activity shall be located closer than one thousand (1,000) feet to the boundary of any Residential Zone or three hundred (300) feet from any other Adult Entertainment Activity. See Section 17.102.160 for further regulations regarding Adult Entertainment Activities.

[L23-L25 OMITTED]

**L26.** This activity is only permitted upon granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when: a) proposing this activity in a primary or accessory Open Nonresidential Facility; or b) the total floor area devoted to this activity exceeds fifteen thousand (15,000) square feet.

**L27.** Any proposed Group Assembly or Broadcasting and Recording Service activity that does not require a CUP but proposes to use amplified sound shall submit an Operational Noise Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to reduce operational noise to be consistent with Chapter 17.120 of the Planning Code.

**L28.** Automotive Fee Parking is permitted in the D-CE Commercial Zones if the facility meets the requirements in Section 17.103.055.

**L29.** This activity is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when located on a lot that is within six hundred (600) feet of a Residential Zone. If located within six hundred (600) feet of a Residential Zone boundary, any storage or use of hazardous materials or waste, as defined in O.M.C. Section 8.42.060, shall be reviewed and approved by the Fire Department prior to commencement of the operation or any alteration of activity. A risk management

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plan may also be required, per the Certified Program Uniform Assistance (CUPA) Ordinance (O.M.C. Chapter 8.42).

**Chapter 17.101G D-LM LAKE MERRITT STATION AREA DISTRICT ZONES REGULATIONS****17.101G.020 Required design review process and pre-application review.**

[A-B OMITTED]

- C. Where there is a conflict between the design review criteria contained in Chapter 17.136 and the design review **guidelines criteria** contained in the "Design Guidelines for the Lake Merritt Station Area Plan", the design **objectives review criteria** in the "Design Guidelines for the Lake Merritt Station Area Plan" shall prevail.
- D. Pre-Application Review — Discretionary Approvals. Prior to any Planning application involving an Opportunity Site identified in the Lake Merritt Station Area Plan which requires one or more discretionary approvals (including but not limited to, Regular **design review** **Design Review**, conditional use permit, variance, and/or subdivision), the applicant, or his or her representative, shall submit for a pre-application review of the proposal by a representative of the City Planning Department. During the pre-application review, City staff will provide information about applicable Lake Merritt Station Area Plan objectives and design **guidelines review criteria**.

**17.101G.030 Permitted and conditionally permitted activities.**

Table 17.101G.01 lists the permitted, conditionally permitted, and prohibited activities in the D- LM Zones. The descriptions of these activities are contained in Chapter 17.10.

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.101G.01: Permitted and Conditionally Permitted Activities**

| Activities             | Zones     |           |           |           |        | Additional Regulations |
|------------------------|-----------|-----------|-----------|-----------|--------|------------------------|
|                        | D-LM-1    | D-LM-2    | D-LM-3    | D-LM-4    | D-LM-5 |                        |
| Residential Activities |           |           |           |           |        |                        |
| Permanent              | P(L1)     | P(L1)     | P(L1)     | P(L1)     | P      |                        |
| Residential Care       | P(L1)(L2) | P(L1)(L2) | P(L1)(L2) | P(L1)(L2) | P(L2)  | 17.103.010             |
| Supportive Housing     | P(L1)     | P(L1)     | P(L1)     | P(L1)     | P      |                        |
| Transitional Housing   | P(L1)     | P(L1)     | P(L1)     | P(L1)     | P      |                        |
| Emergency Shelter      | C(L1)(L2) | C(L1)(L2) | C(L1)(L2) | C(L1)(L2) | C(L2)  | 17.103.010             |
| Semi-Transient         | C(L1)     | C(L1)     | C(L1)     | C(L1)     | C      |                        |
| Bed and Breakfast      | P         | P         | P         | P         | P      | 17.10.125              |
| Civic Activities       |           |           |           |           |        |                        |

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| Activities                                    | Zones          |                |                |                |           | Additional Regulations    |
|-----------------------------------------------|----------------|----------------|----------------|----------------|-----------|---------------------------|
|                                               | D-LM-1         | D-LM-2         | D-LM-3         | D-LM-4         | D-LM-5    |                           |
| Essential Service                             | P              | P              | P              | P              | P         |                           |
| Limited Child-Care Activities                 | P              | P              | P              | P              | P         |                           |
| Community Assembly                            | P(L4)(L5)      | P(L4)(L5)      | P(L4)(L5)      | P(L4)(L5)      | P         |                           |
| Recreational Assembly                         | P(L4)(L5)      | P(L4)(L5)      | P(L4)(L5)      | P(L4)(L5)      | P         |                           |
| Community Education                           | P(L4)(L5)      | P(L4)(L5)(L19) | P(L4)(L5)(L19) | P(L4)(L5)(L19) | P(L19)    |                           |
| Nonassembly Cultural                          | P              | P              | P              | P              | P         |                           |
| Administrative                                | P(L4)(L5)      | P(L4)(L5)      | P(L4)(L5)      | P(L4)(L5)      | P         |                           |
| Health Care                                   | CP(L20)        | CP(L20)        | CP(L20)        | CP(L20)        | CP(L20)   |                           |
| Special Health Care                           | —              | C(L6)(L8)      | C(L6)(L8)      | C(L6)(L8)      | C(L6)(L8) | 17.103.020                |
| Utility and Vehicular                         | C              | C              | C              | C              | C         |                           |
| Extensive Impact                              | C              | C              | C              | C              | C         |                           |
| <b>Commercial Activities</b>                  |                |                |                |                |           |                           |
| General Food Sales                            | P(L4)(L7)      | P(L4)          | P              | P(L4)          | P         |                           |
| Full Service Restaurants                      | P              | P              | P              | P              | P         |                           |
| Limited Service Restaurant and Cafe           | P              | P              | P              | P              | P         |                           |
| Fast-Food Restaurant                          | —              | C              | C              | C              | C         | 17.103.030 and 8.09       |
| Convenience Market                            | C(L7)          | C              | C              | C              | C         | 17.103.030                |
| Alcoholic Beverage Sales                      | C(L7)          | C(L17)         | C(L17)         | C(L17)         | C         | 17.103.030 and 17.114.030 |
| Artisan Production                            | P(L18)         | P(L18)         | P(L18)         | P(L18)         | P(L18)    |                           |
| Mechanical or Electronic Games                | CP             | CP             | CP             | CP             | CP        |                           |
| Medical Service                               | P(L4)(L5)(L20) | P(L4)(L5)(L20) | P(L5)(L20)     | P(L5)(L20)     | P(L20)    |                           |
| General Retail Sales                          | P              | P              | P              | P              | P         |                           |
| Large-Scale Combined Retail and Grocery Sales | —              | —              | —              | —              | —         |                           |
| Consumer Service                              | P(L4)(L5)(L9)  | P(L4)(L5)(L9)  | P(L5)(L9)      | P(L5)(L9)      | P(L9)     |                           |
| Consultative and Financial Service            | P(L4)(L5)      | P(L4)(L5)      | P(L5)          | P(L5)          | P         |                           |

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| Activities                                                   | Zones              |                          |                  |                          |        | Additional Regulations |
|--------------------------------------------------------------|--------------------|--------------------------|------------------|--------------------------|--------|------------------------|
|                                                              | D-LM-1             | D-LM-2                   | D-LM-3           | D-LM-4                   | D-LM-5 |                        |
| Check Cashier and Check Cashing                              | —                  | C(L10)                   | C(L10)           | C(L10)                   | C(L10) | 17.103.040             |
| Consumer Cleaning and Repair Service                         | P(L4)(L5)(L7)      | P(L5)                    | P(L5)            | P(L5)                    | P      |                        |
| Consumer Dry Cleaning Plant                                  | C(L7)              | C                        | C                | C                        | C      |                        |
| Group Assembly                                               | C(L11)             | P(L4)(L5)(L11)(L21)(L22) | P(L11)(L21)(L22) | P(L4)(L5)(L11)(L21)(L22) | P(L11) |                        |
| Personal Instruction and Improvement Services                | P                  | P                        | P                | P                        | P      |                        |
| Administrative                                               | P(L4)(L5)          | P(L4)(L5)                | P(L5)            | P(L5)                    | P      |                        |
| Business, Communication, and Media Services                  | P(L4)(L5)(L7)      | P(L4)(L5)                | P(L5)            | P(L5)                    | P      |                        |
| Broadcasting and Recording Services Commercial Activities    | P(L4)(L5)(L7)(L22) | P(L4)(L5)                | P(L5)            | P(L5)                    | P      |                        |
| Research Service                                             | P(L4)(L5)          | P(L4)(L5)                | P(L5)            | P(L5)                    | P      |                        |
| General Wholesale Sales                                      | —                  | —                        | —                | C                        | —      |                        |
| Transient Habitation                                         | C                  | C                        | C                | C                        | C      | 17.103.050             |
| Building Material Sales                                      | —                  | —                        | —                | —                        | —      |                        |
| Automobile and Other Light Vehicle Sales and Rental          | —                  | —                        | —                | C                        | —      |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing | —                  | —                        | —                | —                        | —      |                        |
| Automobile and Other Light Vehicle Repair and Cleaning       | —                  | —                        | —                | C(L13)                   | —      |                        |
| Taxi and Light Fleet-Based Services                          | —                  | —                        | —                | C(L13)                   | —      |                        |
| Automotive Fee Parking                                       | C(L14)             | C(L14)                   | C(L14)           | C(L14)                   | C(L14) | 17.103.055             |

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| Activities                                                 | Zones              |                    |                    |                    |         | Additional Regulations |
|------------------------------------------------------------|--------------------|--------------------|--------------------|--------------------|---------|------------------------|
|                                                            | D-LM-1             | D-LM-2             | D-LM-3             | D-LM-4             | D-LM-5  |                        |
| Animal Boarding                                            | —                  | —                  | —                  | —                  | —       |                        |
| Animal Care                                                | <del>P</del> (L20) | CP(L20)            | CP(L20)            | CP(L20)            | CP(L20) |                        |
| Undertaking Service                                        | —                  | —                  | —                  | C                  | —       |                        |
| <b>Industrial Activities</b>                               |                    |                    |                    |                    |         |                        |
| Custom Manufacturing                                       | —                  | C(L1)(L13)         | <del>C</del> (L13) | C(L13)             | —       |                        |
| Light Manufacturing                                        | —                  | <del>C</del> (L13) | <del>C</del> (L13) | <del>C</del> (L13) | —       |                        |
| General Manufacturing                                      | —                  | —                  | —                  | —                  | —       |                        |
| Heavy/High Impact                                          | —                  | —                  | —                  | —                  | —       |                        |
| Research and Development                                   | —                  | —                  | C(L13)<br>(L23)    | C(L13)(L23)        | —       |                        |
| Construction Operations                                    | —                  | —                  | —                  | —                  | —       |                        |
| <b>Warehousing, Storage, and Distribution-Related</b>      |                    |                    |                    |                    |         |                        |
| A. General Warehousing, Storage and Distribution           | —                  | —                  | —                  | —                  | —       |                        |
| B. General Outdoor Storage                                 | —                  | —                  | —                  | —                  | —       |                        |
| C. Self- or Mini-Storage                                   | —                  | —                  | —                  | —                  | —       |                        |
| D. Container Storage                                       | —                  | —                  | —                  | —                  | —       |                        |
| E. Salvage/Junk Yards                                      | —                  | —                  | —                  | —                  | —       |                        |
| <b>Regional Freight and Transportation-Related</b>         |                    |                    |                    |                    |         |                        |
| All Regional Freight and Transportation-Related Activities | —                  | —                  | —                  | —                  | —       |                        |
| <b>Trucking and Truck-Related</b>                          |                    |                    |                    |                    |         |                        |
| All Trucking and Truck-Related Activities                  | —                  | —                  | —                  | —                  | —       |                        |
| <b>Recycling and Waste-Related</b>                         |                    |                    |                    |                    |         |                        |
| A. Satellite Recycling Collection Centers                  | —                  | —                  | —                  | —                  | —       |                        |
| B. Primary Recycling Collection Centers                    | —                  | —                  | —                  | —                  | —       |                        |

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| Activities                                                                                                                       | Zones  |        |        |        |        | Additional Regulations |
|----------------------------------------------------------------------------------------------------------------------------------|--------|--------|--------|--------|--------|------------------------|
|                                                                                                                                  | D-LM-1 | D-LM-2 | D-LM-3 | D-LM-4 | D-LM-5 |                        |
| Hazardous Materials Production, Storage, and Waste Management-Related                                                            | —      | —      | —      | —      | —      |                        |
| <b>Agriculture and Extractive Activities</b>                                                                                     |        |        |        |        |        |                        |
| Limited Agriculture                                                                                                              | P(L15) | P(L15) | P(L15) | P(L15) | P(L15) |                        |
| Extensive Agriculture                                                                                                            | C(L16) | C(L16) | C(L16) | C(L16) | C(L16) |                        |
| Plant Nursery                                                                                                                    | —      | —      | —      | —      | —      |                        |
| Mining and Quarrying                                                                                                             | —      | —      | —      | —      | —      |                        |
| <b>Accessory off- street parking serving prohibited activities</b>                                                               | C      | C      | C      | C      | C      | 17.116.075175          |
| <b>Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone</b> | C      | C      | C      | C      | C      | 17.102.110             |

**Limitations on Table 17.101G.01:**

**L1.** These activities may not be located within thirty (30) feet of the front lot line on the ground floor of an existing principal building fronting a Commercial Corridor or within thirty (30) feet of the front lot line on the ground floor of a new principal building fronting a Transitional Commercial Corridor, as defined in Section 17.101G.010.C, with the exception of incidental pedestrian entrances that lead to one of these activities elsewhere in the building. See Section 17.101G.040 for limitations on the construction of new ground floor Residential Facilities.

**L2.** Residential Care is permitted if located in a One-Family Dwelling Residential Facility; conditionally permitted if located elsewhere (see Chapter 17.134 for the CUP procedure). No Residential Care or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such Activity or Facility. See Section 17.103.010 for other regulations regarding Residential Care and Emergency Shelter Residential Activities. See Section 17.103.010 for other regulations regarding Residential Care Residential Activities, and Sections 17.103.010 and 17.103.015 for other regulations regarding Emergency Shelter Residential Activities. Notwithstanding anything to the contrary contained in the Planning Code, Emergency Shelter Residential Activities are permitted by-right on properties owned by churches, temples, synagogues, and other similar places of worship approved for Community Assembly Civic Activities; prohibited elsewhere in the zone.

[L3 OMITTED]

**L4.** ~~With the exception of parcels facing Broadway and 14th Street, the total linear frontage length floor area devoted to these activities on the ground floor by any single establishment both on the ground floor and within thirty (30) feet of the principal street frontage may only exceed twenty-five percent (25%) of the total linear frontage length from street corner to street corner upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). Any single establishment may only exceed twelve thousand (12,000) square feet in floor area upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).~~

**L5.** ~~If located on a Commercial Corridor, as defined in Section 17.101G.010.C with the exception of 8<sup>th</sup>, 9<sup>th</sup>, Franklin, Webster and Harrison Streets between 7<sup>th</sup>, 10<sup>th</sup>, Broadway and Harrison Streets, and both on the ground floor of a building and within thirty (30) feet of an applicable street frontage, these activities are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). If located on 8<sup>th</sup>, 9<sup>th</sup>, Franklin, Webster and Harrison Streets between 7<sup>th</sup>, 10<sup>th</sup>, Broadway and Harrison Streets, and both on the ground floor of a building and within thirty (30) feet of an applicable street frontage, the total floor area devoted to these activities on the ground floor by any single establishment may only exceed five thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). Incidental pedestrian entrances that lead to one of these activities elsewhere in the building are exempted from this Conditional Use Permit requirement. In addition to the criteria contained in Section 17.134.050, these conditionally permitted ground floor proposals must also meet each of the following criteria:~~

- a.** The proposal will not impair a generally continuous wall of building facades;
- b.** The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and
- c.** The proposal will not interfere with the movement of people along an important pedestrian street.

**L6.** These activities are only permitted upon the granting of a ~~conditional use permit~~ Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, when these activities are located within thirty (30) feet of the principal street frontage (with the exception of incidental pedestrian entrances that lead to one of these activities elsewhere in the building), the proposed activities must also meet the criteria contained in Note L5, above.

**L7.** These activities may only be located on or below the ground floor of a building with the following exceptions:

- a.** If the floor area devoted to the activity is less than three thousand (3,000) square feet; and
- b.** An activity located on the ground floor may extend to the second floor of a building if the activity on the second floor is the same as, or accessory to, the ground floor activity and part of the same business or establishment; and there is a direct internal connection between the ground floor and the second story activities.

**[L8-L11 OMITTED]**

**L12.** ~~The total floor area devoted to these activities by any single establishment shall only exceed three thousand (3,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).~~

**L13.** These activities, including accessory activities, are only allowed to be performed indoors. This requirement includes, but is not limited to: vehicles stored before and after servicing, general storage, vehicle and other repair, and automotive cleaning. This requirement excludes parking for customers currently at the business and automotive fueling. In addition to the criteria contained in Section 17.134.050, these conditionally permitted ground floor proposals must also meet each of the following

**criteria:**

- a.** The proposal will not impair a generally continuous wall of building facades;
- b.** The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and
- c.** The proposal will not interfere with the movement of people along an important pedestrian street.

**L14.** Auto fee parking is permitted upon the granting of ~~conditional use permit~~ Conditional Use Permit (see Chapter 17.134 for the CUP procedure) if it is located in either a parking structure or in a below grade parking lot. Auto fee parking is otherwise prohibited.

**[L15-L18 OMITTED]**

**L19.** Daycare facilities, preschools, and elementary schools with more than fifty (50) enrollees require a pickup and drop-off management plan approved by the Bureau of Planning and/or the Department of Transportation that prevents double parking and assures the safe pickup and drop-off of students.

**L20.** The total floor area devoted to these activities on the ground floor by any single establishment may only exceed five thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). See Table 17.101G.03, additional regulation 10, for regulations regarding special ground floor transparency requirements for Health Care Civic Activities, Medical Service Commercial Activities, and Animal Care Commercial Activities.

**L21.** This activity is only permitted upon granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when: a) proposing this activity in a primary or accessory Open Nonresidential Facility; or b) the total floor area devoted to this activity exceeds fifteen thousand (15,000) square feet.

**L22.** Any proposed Group Assembly or Broadcasting and Recording Services activity that does not require a CUP but proposes to use amplified sound shall submit an Operational Noise Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to reduce operational noise to be consistent with Chapter 17.120 of the Planning Code.

**L23.** If located within six hundred (600) feet of a Residential Zone boundary, any storage or use of hazardous materials or waste, as defined in O.M.C. Section 8.42.060, shall be reviewed and approved by the Fire Department prior to commencement of operation or any alteration of activity. A risk management plan may also be required, per the Certified Program Uniform Assistance (CUPA) Ordinance (O.M.C. Chapter 8.42).

**17.101G.040 Permitted and conditionally permitted facilities.**

Table 17.101G.02 lists the permitted, conditionally permitted, and prohibited facilities in the D-LM Zones. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

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

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

"—" designates facilities that are prohibited

**Table 17.101G.02: Permitted and Conditionally Permitted Facilities**

| Facilities                    | Zones  |               |           |           |           | Additional Regulations   |
|-------------------------------|--------|---------------|-----------|-----------|-----------|--------------------------|
|                               | D-LM-1 | D-LM-2        | D-LM-3    | D-LM-4    | D-LM-5    |                          |
| Residential Facilities        |        |               |           |           |           |                          |
| One-Family Dwellings          | —(L1)  | —(L1)         | —(L1)     | —(L1)     | —(L1)     | 17.103.080               |
| Two- to Four-Family Dwelling  | P(L6)  | P(L5)(L6)(L7) | P(L5)(L6) | P(L5)(L6) | P(L5)(L6) | 17.103.080               |
| Multifamily Dwelling          | P(L6)  | P(L6)(L7)     | P(L6)     | P(L6)     | P(L6)     | 17.103.080               |
| Rooming House                 | P      | P(L7)         | P         | P         | P         |                          |
| Vehicular                     | P      | P             | P         | P         | P         | 17.103.080<br>17.103.085 |
| Nonresidential Facilities     |        |               |           |           |           |                          |
| Enclosed Nonresidential       | P(L3)  | P(L3)         | P(L3)     | P(L3)     | P         |                          |
| Open Nonresidential           | C(L4)  | C(L4)         | C(L4)     | C(L4)     | C(L4)     |                          |
| Sidewalk Cafe                 | P      | P             | P         | P         | P         | 17.103.090               |
| Drive-In Nonresidential       | —      | —             | —         | C         | C         |                          |
| Drive-Through Nonresidential  | —      | —             | —         | C(L2)     | C(L2)     | 17.103.100               |
| Telecommunications Facilities |        |               |           |           |           |                          |
| Micro Telecommunications      | CP     | P             | P         | P         | P         | 17.128                   |
| Mini Telecommunications       | C      | P             | P         | P         | P         | 17.128                   |
| Macro Telecommunications      | C      | C             | C         | C         | C         | 17.128                   |
| Monopole Telecommunications   | —      | —             | —         | C         | C         | 17.128                   |
| Tower Telecommunications      | —      | —             | —         | —         | —         | 17.128                   |
| Sign Facilities               |        |               |           |           |           |                          |
| Residential Signs             | P      | P             | P         | P         | P         | 17.104                   |

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|                   |   |   |   |   |   |        |
|-------------------|---|---|---|---|---|--------|
| Special Signs     | P | P | P | P | P | 17.104 |
| Development Signs | P | P | P | P | P | 17.104 |
| Realty Signs      | P | P | P | P | P | 17.104 |
| Civic Signs       | P | P | P | P | P | 17.104 |
| Business Signs    | P | P | P | P | P | 17.104 |
| Advertising Signs | — | — | — | — | — | 17.104 |

### Limitations on Table 17.101G.02:

**L1.** See Chapter 17.114, Nonconforming Uses, for additions and alterations to legal nonconforming Residential Facilities, provided, however, that Accessory Dwelling Units are permitted when there is an existing ~~One-Family Dwelling~~ **primary Residential Facility** on a lot, subject to the provisions of Section 17.103.080 and Chapter 17.88.

### [L2 OMITTED]

**L3.** New construction of a Nonresidential Facility shall be required to incorporate ground floor commercial space that conforms to the design standards in Table 17.101G.03 if:

- a.** The facility fronts onto a: (1) "Transitional Commercial Corridor", as identified in Section 17.101G.010.C, is more than ~~thirty-five (35)~~ **sixty (60)** feet wide, and is either within a Lake Merritt Station Area Plan Opportunity Site or on a corner lot; or
- b.** The facility fronts onto a: (2) "Commercial Corridor", as identified in Section 17.101G.010.C, and is more than ~~thirty-five (35)~~ **sixty (60)** feet wide.

### [L4-L6 OMITTED]

**L7.** Except as indicated in Subsection a. below, construction of new ground floor Residential Facilities within thirty (30) feet of the principal street frontage is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure):

- a.** Buildings not located within thirty (30) feet of the principal street frontage and incidental pedestrian entrances that lead to one of these activities elsewhere in a building are exempted from this requirement.

### 17.101G.050 Property development standards.

**A. Zone Specific Standards.** Table 17.101G.03 below prescribes development standards specific to individual zones. The number designations in the right-hand column refer to the additional regulations listed at the end of the Table. "N/A" designates the standard is not applicable to the specified zone.

**Table 17.101G.03: Property Development Standards**

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| Development Standards                                                                                      | Zones      |            |           |           |           | Additional Regulations |
|------------------------------------------------------------------------------------------------------------|------------|------------|-----------|-----------|-----------|------------------------|
|                                                                                                            | D-LM-1     | D-LM-2     | D-LM-3    | D-LM-4    | D-LM-5    |                        |
| Minimum Lot Dimensions                                                                                     |            |            |           |           |           |                        |
| Width                                                                                                      | 25 ft.     | 25 ft.     | 50 ft.    | 50 ft.    | 50 ft.    | 1                      |
| Frontage                                                                                                   | 25 ft.     | 25 ft.     | 50 ft.    | 50 ft.    | 50 ft.    | 1                      |
| Lot area                                                                                                   | 43,000 sf. | 43,000 sf. | 7,500 sf. | 7,500 sf. | 7,500 sf. | 1                      |
| Minimum/Maximum Setbacks                                                                                   |            |            |           |           |           |                        |
| Minimum front                                                                                              | 0 ft.      | 0 ft.      | 0 ft.     | 0 ft.     | 0 ft.     | 2, 9                   |
| Maximum front and street side for the first story                                                          | N/A        | 5 ft.      | 5 ft.     | 10 ft.    | N/A       | 3, 9                   |
| Maximum front and street side for the second and third stories or thirty-five (35) feet, whatever is lower | N/A        | 5 ft.      | 5 ft.     | N/A       | N/A       | 3, 9                   |
| Minimum interior side                                                                                      | 0 ft.      | 0 ft.      | 0 ft.     | 0 ft.     | 0 ft.     | 9                      |
| Minimum corner side                                                                                        | 0 ft.      | 0 ft.      | 0 ft.     | 0 ft.     | 0 ft.     | 9                      |
| Rear                                                                                                       | 10 ft.     | 0 ft.      | 0 ft.     | 0 ft.     | 0 ft.     | 9                      |
| Average minimum setback from the Lake Merritt Estuary Channel                                              | 60 ft.     | 60 ft.     | 60 ft.    | 60 ft.    | 60 ft.    | 4, 9                   |
| Design Regulations                                                                                         |            |            |           |           |           |                        |
| Minimum facade transparency of ground floor Nonresidential Facilities                                      | 55%        | 65%        | 55%       | 55%       | 55%       | 5, 10                  |
| Minimum height of ground floor Nonresidential Facilities                                                   | 15 ft.     | 15 ft.     | 15 ft.    | 15 ft.    | 15 ft.    | 6                      |
| Minimum width of storefronts                                                                               | 15 ft.     | 15 ft.     | 15 ft.    | 15 ft.    | 15 ft.    | 7                      |
| Minimum separation between the grade and ground floor living space                                         | 2.5 ft.    | N/A        | N/A       | 2.5 ft.   | N/A       | 8                      |

**Additional Regulations for Table 17.101G.03:**

[1-9 OMITTED]

**10.** For ground floor Health Care Civic Activities, Medical Service Commercial Activities, and Animal Care Commercial Activities, this level of transparency shall apply to the street-fronting adjacent spaces, such as reception, lobby, and waiting areas. Medical treatment rooms shall not face the street.

**B. Height, Bulk, and Intensity Area Specific Standards.** Table 17.101G.04 below prescribes height, bulk, and intensity standards associated with the height/bulk/intensity areas described in the Zoning Maps. The numbers in the right-hand column refer to the additional regulations

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listed at the end of the Table. "N/A" designates the regulation is not applicable to the specified Height/Bulk/Intensity Area.

**Table 17.101G.04 Height, Density, Bulk, and Tower Regulations**

| Regulation                                                              | Height/Bulk/Intensity Areas |                                                                                                                                                                                                                         |                                                                                                |                                                                                                | Notes                                           |
|-------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|-------------------------------------------------|
|                                                                         | LM-45                       | LM-95                                                                                                                                                                                                                   | LM-175                                                                                         | LM-275                                                                                         |                                                 |
| Maximum Height                                                          |                             |                                                                                                                                                                                                                         |                                                                                                |                                                                                                |                                                 |
| Building Base                                                           | 45 ft.<br>N/A               | 45 ft. N/A                                                                                                                                                                                                              | 45 ft. base;<br><br>95 ft. base upon granting of CUP and additional findings in Note 2.a, b, c | 45 ft. base;<br><br>95 ft. base upon granting of CUP and additional findings in Note 2.a, b, c | 1                                               |
| Maximum Height Total                                                    | 45 ft.                      | 95 ft.                                                                                                                                                                                                                  | 175 ft.                                                                                        | 275 ft.                                                                                        | 2                                               |
| Height Area Exceptions Allowed With Conditional Use Permit (CUP)        | N/A                         | LM-175 standards allowed for 5 bldgs. total (2 on east side and 3 on west side of Lake Merritt Channel);<br><br>LM-275 standards allowed for 3 bldgs. total (1 on east side and 2 on west side of Lake Merritt Channel) | LM-275 standards allowed for 3 bldgs. total                                                    | Not applicable                                                                                 | 2 (see additional CUP findings in Note 2 below) |
| Minimum Height                                                          |                             |                                                                                                                                                                                                                         |                                                                                                |                                                                                                |                                                 |
| New principal buildings                                                 | 25 ft.                      | 35 ft.                                                                                                                                                                                                                  | 35 ft.                                                                                         | 35 ft.                                                                                         | 3                                               |
| Maximum Residential Density (Square Feet of Lot Area Required Per Unit) |                             |                                                                                                                                                                                                                         |                                                                                                |                                                                                                |                                                 |
| Regular Dwelling Unit                                                   | 450                         | 225                                                                                                                                                                                                                     | 110                                                                                            | 110                                                                                            | 2, 4                                            |
| Rooming Unit                                                            | 225                         | 110                                                                                                                                                                                                                     | 55                                                                                             | 55                                                                                             | 2, 4                                            |
| Efficiency Dwelling Unit                                                | 225                         | 110                                                                                                                                                                                                                     | 55                                                                                             | 55                                                                                             | 2, 4                                            |
| Maximum Nonresidential Intensity (Floor Area Ratio)                     |                             |                                                                                                                                                                                                                         |                                                                                                |                                                                                                |                                                 |

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| Regulation                                                                           | Height/Bulk/Intensity Areas |                                                                                                                                                                    |                                                                                                                                                                                                              |                                                                                                                                                                                                              | Notes                                               |
|--------------------------------------------------------------------------------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
|                                                                                      | LM-45                       | LM-95                                                                                                                                                              | LM-175                                                                                                                                                                                                       | LM-275                                                                                                                                                                                                       |                                                     |
| Maximum Nonresidential Floor Area Ratio (FAR)                                        | 2.5                         | 5<br><br>7.2 if on BART-owned parcel subject to AB2923 (2018).                                                                                                     | 8                                                                                                                                                                                                            | 12                                                                                                                                                                                                           | 2, 4                                                |
| <b>Tower Regulations</b>                                                             |                             |                                                                                                                                                                    |                                                                                                                                                                                                              |                                                                                                                                                                                                              |                                                     |
| Setback of Tower from Building Base for residential buildings                        | N/A                         | 0 ft., for buildings not exceeding 95 ft. in height<br><br>10 ft., along at least 50% of the perimeter length of base for buildings exceeding 95 ft. in height N/A | 20-10 ft., along at least 50% of the perimeter length of the building base;<br><br>10 ft., along at least 50% of the perimeter length of base upon granting of CUP and additional findings in Note 2.a, b, c | 20-10 ft., along at least 50% of the perimeter length of the building base;<br><br>10 ft., along at least 50% of the perimeter length of base upon granting of CUP and additional findings in Note 2.a, b, c | See additional CUP findings in Note 2 below 2, 6, 7 |
| Maximum average per story lot coverage above building base for residential buildings | N/A                         | N/A                                                                                                                                                                | 70% of site area or 15,000 sf, whichever is greater                                                                                                                                                          | 80-75% of site area or 15,000 sf, whichever is greater                                                                                                                                                       | 2, 5, 6                                             |
| Maximum average per story lot coverage for nonresidential buildings                  | N/A                         | N/A                                                                                                                                                                | 80% of site area or 30,000 sf, whichever is greater                                                                                                                                                          | 80% of site area or 30,000 sf, whichever is greater                                                                                                                                                          | 2, 5, 6                                             |
| Maximum tower elevation length for residential buildings                             | N/A                         | N/A                                                                                                                                                                | 150 ft.                                                                                                                                                                                                      | 150 ft.                                                                                                                                                                                                      | 2, 5, 6                                             |

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| Regulation                                                                | Height/Bulk/Intensity Areas |       |           |             | Notes   |
|---------------------------------------------------------------------------|-----------------------------|-------|-----------|-------------|---------|
|                                                                           | LM-45                       | LM-95 | LM-175    | LM-275      |         |
| Maximum diagonal length for residential buildings                         | N/A                         | N/A   | 180 ft.   | 180-200 ft. | 2, 5, 6 |
| Minimum distance between towers on the same lot for residential buildings | N/A                         | N/A   | 50-40 ft. | 50-40 ft.   | 2, 6    |

## Notes:

### [1 OMITTED]

**2.** Height Area Exceptions. In Height/Bulk/Intensity Areas LM-95 and LM-175, a limited number of buildings, as prescribed above in Table 17.101G.04, may be allowed to utilize the same height/bulk/intensity standards that typically apply to either Height/Bulk/Intensity Area LM-175 or LM-275 upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following additional use permit criteria:

- a. The proposal is consistent with the intent and desired land use character identified in the Lake Merritt Station Area Plan and its associated policies;
- b. The proposal will promote implementation of the Lake Merritt Station Area Plan; and
- c. The proposal is consistent with the desired visual character described in the Lake Merritt Station Area Plan and Lake Merritt Station Area Design Guidelines, with consideration given to the existing character of the site and surrounding area.

The following application process for a height area exception shall be followed:

- i. Applications for any of the limited number of allowed height area exceptions prescribed in Table 17.101G.04 shall be reviewed on a first come, first served basis.
- ii. A project shall secure a position as one of the specified height area exceptions following final Conditional Use Permit approval. Such Conditional Use Permits shall include a condition of approval that establishes a schedule for: submittal of a building permit application, timely response to plan check comments, payment of building permit fees such that a building permit can be issued, and commencement of construction. The process for allowing extension of the timeline requirements, if any, shall be specified in the condition.
- iii. Failure of a permittee to strictly comply with the schedule established by the Conditional Use Permit shall be grounds for revocation of the Conditional Use Permit pursuant to Chapter 17.134.

Notwithstanding the provisions above, BART owned properties subject to Assembly Bill (AB) 2923 (2018) shall be permitted a building height of up to twelve (12) stories for all activities.

### [3-4 OMITTED]

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5. The maximum tower elevation length, diagonal length, and average per story lot coverage above the building base may be increased by up to thirty percent (30%) upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following additional use permit criteria:
  - a. The proposal will result in a signature building within the neighborhood, City, or region based on qualities, including but not limited to, exterior visual quality, craftsmanship, detailing, and high quality and durable materials.
6. For the purpose of this regulation, a “nonresidential building” means a building with more than one-third (1/3) floor area devoted to Nonresidential Activities, and a “residential building” means a building with at least two-thirds (2/3) floor area designated for Residential Activities.
7. The following additional regulations apply to the tower stepback:
  - a. Unenclosed recreational, landscaping, and open space facilities are permitted within this stepback area.
  - b. A lesser stepback is permitted if it precludes the construction of the maximum average per story lot coverage.
  - c. For nonresidential towers, a stepback is only required on sites adjacent to a right-of-way that is less than eighty (80) feet.

**Chapter 17.101H D-CO COLISEUM AREA DISTRICT ZONES REGULATIONS****17.101H.030 Permitted and conditionally permitted activities.**

Table 17.101H.01 lists the permitted, conditionally permitted, and prohibited activities in the D-CO zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

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

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

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.10.040.

**Table 17.101H.01: Permitted and Conditionally Permitted Activities**

| Activities                     | Zones  |        |        |           |        |        | Additional Regulations |
|--------------------------------|--------|--------|--------|-----------|--------|--------|------------------------|
|                                | D-CO-1 | D-CO-2 | D-CO-3 | D-CO-4    | D-CO-5 | D-CO-6 |                        |
| Residential Activities         |        |        |        |           |        |        |                        |
| Permanent                      | P      | P      | —      | C(L4)     | —      | —      |                        |
| Residential Care               | P(L1)  | P(L1)  | —      | C(L1)(L4) | —      | —      | 17.103.010             |
| Supportive Housing             | P      | P      | —      | C(L4)     | —      | —      |                        |
| Transitional Housing           | P      | P      | —      | C(L4)     | —      | —      |                        |
| Emergency Shelter              | P(L1)  | P(L1)  | —      | P(L1)(L4) | —      | —      | 17.103.010             |
| Semi-Transient                 | P      | P      | —      | C(L4)     | —      | —      | 17.103.010             |
| Bed and Breakfast              | —      | —      | —      | —         | —      | —      | 17.10.125              |
| Civic Activities               |        |        |        |           |        |        |                        |
| Essential Service              | P      | P      | P      | P         | P      | P      |                        |
| Limited Child- Care Activities | P      | P      | —      | C(L6)     | —      | —      |                        |
| Community Assembly             | CP     | CP     | CP     | CP        | CP     | CP     |                        |
| Recreational Assembly          | P      | P      | P      | P         | CP     | CP     |                        |
| Community Education            | P      | P      | C      | C         | —      | C      |                        |
| Nonassembly Cultural           | P      | P      | P      | P         | C      | C      |                        |
| Administrative                 | P      | P      | P      | P         | CP     | CP     |                        |
| Health Care                    | C      | C      | C      | C         | —      | —      |                        |
| Special Health Care            | —      | —      | —      | —         | —      | —      |                        |

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| Activities                                    | Zones       |        |                       |                       |                       |                               | Additional Regulations    |
|-----------------------------------------------|-------------|--------|-----------------------|-----------------------|-----------------------|-------------------------------|---------------------------|
|                                               | D-CO-1      | D-CO-2 | D-CO-3                | D-CO-4                | D-CO-5                | D-CO-6                        |                           |
| Utility and Vehicular                         | C           | C      | C                     | C                     | C                     | C                             |                           |
| Extensive Impact                              | C           | C      | C(L5)                 | C                     | C                     | C                             |                           |
| <b>Commercial Activities</b>                  |             |        |                       |                       |                       |                               |                           |
| General Food Sales                            | P           | P      | P                     | P(L2)                 | P(L2)                 | P(L2)                         |                           |
| Full Service Restaurants                      | P           | P      | P                     | P(L2)                 | P(L2)                 | P(L2)                         |                           |
| Limited Service Restaurant and Cafe           | P           | P      | P                     | P(L2)                 | P(L2)                 | P(L2)                         |                           |
| Fast-Food Restaurant                          | C           | C      | C                     | —                     | —                     | —                             | 17.103.030 and 8.09       |
| Convenience Market                            | C           | C      | C                     | C                     | —                     | C                             | 17.103.030                |
| Alcoholic Beverage Sales                      | C           | C      | C                     | C                     | —                     | —                             | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games                | CP          | P      | C(L6)P                | —                     | —                     | —                             |                           |
| Medical Service                               | P           | P      | CP                    | CP                    | CP                    | CP                            |                           |
| General Retail Sales                          | P           | P      | P                     | P                     | P(L10)                | P                             |                           |
| Large-Scale Combined Retail and Grocery Sales | —<br>C(L18) | C      | —<br>C                | —                     | —                     | —                             |                           |
| Consumer Service                              | P(L8)       | P(L8)  | P(L8)                 | P(L8)                 | CP(L8)                | CP(L8)                        | 17.102.170 and 17.102.450 |
| Consultative and Financial Service            | P           | P      | P                     | P                     | —                     | —                             |                           |
| Check Cashier and Check Cashing               | —           | —      | —                     | —                     | —                     | —                             | 17.103.040                |
| Consumer Cleaning and Repair Service          | P           | P      | P                     | P                     | —P                    | —P                            |                           |
| Consumer Dry Cleaning Plant                   | C           | CP(L3) | CP(L3)                | CP(L3)                | —P(L3)                | —P(L3)                        |                           |
| Artisan Production                            | P           | P      | P                     | P                     | P                     | P                             |                           |
| Group Assembly                                | P(L14)      | P(L14) | CP(L14)<br>(L19)(L20) | CP(L14)<br>(L19)(L20) | CP(L14)<br>(L19)(L20) | CP<br>(L14)<br>(L19)<br>(L20) |                           |
| Personal Instruction and Improvement Services | P           | P      | P                     | CP                    | CP                    | CP                            |                           |

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| Activities                                                   | Zones        |                 |                  |                     |                 |                 | Additional Regulations |
|--------------------------------------------------------------|--------------|-----------------|------------------|---------------------|-----------------|-----------------|------------------------|
|                                                              | D-CO-1       | D-CO-2          | D-CO-3           | D-CO-4              | D-CO-5          | D-CO-6          |                        |
| Administrative                                               | P            | P               | P                | P                   | P               | P               |                        |
| Business, Communication, and Media Services                  | P            | P               | P                | P                   | P               | P               |                        |
| Broadcasting and Recording Services                          | P            | P               | P                | P                   | P               | P               |                        |
| Research Service                                             | P            | P               | P                | P                   | P               | P               |                        |
| General Wholesale Sales                                      | P(L2)        | P(L2)           | P(L3)            | P(L2)               | P               | P(L2)(L3)       |                        |
| Transient Habitation                                         | C            | C               | C                | C                   | <del>C</del>    | C               | 17.103.050             |
| Building Material Sales                                      | —            | —               | —                | —                   | C               | —               |                        |
| Automobile and Other Light Vehicle Sales and Rental          | C            | C               | P                | —                   | <del>C</del>    | C               |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing | —            | —               | C(L11)           | —                   | —               | —               |                        |
| Automobile and Other Light Vehicle Repair and Cleaning       | —            | —               | C(L11)           | —                   | —               | —               |                        |
| Taxi and Light Fleet-Based Services                          | —            | —               | —                | —                   | —               | —               |                        |
| Automotive Fee Parking                                       | C            | C(L21)          | C(L11)(L15)(L21) | C                   | C               | C               | 17.103.055             |
| Animal Boarding                                              | —            | —               | C(L11)(L13)      | —                   | —               | —               |                        |
| Animal Care                                                  | CP(L2)       | CP              | CP               | —                   | —               | —               |                        |
| Undertaking Service                                          | —            | —               | —                | —                   | —               | —               |                        |
| <b>Industrial Activities</b>                                 |              |                 |                  |                     |                 |                 |                        |
| Custom Manufacturing                                         | P(L3)        | P               | P                | P                   | P               | P               | 17.120                 |
| Light Manufacturing                                          | C(L18)       | P               | P                | P(L3)               | P               | P               | 17.120                 |
| General Manufacturing                                        | —            | —               | —                | —                   | C(L11)(L13)     | —               | 17.103.065             |
| Heavy/High Impact                                            | —            | —               | —                | —                   | —               | —               |                        |
| Research and Development                                     | PC(L18)(L22) | P(L9)(L22)(L23) | P(L9)(L22)(L23)  | P(L3)(L9)(L22)(L23) | P(L9)(L22)(L23) | P(L9)(L22)(L23) |                        |

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| Activities                                                                      | Zones  |           |        |           |             |            | Additional Regulations |
|---------------------------------------------------------------------------------|--------|-----------|--------|-----------|-------------|------------|------------------------|
|                                                                                 | D-CO-1 | D-CO-2    | D-CO-3 | D-CO-4    | D-CO-5      | D-CO-6     |                        |
| Construction Operations                                                         | —      | —         | —      | —         | C(L7)       | —          | 17.103.065             |
| Warehousing, Storage, and Distribution-Related:                                 |        |           |        |           |             |            |                        |
| A. General Warehousing, Storage and Distribution                                | —      | P(L3)(L9) | P(L9)  | P(L3)(L9) | P(L9)(L23)  | P(L9)(L23) | 17.103.065             |
| B. General Outdoor Storage                                                      | —      | —         | —      | —         | C(L11)(L13) | C(L13)     |                        |
| C. Self- or Mini- Storage                                                       | —      | —         | —      | —         | —           | —          |                        |
| D. Container Storage                                                            | —      | —         | —      | —         | —           | —          |                        |
| E. Salvage/Junk Yards                                                           | —      | —         | —      | —         | —           | —          |                        |
| Regional Freight Transportation-Related:                                        |        |           |        |           |             |            |                        |
| A. Seaport                                                                      | —      | —         | —      | —         | —           | —          |                        |
| B. Rail Yard                                                                    | —      | —         | —      | —         | —           | —          |                        |
| Trucking and Truck-Related:                                                     |        |           |        |           |             |            |                        |
| A. Freight/Truck Terminal                                                       | —      | —         | —      | —         | C(L7)       | —          | 17.103.065             |
| B. Truck Yard                                                                   | —      | —         | —      | —         | C(L7)       | —          | 17.103.065             |
| C. Truck Weigh Stations                                                         | —      | —         | —      | —         | C(L7)       | —          | 17.103.065             |
| D. Truck & Other Heavy Vehicle Sales, Rental & Leasing                          | —      | —         | —      | —         | C(L7)       | —          | 17.103.065             |
| E. Truck & Other Heavy Vehicle Service, Repair, and Refueling                   | —      | —         | —      | —         | C(L7)       | —          | 17.103.065             |
| F. Electrical Vehicle Charging Stations Serving Trucks and Other Heavy Vehicles | —      | —         | —      | —         | P           | P          |                        |
| Recycling and Waste-Related:                                                    |        |           |        |           |             |            |                        |
| A. Satellite Recycling Collection Centers                                       | —(L24) | —(L24)    | —(L24) | —(L24)    | —(L24)      | —(L24)     |                        |
| B. Primary Recycling Collection Centers                                         | —      | —         | —      | —         | —           | —          | 17.73.035              |
| Hazardous Materials Production, Storage, and Waste Management-Related:          |        |           |        |           |             |            |                        |

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| Activities                                                                                                                         | Zones  |        |        |        |        |        | Additional Regulations |
|------------------------------------------------------------------------------------------------------------------------------------|--------|--------|--------|--------|--------|--------|------------------------|
|                                                                                                                                    | D-CO-1 | D-CO-2 | D-CO-3 | D-CO-4 | D-CO-5 | D-CO-6 |                        |
| A. Small Scale Transfer and Storage                                                                                                | —      | —      | —      | —      | —      | —      |                        |
| B. Industrial Transfer/Storage                                                                                                     | —      | —      | —      | —      | —      | —      |                        |
| C. Residuals Repositories                                                                                                          | —      | —      | —      | —      | —      | —      |                        |
| D. Oil and Gas Storage                                                                                                             | —      | —      | —      | —      | —      | —      |                        |
| <b>Agriculture and Extractive Activities</b>                                                                                       |        |        |        |        |        |        |                        |
| Limited Agriculture                                                                                                                | P(L16) | P(L16) | P(L16) | P(L16) | P(L16) | P(L16) |                        |
| Extensive Agriculture                                                                                                              | C(L17) | C(L17) | C(L17) | C(L17) | C(L17) | C(L17) |                        |
| Plant Nursery                                                                                                                      | C(L18) | C      | C      | C      | C(L12) | C(L12) |                        |
| Mining and Quarrying                                                                                                               | —      | —      | —      | —      | —      | —      |                        |
| <b>Accessory off- street parking serving prohibited activities</b>                                                                 | C      | C      | C      | C      | C      | C      | 17.116.175             |
| <b>Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof.</b> | C      | C      | C      | C      | C      | C      | 17.102.110             |

**Limitations on Table 17.101H.01:**

**[L1 OMITTED]**

**L2.** The total floor area devoted to these activities by any single establishment shall only exceed **ten-fifteen** thousand (**1015**,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure), and Section 17.103.065 for special findings and additional requirements for Truck-Intensive Industrial Activities in the M-40, CIX, IG, IO, D-DT-JLI, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones).

**L3.** The total floor area devoted to these activities by any single establishment shall only exceed twenty-five thousand (25,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure), and Section 17.103.065 for special findings and additional requirements for Truck-Intensive Industrial Activities in the M-40, CIX, IG, IO, D-DT-JLI, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones).

**[L4-L5 OMITTED]**

**L6.** Conditionally permitted if located in the D-CO-3 or D-CO-4 Zones between Damon Slough and Elmhurst Creek; prohibited if located elsewhere in the D-CO-3 or D-CO-4 Zones (see Chapter 17.134 for the

CUP procedure).

**[L7 OMITTED]**

**L8.** See Section 17.102.170 for special regulations relating to massage services and Section 17.102.450 for special regulations related to Laundromats.

**L9.** Not including accessory activities, this activity shall take place entirely within an enclosed building. Other outdoor activities shall only be permitted upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure).

**[L10-L15 OMITTED]**

**L16.** Limited Agriculture is permitted if the activity occupies less than ~~twenty ten~~ thousand (2010,000) square feet of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

**[L17 OMITTED]**

**L18.** Conditionally permitted if located between Damon Slough and San Leandro Street; prohibited if located elsewhere in the D-CO-1 Zone (see Chapter 17.134 for the CUP procedure). Not including accessory activities, this activity shall take place entirely within an enclosed building. Where conditionally permitted, this activity shall only be allowed upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit procedure in Chapter 17.134, and to all of the following additional use permit criteria:

1. The activity is screened in a manner as determined by the Planning Director, including but not limited to, buffer planting along the side exterior; and
2. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding district in terms of noise, pollutant runoff, heavy equipment operation, hours of operation, odor, security, and the operation of trucks, and other heavy vehicles that have a gross vehicle weight rating greater than or equal to 14,000 pounds.

**L19.** This activity is only permitted upon granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when: a) proposing this activity in a primary or accessory Open Nonresidential Facility; or b) the total floor area devoted to this activity exceeds fifteen thousand (15,000) square feet.

**L20.** Any proposed Group Assembly activity that does not require a CUP but proposes to use amplified sound shall submit an Operational Noise Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to reduce operational noise to be consistent with Chapter 17.120 of the Planning Code.

**L21.** Automotive Fee Parking is permitted in the D-CO-2, D-CO-3, and D-CO-4 Commercial Zones in areas outside of those excluded in Limitations 11 and 15, provided the Facility meets the requirements in Section 17.103.055.

**L22.** If located within six hundred (600) feet of a Residential Zone boundary, any storage or use of hazardous materials or waste, as defined in the O.M.C. Section 8.42.060, shall be reviewed and approved by the Fire Department prior to commencement of operation or any alteration of activity. A risk management plan may also be required, per the Certified Program Uniform Assistance (CUPA) Ordinance (O.M.C. Chapter 8.42).

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**L23.** A Conditional Use Permit is required if located within six hundred (600) feet of a Residential Zone boundary or one-half (1/2) mile of a BART Station (see Chapter 17.134 for the CUP procedure, and Section 17.103.065 for special findings and additional requirements for Truck- Intensive Industrial Activities in the M-40, CIX, IG, IO, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones). Permitted if located beyond six hundred (600) feet of a Residential Zone or one-half (1/2) mile of a BART Station.

**L24.** Notwithstanding anything to the contrary contained in the Planning Code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials such as aluminum, glass plastic, and bimetal for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).

**Chapter 17.101K D-DT DOWNTOWN DISTRICT ZONES REGULATIONS****Article III – Use Requirements****17.101K.050 – Permitted and Conditionally Permitted Activities.**

[A OMITTED]

**B. Permitted and Conditionally Permitted Activities**

Table 17.101K.01 lists the permitted, conditionally permitted, and prohibited activities in the D-DT Zones. The descriptions of these activities are contained in Chapter 17.10 and in Subsection A, above.

"P" designates permitted activities in the corresponding zone.

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

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

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

**Table 17.101K.01: Permitted and Conditionally Permitted Activities**

| Activities                    | Primary Zones |        |         |        |         |          |         |         |         |          | Combining Zone       | Additional Regulations   |
|-------------------------------|---------------|--------|---------|--------|---------|----------|---------|---------|---------|----------|----------------------|--------------------------|
|                               | D-DT-P        | D-DT-C | D-DT-CX | D-DT-R | D-DT-RX | D-DT-CPW | D-DT-CW | D-DT-AG | D-DT-PM | D-DT-JLI | Employment Priority* |                          |
| Residential Activities        |               |        |         |        |         |          |         |         |         |          |                      |                          |
| Permanent                     | P(L1)         | P(L1)  | P       | P      | P       | P(L2)    | --(L4)  | --(L4)  | --(L4)  | --(L4)   | P(L1)(L27)           |                          |
| Residential Care              | P(L1)         | P(L1)  | P       | P      | P       | P(L2)    | --(L4)  | --(L4)  | --(L4)  | --(L4)   | P(L1)(L27)           | 17.103.010               |
| Supportive Housing            | P(L1)         | P(L1)  | P       | P      | P       | P(L2)    | --(L4)  | --(L4)  | --(L4)  | --(L4)   | P(L1)(L27)           |                          |
| Transitional Housing          | P(L1)         | P(L1)  | P       | P      | P       | P(L2)    | --(L4)  | --(L4)  | --(L4)  | --(L4)   | P(L1)(L27)           |                          |
| Emergency Shelter             | P(L3)         | P(L3)  | P(L3)   | P(L3)  | P(L3)   | P(L3)    | P(L3)   | P(L3)   | P(L3)   | P(L3)    | P(L3)                | 17.103.010<br>17.103.015 |
| Semi-Transient                | P(L1)         | P(L1)  | P       | P      | P       | P(L2)    | --(L4)  | --(L4)  | --(L4)  | --(L4)   | P(L1)(L27)           |                          |
| Bed and Breakfast             | P             | P      | P       | P      | P       | --       | --(L4)  | --(L4)  | --(L4)  | --(L4)   | --                   | 17.103.125               |
| Civic Activities              |               |        |         |        |         |          |         |         |         |          |                      |                          |
| Essential Service             | P             | P      | P       | P      | P       | P        | P       | P       | P       | P        | P                    |                          |
| Limited Child-Care Activities | P             | P      | P       | P      | P       | P(L2)    | P       | --      | --      | --       | P                    |                          |

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| Activities                          | Primary Zones       |            |            |                |            |                |         |                 |         |            | Combining Zone       | Additional Regulations    |
|-------------------------------------|---------------------|------------|------------|----------------|------------|----------------|---------|-----------------|---------|------------|----------------------|---------------------------|
|                                     | D-DT-P              | D-DT-C     | D-DT-CX    | D-DT-R         | D-DT-RX    | D-DT-CPW       | D-DT-CW | D-DT-AG         | D-DT-PM | D-DT-JLI   | Employment Priority* |                           |
| Community Assembly                  | C(L7)               | CP(L5)     | CP(L5)     | C              | CP(L5)     | C(L2)          | C       | --              | --      | CP(L5)     | CP(L5)               |                           |
| Recreational Assembly               | P                   | P          | P          | P              | P          | P(L2)          | P       | --              | CP(L5)  | CP(L5)     | P                    |                           |
| Community Education                 | P(L16)(L18)         | P(L18)     | P(L18)     | P(L5)(L18)     | P(L18)     | P(L2)(L18)     | --      | --              | --      | --         | --                   |                           |
| Nonassembly Cultural                | P                   | P          | P          | P(L5)(L8)      | P          | P(L2)          | P       | P               | CP(L5)  | P          | P                    |                           |
| Administrative                      | P(L16)              | P          | P          | P(L5)(L8)      | P          | P(L2)          | P       | P(L22)          | P(L22)  | P          | P                    |                           |
| Health Care                         | P(L5)(L16)(L17)     | P(L5)(L17) | P(L5)(L17) | P(L5)(L8)(L17) | P(L5)(L17) | P(L5)(L2)(L17) | --      | P(L5)(L17)(L22) | --      | C(L17)     | C                    |                           |
| Special Health Care                 | C(L7)(L9)(L16)(L17) | C(L9)(L17) | C(L9)(L17) | --             | C(L9)(L17) | C(L2)(L9)(L17) | --      | --              | --      | C(L9)(L17) | --                   | 17.103.020                |
| Utility and Vehicular               | C(L7)               | C          | C          | C              | C          | C(L2)          | C       | C               | C       | C          | C                    |                           |
| Extensive Impact                    | C(L7)               | C          | C          | C              | C          | C(L2)          | C       | C               | C       | C          | C                    |                           |
| <b>Commercial Activities</b>        |                     |            |            |                |            |                |         |                 |         |            |                      |                           |
| General Food Sales                  | P                   | P          | P          | P(L5)(L8)      | P          | P(L2)          | P       | P               | P       | P(L5)      | P                    |                           |
| Full-Service Restaurants            | P                   | P          | P          | P(L5)(L8)      | P          | P(L2)          | P       | P(L19)          | P       | P(L5)      | P                    |                           |
| Limited Service Restaurant and Café | P                   | P          | P          | P(L5)(L8)      | P          | P(L2)          | P       | P(L19)          | P       | P(L5)      | P                    |                           |
| Fast-Food Restaurant                | C                   | C          | C          | --             | C          | C(L2)          | C       | --              | --      | C          | C                    | 17.103.030 and 8.09       |
| Convenience Market                  | C                   | C          | C          | C(L8)          | C          | C(L2)          | C       | C               | C       | C          | C                    | 17.103.030                |
| Alcoholic Beverage Sales            | C(L29)              | C(L29)     | C(L29)     | C(L8)          | C          | C(L2)(L29)     | C(L29)  | C(L29)          | C(L29)  | C(L29)     | C                    | 17.103.030 and 17.114.030 |
| Mechanical or Electronic Games      | P                   | P          | P          | C(L8)          | P          | P(L2)          | P       | P               | P       | --         | P                    |                           |

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| Activities                                    | Primary Zones   |         |         |                                                    |                                            |                |         |                |                |                            | Combining Zone       | Additional Regulations |
|-----------------------------------------------|-----------------|---------|---------|----------------------------------------------------|--------------------------------------------|----------------|---------|----------------|----------------|----------------------------|----------------------|------------------------|
|                                               | D-DT-P          | D-DT-C  | D-DT-CX | D-DT-R                                             | D-DT-RX                                    | D-DT-CPW       | D-DT-CW | D-DT-AG        | D-DT-PM        | D-DT-JLI                   | Employment Priority* |                        |
| Medical Service                               | P(L16)<br>(L17) | P(L17)  | P(L17)  | P(L5)<br>(L8)<br>(L17)                             | P(L17)                                     | P(L2)<br>(L17) | P(L17)  | --             | --             | <del>C(L17)</del><br>P(L5) | P                    |                        |
| General Retail Sales                          | P               | P       | P       | P(L5)<br>(L8)                                      | P                                          | P(L2)          | P       | P              | P              | P                          | P                    |                        |
| Large-Scale Combined Retail and Grocery Sales | --              | --      | --      | --                                                 | --                                         | --             | --      | --             | --             | --                         | --                   |                        |
| Consumer Service                              | P<br>(L10)      | P(L10)  | P(L10)  | P(L5)<br>(L8)<br>(L10)                             | P(L10)                                     | P(L2)<br>(L10) | P(L10)  | P(L10)         | P(L10)         | P(L10)                     | P(L10)               |                        |
| Consultative and Financial Service            | P(L16)          | P       | P       | P(L5)<br>(L8)                                      | P                                          | P(L2)          | P       | P(L5)<br>(L22) | P(L5)<br>(L22) | <del>-P(L5)</del>          | P                    |                        |
| Check Cashier and Check Cashing               | C(L11)          | C(L11)  | C(L11)  | --                                                 | --                                         | C(L2)<br>(L11) | --      | --             | --             | --                         | --                   | 17.103.040             |
| Consumer Cleaning and Repair Service          | P               | P       | P       | P(L5)<br>(L8)                                      | P                                          | P(L2)          | P       | P(L5)          | P(L5)          | P                          | P                    |                        |
| Consumer Dry Cleaning Plant                   | P(L20)          | P(L20)  | P(L20)  | P(L5)<br>(L8)<br>(L20)                             | P(L20)                                     | P(L2)<br>(L20) | P(L20)  | --             | --             | P(L20)                     | P(L20)               |                        |
| Artisan Production                            | P(L28)          | P(L28)  | P(L28)  | P(L5)<br>(L8)<br>(L28)                             | P(L28)                                     | P(L2)<br>(L28) | P(L28)  | P(L28)         | P(L28)         | P(L28)                     | P(L28)               |                        |
| Group Assembly                                | P(L5)<br>(L12)  | P (L12) | P(L12)  | P(L5)<br>(L6)<br>(L8)<br>(L12)<br><del>(L33)</del> | P(L5)<br>(L6)<br>(L12)<br><del>(L33)</del> | P(L2)<br>(L12) | P(L12)  | P(L12)         | C(L12)         | P(L12)                     | P(L12)               |                        |
| Personal Instruction and Improvement Services | P               | P       | P       | P(L8)                                              | P                                          | P(L2)          | P       | P              | <del>CP</del>  | P                          | P                    |                        |
| Administrative                                | P(L16)          | P       | P       | P(L5)<br>(L8)                                      | P                                          | P(L2)          | P(L21)  | P(L5)<br>(L22) | P(L5)          | P                          | P                    |                        |

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| Activities                                                   | Primary Zones |        |         |                |            |            |         |            |         |          | Combining Zone       | Additional Regulations |
|--------------------------------------------------------------|---------------|--------|---------|----------------|------------|------------|---------|------------|---------|----------|----------------------|------------------------|
|                                                              | D-DT-P        | D-DT-C | D-DT-CX | D-DT-R         | D-DT-RX    | D-DT-CPW   | D-DT-CW | D-DT-AG    | D-DT-PM | D-DT-JLI | Employment Priority* |                        |
| Business, Communication, and Media Services                  | P             | P      | P       | P(L5)(L8)      | P          | P(L2)      | P(L21)  | P(L5)      | P(L5)   | P        | P                    |                        |
| Broadcasting and Recording Services Commercial Activities    | P(L16)        | P      | P       | P(L5)(L8)(L33) | P(L5)(L33) | P(L2)      | P(L21)  | P          | P(L5)   | P        | P                    |                        |
| Research Service                                             | P(L16)        | P      | P       | P(L5)(L8)      | P          | P(L2)      | P(L21)  | P(L5)(L22) | P(L5)   | P        | P                    |                        |
| General Wholesale Sales                                      | --            | --     | C       | --             | --         | C(L2)      | --      | --         | P       | P        | C                    |                        |
| Transient Habitation                                         | C(L7)         | C      | C       | C              | C          | C(L2)      | C       | --         | --      | --       | C                    | 17.103.050             |
| Building Materials Sales                                     | --            | --     | --      | --             | --         | --         | --      | --         | --      | --       | --                   |                        |
| Boat and Marine-Related Sales, Rental, Repair and Servicing  | --            | --     | C(L13)  | --             | --         | C(L2)      | P       | --         | --      | P(L13)   | --                   |                        |
| Automobile and Other Light Vehicle Sales and Rental          | --            | C(L13) | C(L13)  | --             | --         | --         | --      | P(L13)     | --      | C(L13)   | --                   |                        |
| Automobile and Other Light Vehicle Gas Station and Servicing | --            | C(L13) | C(L13)  | --             | --         | --         | --      | P(L13)     | --      | P(L13)   | --                   |                        |
| Automobile and other light Vehicle Repair and Cleaning       | --            | --     | C(L13)  | --             | --         | --         | --      | P          | --      | P(L13)   | --                   |                        |
| Taxi and Light Fleet-Based Services                          | --            | C(L13) | C(L13)  | --             | --         | C(L2)(L13) | --      | C(L13)     | --      | C        | --                   |                        |
| Automotive Fee Parking                                       | C(L7)(L14)    | C(L14) | C(L14)  | C(L14)         | C(L14)     | C(L2)(L14) | --      | --         | --      | C        | --                   |                        |

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| Activities                                            | Primary Zones           |                 |                 |        |         |                                  |         |         |                          |          | Combining Zone       | Additional Regulations |
|-------------------------------------------------------|-------------------------|-----------------|-----------------|--------|---------|----------------------------------|---------|---------|--------------------------|----------|----------------------|------------------------|
|                                                       | D-DT-P                  | D-DT-C          | D-DT-CX         | D-DT-R | D-DT-RX | D-DT-CPW                         | D-DT-CW | D-DT-AG | D-DT-PM                  | D-DT-JLI | Employment Priority* |                        |
| Animal Boarding                                       | --                      | --              | --              | --     | --      | P(L2)<br>(L24)                   | --      | --      | --                       | C        | --                   | 17.103.055             |
| Animal Care                                           | P(L16)                  | P               | P               | P      | P       | P(L2)                            | P       | --      | P(L5)                    | P        | P                    |                        |
| Undertaking Service                                   | --                      | C               | C               | --     | --      | --                               | --      | --      | --                       | C        | --                   |                        |
| <b>Industrial Activities</b>                          |                         |                 |                 |        |         |                                  |         |         |                          |          |                      |                        |
| Custom Manufacturing                                  | C(L7)<br>(L13)<br>(L25) | C(L13)          | C(L13)          | --     | C(L13)  | C(L2)<br>(L13)                   | C(L13)  | C(L13)  | C(L13)                   | C        | C(L13)               |                        |
| Light Manufacturing                                   | C(L7)<br>(L13)<br>(L25) | C(L13)<br>(L25) | C(L13)          | --     | --      | C(L2)<br>(L13)                   | --      | C(L13)  | C(L13)                   | C        | --                   |                        |
| General Manufacturing                                 | --                      | --              | --              | --     | --      | --                               | --      | --      | --                       | C        | --                   |                        |
| Heavy/High Impact                                     | --                      | --              | --              | --     | --      | --                               | --      | --      | --                       | --       | --                   |                        |
| Research and Development                              | --                      | C(L13)<br>(L32) | C(L13)<br>(L32) | --     | --      | P(L2)<br>(L13)<br>(L26)<br>(L32) | --      | --      | C(L13)<br>(L22)<br>(L32) | P(L32)   | --                   |                        |
| Construction Operations                               | --                      | --              | --              | --     | --      | --                               | --      | --      | --                       | --       | --                   |                        |
| <b>Warehousing, Storage, and Distribution-Related</b> |                         |                 |                 |        |         |                                  |         |         |                          |          |                      |                        |
| A. General Warehousing, Storage and Distribution      | --                      | --              | C(L13)          | --     | --      | P(L2)<br>(L13)<br>(L26)          | --      | --      | P                        | P(L30)   | --                   |                        |
| B. General Outdoor Storage                            | --                      | --              | --              | --     | --      | --                               | --      | --      | --                       | --       | --                   |                        |
| C. Self- or Mini-Storage                              | --                      | --              | --              | --     | --      | --                               | --      | --      | --                       | --       | --                   |                        |
| D. Container Storage                                  | --                      | --              | --              | --     | --      | --                               | --      | --      | --                       | --       | --                   |                        |
| E. Salvage/Junk Yards                                 | --                      | --              | --              | --     | --      | --                               | --      | --      | --                       | --       | --                   |                        |
| Regional Freight Transportation                       | --                      | --              | --              | --     | --      | --                               | --      | --      | --                       | --       | --                   |                        |

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| Activities                                                                                                                | Primary Zones |        |         |        |         |            |         |         |         |          | Combining Zone       | Additional Regulations |
|---------------------------------------------------------------------------------------------------------------------------|---------------|--------|---------|--------|---------|------------|---------|---------|---------|----------|----------------------|------------------------|
|                                                                                                                           | D-DT-P        | D-DT-C | D-DT-CX | D-DT-R | D-DT-RX | D-DT-CPW   | D-DT-CW | D-DT-AG | D-DT-PM | D-DT-JLI | Employment Priority* |                        |
| Trucking and Truck-Related                                                                                                | --            | --     | --      | --     | --      | --         | --      | --      | --      | --       | --                   |                        |
| Recycling and Waste-Related                                                                                               |               |        |         |        |         |            |         |         |         |          |                      |                        |
| A. Satellite Recycling Collection Centers                                                                                 | --(L31)       | C(L31) | C(L31)  | --     | --      | C(L2)(L31) | C(L31)  | --(L31) | --(L31) | C(L31)   | C(L31)               |                        |
| B. Primary Recycling Collection Centers                                                                                   | --            | --     | --      | --     | --      | --         | --      | --      | --      | --       | --                   |                        |
| Hazardous Materials Production, Storage, and Waste Management                                                             | --            | --     | --      | --     | --      | --         | --      | --      | --      | --       | --                   |                        |
| Agriculture and Extractive Activities                                                                                     |               |        |         |        |         |            |         |         |         |          |                      |                        |
| Limited Agriculture                                                                                                       | --            | P(L15) | P(L15)  | P(L15) | P(L15)  | P(L2)(L15) | --      | --      | --      | P(L15)   | --                   |                        |
| Extensive Agriculture                                                                                                     | --            | --     | --      | --     | --      | --         | --      | --      | --      | --       | --                   |                        |
| Plant Nursery                                                                                                             | --            | --     | --      | --     | --      | C(L2)      | --      | --      | --      | P        | --                   |                        |
| Mining and Quarrying                                                                                                      | --            | --     | --      | --     | --      | --         | --      | --      | --      | --       | --                   |                        |
| Accessory off-street parking serving prohibited activities                                                                | C(L7)         | C      | C       | C      | C       | C(L2)      | C       | C       | C       | C        | --                   | 17.116.075<br>175      |
| Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone | C(L7)         | C      | C       | C      | C       | C(L2)      | C       | C       | C       | C        | C                    | 17.102.110             |

**Limitations on Table 17.101K.01:**

\* The Employment Priority Combining Zone activity regulations supersede the regulations of the base zone.

**[L1-L4 OMITTED]**

**L5.** With the exception of parcels facing Broadway, San Pablo Avenue, Telegraph Avenue, and 14th Street, the total floor area devoted to these activities on the ground floor by any single establishment may only exceed ~~ten~~ **twelve** thousand (~~10~~**12**,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). However, the total floor area devoted to ~~Consumer Cleaning and Repair~~**Community Assembly** on the ground floor may only exceed five thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L6.** With the exception of seasonal sales and special events, a Group Assembly Commercial Activity in conjunction with an Open Nonresidential Facility is only permitted upon the granting of Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

**L7.** These activities are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, when these activities are located both on the ground floor of a building and within thirty (30) feet of the principal street facade (with the exception of incidental pedestrian entrances that lead to one (1) of these activities elsewhere in the building), these conditionally permitted ground floor proposals must also meet both of the following criteria:

- a. The proposal will not impair a generally continuous wall of building facades; and
- b. The proposal will not weaken the concentration and continuity of ground-floor commercial and will not impair the retention or creation of an important shopping frontage.

**[L8-L12 OMITTED]**

**L13.** These activities, including accessory activities, are only allowed to be performed indoors. This requirement includes but is not limited to: vehicles stored before and after servicing, general storage, vehicle and other repair, and automotive cleaning. This requirement excludes parking for customers currently at the business and automotive fueling. Gas stations as a principal activity are prohibited.

**[L14 OMITTED]**

**L15.** Limited Agriculture is permitted if it occupies less than ~~twenty ten~~ thousand (~~20~~**10**,000) square feet of land area and any sales area is less than one thousand (1,000) square feet. The activity is conditionally permitted if larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

**[L16 OMITTED]**

**L17.** See Table 17.101K.04 for regulations regarding special ground floor transparency requirements for Health Care Civic and Special Health Care Civic Activities and Medical Services Commercial Activities.

**L18.** Daycare facilities, preschools, and elementary schools with more than fifty (50) enrollees require a pickup and drop-off management plan approved by the Bureau of Planning **and/or the Department of Transportation** that prevents double parking and assures the safe pickup and drop-off of students.

**[L19-L30 OMITTED]**

**L31.** Notwithstanding anything to the contrary contained in the Planning Code, Satellite Recycling Collection Centers less than five hundred (500) square feet in area located in or associated with approved supermarkets and shopping centers that are established pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, to collect beverage containers made from materials such as aluminum, glass, plastic, and bimetal for recycling are permitted by right as an accessory activity (see Accessory Activities, Section 17.10.040.P).

**L32.** This activity is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when located on a lot that is within six hundred (600) feet of a Residential Zone. If located within six hundred (600) feet of a Residential Zone boundary, any storage or use of hazardous materials or waste, as defined in O.M.C. Section 8.42.060, shall be reviewed and approved by the Fire Department prior to commencement of operation of operation or any alteration of activity. A risk management plan may also be required, per the Certified Program Uniform Assistance (CUPA) Ordinance (O.M.C. Chapter 8.42).

**L33.** Any proposed Group Assembly or Broadcasting and Recording Services activity that does not require a CUP but proposes to use amplified sound shall submit an Operational Noise Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to reduce operational noise to be consistent with Chapter 17.120 of the Planning Code.

#### **17.101K.060 – Permitted and Conditionally Permitted Facilities.**

[A OMITTED]

- B. Table 17.101K.02 lists the permitted, conditionally permitted, and prohibited facilities in the D-DT Zones. The descriptions of these facilities are contained in Chapter 17.10 and in Subsection A, above.

“P” designates permitted facilities in the corresponding zone.

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

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

“—” designates facilities that are prohibited.

**Table 17.101K.02: Permitted, Conditionally Permitted, and Prohibited Facilities**

| Activities                   | Primary Zones |        |         |        |         |          |         |         |         |          | Combining Zone*     | Additional Regulations |
|------------------------------|---------------|--------|---------|--------|---------|----------|---------|---------|---------|----------|---------------------|------------------------|
|                              | D-DT-P        | D-DT-C | D-DT-CX | D-DT-R | D-DT-RX | D-DT-CPW | D-DT-CW | D-DT-AG | D-DT-PM | D-DT-JLI | Employment Priority |                        |
| Residential Facilities       |               |        |         |        |         |          |         |         |         |          |                     |                        |
| One-Family Dwelling          | --(L1)        | --(L1) | --(L1)  | --(L1) | --(L1)  | --(L1)   | --(L1)  | --(L1)  | --(L1)  | --(L1)   | --                  |                        |
| Two- to Four-Family Dwelling | --(L1)        | --(L1) | --(L1)  | P(L2)  | --(L1)  | --(L1)   | --(L1)  | --(L1)  | --(L1)  | --(L1)   | --                  | 17.103.080             |

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| Activities                           | Primary Zones |                |         |           |         |            |         |           |           |          | Combining Zone*     | Additional Regulations   |
|--------------------------------------|---------------|----------------|---------|-----------|---------|------------|---------|-----------|-----------|----------|---------------------|--------------------------|
|                                      | D-DT-P        | D-DT-C         | D-DT-CX | D-DT-R    | D-DT-RX | D-DT-CPW   | D-DT-CW | D-DT-AG   | D-DT-PM   | D-DT-JLI | Employment Priority |                          |
| Multifamily Dwelling                 | P(L2)(L3)     | P(L2)(L3)(L11) | P(L2)   | P(L2)     | P(L2)   | P(L9)      | --(L1)  | --(L1)    | --(L1)    | --(L1)   | P(L4)               | 17.103.080               |
| Rooming House                        | P(L3)         | P(L3)(L11)     | P       | P         | P       | P(L9)      | --(L1)  | --(L1)    | --(L1)    | --(L1)   | P(L4)               |                          |
| Vehicular                            | --            | --             | --      | --        | --      | --         | --      | --        | --        | --       | --                  | 17.103.080<br>17.103.085 |
| <b>Nonresidential Facilities</b>     |               |                |         |           |         |            |         |           |           |          |                     |                          |
| Enclosed Nonresidential              | P             | P              | P       | P         | P       | P(L9)      | P       | P(L8)     | P(L8)     | P        | P                   |                          |
| Open Nonresidential                  | P             | P(L10)         | P(L10)  | C(L5)     | C(L5)   | P(L9)(L10) | P       | P         | P         | P        | P(L10)              |                          |
| Sidewalk Café Nonresidential         | P             | P              | P       | P         | P       | P(L9)      | --      | P         | P         | P        | P                   | 17.103.090               |
| Drive-In Nonresidential              | --            | --             | --      | --        | --      | --         | --      | --        | --        | --       | --                  |                          |
| Drive-Through Nonresidential         | --            | --             | --      | --        | --      | --         | --      | --        | --        | --       | --                  | 17.103.100               |
| D-DT Work/Live Nonresidential        | P(L3)(L6)     | P(L6)          | P(L6)   | P(L6)(L7) | P(L6)   | P(L6)(L9)  | P(L6)   | P(L6)(L8) | P(L6)(L8) | --       | --                  | 17.101K.070              |
| <b>Telecommunications Facilities</b> |               |                |         |           |         |            |         |           |           |          |                     |                          |
| Micro Telecommunications             | P             | P              | P       | P         | P       | P          | P       | P         | P         | P        | P                   | 17.128                   |
| Mini Telecommunications              | P             | P              | P       | C         | C       | P          | P       | P         | P         | P        | P                   | 17.128                   |
| Macro Telecommunications             | C             | C              | C       | C         | C       | C          | C       | C         | C         | C        | C                   | 17.128                   |
| Monopole Telecommunications          | C             | C              | C       | --        | --      | --         | --      | --        | --        | C        | C                   | 17.128                   |
| Tower Telecommunications             | --            | --             | --      | --        | --      | --         | --      | --        | --        | --       | --                  | 17.128                   |
| <b>Sign Facilities</b>               |               |                |         |           |         |            |         |           |           |          |                     |                          |
| Residential Signs                    | P             | P              | P       | P         | P       | P          | P       | P         | P         | P        | P                   | 17.104                   |
| Special Signs                        | P             | P              | P       | P         | P       | P          | P       | P         | P         | P        | P                   | 17.104                   |
| Development Signs                    | P             | P              | P       | P         | P       | P          | P       | P         | P         | P        | P                   | 17.104                   |
| Realty Signs                         | P             | P              | P       | P         | P       | P          | P       | P         | P         | P        | P                   | 17.104                   |
| Civic Signs                          | P             | P              | P       | P         | P       | P          | P       | P         | P         | P        | P                   | 17.104                   |
| Business Signs                       | P             | P              | P       | P         | P       | P          | P       | P         | P         | P        | P                   | 17.104                   |

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| Activities        | Primary Zones |        |         |        |         |          |         |         |         |          | Combining Zone*     | Additional Regulations |
|-------------------|---------------|--------|---------|--------|---------|----------|---------|---------|---------|----------|---------------------|------------------------|
|                   | D-DT-P        | D-DT-C | D-DT-CX | D-DT-R | D-DT-RX | D-DT-CPW | D-DT-CW | D-DT-AG | D-DT-PM | D-DT-JLI | Employment Priority |                        |
| Advertising Signs | --            | --     | --      | --     | --      | --       | --      | --      | --      | --       | --                  | 17.104                 |

**Limitations on Table 17.101K.02:**

\* If a D-DT Primary Zone also has the Employment Priority Combining Zone, the Employment Priority regulations supersede the Primary Zone.

**[L1-L2 OMITTED]**

- L3.** Except as indicated in a. below, construction of new ground-floor Residential Facilities and D-DT Work/Live Nonresidential Facilities is not permitted within thirty (30) feet of the principal street facade:
- Incidental pedestrian entrances that lead to one of these activities elsewhere in a building are exempted from this requirement. See Section 17.101K.080 for how to identify the principal street.

**[L4-L10 OMITTED]**

**L11.** Except as indicated in a. below, construction of new ground floor Residential Facilities is only permitted upon the granting of a Conditional Use Permit within thirty (30) feet of the principal street façade (see Chapter 17.134 for the CUP procedure):

- Incidental pedestrian entrances that lead to one of these activities elsewhere in a building are exempted from this requirement. See Section 17.101K.080 for how to identify the principal street.

**Chapter 17.103 SPECIAL REGULATIONS AND FINDINGS FOR CERTAIN USE CLASSIFICATIONS**

**Article III Commercial Activities**

**17.103.055 Special Regulation regarding Automotive Fee Parking.**

A. Automotive Fee Parking is permitted regardless of the use regulations of the underlying zone, as specified in (1) or (2), below.

1. For parking that is not devoted to car share services, the Facility meets all of the following:

**[a OMITTED]**

b) It is in an RU-5 Zone, or any Commercial Zone except a **D-BVD-DT, D-LM**, S-15, CR, HBX, or D-CO-1 Zone; and

**[c OMITTED]**

**[2 OMITTED]**

**[B OMITTED]**

**Article IV Industrial Activities**

**17.103.065 Truck-Intensive Industrial Activities.**

**[A-B OMITTED]**

B. Special Performance Standards (in addition to those Performance Standards contained in Chapter 17.120). Truck-Intensive Industrial Activities in the M-40, CIX, IG, IO, D-DT-JLI, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones located within six hundred (600) feet of any Residential Zone boundary shall be subject to the following special requirements to ensure that the criteria contained in Subsection B, above are fulfilled:

1. Truck access points to the activity site shall only be from truck routes designated by the City of Oakland. **If no designated truck route is directly adjacent to the site, an alternative truck access point may be considered, but only if such street directly connects between a designated truck route and the activity site without passing through, or adjacent to, any Residential Zone boundary;**

**[2-10 OMITTED]**

**[D OMITTED]**

**Chapter 17.116 OFF-STREET PARKING AND LOADING REQUIREMENTS****17.116.300 Parking accommodation requirements for One-Family and Two- to Four- Family Residential Facilities.**

The provisions of this Section apply to lots containing One-Family Dwelling or Two- to Four- Family Dwelling Residential Facilities. Exceptions to the provisions of this Section may be approved pursuant to the design review procedure in Chapter 17.136.

**A. Required Parking location****1) This subsection applies to lots where both:**

- i. At least sixty percent (60%) of the buildings in the immediate context have required parking located to the rear or side at a depth of at least twenty-five (25) feet from the front lot line; and

**[ii OMITTED]**

- 2) For the lots described in Subsection 17.116.300(A)(1), the entirety of required any garages, carports or any uncovered required parking spaces shall be located at one of the following locations:

**[1-2 OMITTED]**

The immediate context shall consist of the five (5) closest lots on each side of the project site plus the ten (10) closest lots on the opposite side of the street; however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any approval of any required garage, carport, or uncovered parking space. Lots with a front lot line width of less than thirty-five (35) feet are exempt from this Subsection requirement if the garage, carport or uncovered parking space dimensions facing the front lot line equal less than fifty (50) percent of the building elevation facing the front lot line.

- B. Garage or Carport Recessed from Front of Residence in Certain Cases. When an attached or detached garage or carport is not subject to Subsection A. of this Section and is located on lots with a street-to-setback gradient of twenty percent (20%) or less and where the face of the primary Residential Facility, including projections at least eight (8) feet in height and five (5) feet in width, such as covered porches and bay windows, is within twenty-five (25) feet of the front lot line, at least one of the following requirements shall apply:

**[1 OMITTED]**

- 2. If the garage or carport is located below living space, either:

- a. The front of the garage or carport shall be set back at least eighteen (18) inches from the upper level living space; or

**[b OMITTED]**

- B. Maximum Widths of Garages and Carports. Garages and carports shall have a maximum width of twenty-two (22) feet if the front of the garage or carport is located within thirty (30) feet of a street line and shall have a maximum width of thirty (30) feet if located elsewhere. In addition, all attached garages and carports located on lots with a street-to-setback gradient of twenty percent (20%) or less shall have a maximum width not to exceed fifty percent (50%) of the total width of the primary Residential Facility if the front of the garage or carport is located within thirty (30) feet of a street line.
- C. Parking Restricted to Garages, Carports, Uncovered Required Parking Spaces or Driveways. Parking on a lot containing primary Residential Facilities may take place only in garages, carports, uncovered

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~~required~~ parking spaces in permitted locations, or approved driveways.

**Chapter 17.128 TELECOMMUNICATIONS REGULATIONS**

**17.128.025 Restrictions on Telecommunications Facilities.**

- A. Any Telecommunications Facility shall not be permitted in, or within one hundred (100) feet of the boundary of, any Residential Zone, HBX Zone, or D-CE-3 or D-CE-4 Zone, except upon the granting of a Conditional Use Permit ~~major conditional use permit~~ pursuant to the conditional use permit procedure in Chapter 17.134.
- B. Any Monopole Telecommunications Facilities shall not be permitted in, or within three hundred (300) feet of the boundary of, any Residential Zone, HBX Zone, or D-CE-3 or D-CE- 4 Zone, except upon the granting of a Major Conditional Use Permit ~~major conditional use permit~~ pursuant to the conditional use permit procedure in Chapter 17.134.
- C. Any Telecommunications Facility whose antennas and equipment are not fully concealed from view shall not be permitted within three hundred (300) feet of the boundary of Residential Zones RH-1 through RU-1 inclusive, any HBX Zone, or D-CE-3 or D-CE-4 Zone, except upon the granting of a Conditional Use Permit ~~major conditional use permit~~ pursuant to the conditional use permit procedure in Chapter 17.134.

**Chapter 17.134 CONDITIONAL USE PERMIT PROCEDURE**

**17.134.020 Definition of Major and Minor Conditional Use Permits.**

- A. **Major Conditional Use Permit.** A Conditional Use Permit (CUP) is considered a Major Conditional Use Permit if it involves any of the following:

**[1-2 OMITTED]**

3. **Special Situations.** Any project requiring a Conditional Use Permit that involves any of the following situations:

**[a-c OMITTED]**

- d. Monopole Telecommunications Facilities in, or within three hundred (300) feet of the boundary of, any Residential or HBX Zone, D-CE-3 or D-CE-4 Zone;

**[e-f OMITTED]**

g. A Telecommunications Facility in or within one hundred (100) feet of the boundary of any Residential Zone, HBX Zone, or the D-CE-3 or D-CE-4 Zone;

h. A Telecommunications Facility whose antennas and equipment are not fully concealed from view within three hundred (300) feet of the boundary of the RH, RD, RM, RU-1, or RU-2 Zones, HBX Zones, or the D-CE-3 or D-CE-4 Zone;

ig. A project requiring a Conditional Use Permit as set forth under Section 17.153.050 for any demolition or conversion of Residential Hotel Units or a Residential Hotel.

ih. A Park Master Plan for a City-Owned Park, subject to the provisions of Section 17.135.050(A).

**[B OMITTED]**

**Chapter 17.135 SPECIAL USE PERMIT REVIEW PROCEDURE FOR THE OS ZONE**

**17.135.010 Title, purpose, and applicability.**

The provisions of this Chapter shall be known as the Special Use Permit Review Procedures for the OS Zone. The purpose of these provisions is to prescribe the procedure for reviewing projects which are proposed in the OS Zone, including provisions for public participation. This procedure shall apply to all improvements or changes in use, as defined in Section 17. ~~09.05011.015~~.

**17.135.030 Procedure for consideration.**

No change in use or improvement, as defined in Section 17. ~~09.05011.015~~, shall occur on land designated OS unless the following process has been followed:

**[A-D OMITTED]**

**Chapter 17.136 DESIGN REVIEW PROCEDURE**

**17.136.030 Small Project Design Review.**

**[A-F OMITTED]**

G. Other Projects

**[1-3 OMITTED]**

4. Community Education Civic Activities that do not trigger a Conditional Use Permit, but do require review and approval of a Pick-Up and Drop-Off Management Plan, as specified in the individual zoning district regulations;

5. Group Assembly Commercial Activities that do not trigger a Conditional Use Permit, but do require review and approval of a Operational Noise Plan, as specified in the individual zoning district regulation.