

*Mark P. Wald*  
City Attorney

INTRODUCED BY COUNCIL MEMBER \_\_\_\_\_  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 MAY 14 PM 4:27 **OAKLAND CITY COUNCIL**

**ORDINANCE NO. 12939 C.M.S.**

**AN ORDINANCE, RECOMMENDED BY THE CITY PLANNING COMMISSION, TO (A) AMEND THE USE CLASSIFICATIONS IN CHAPTER 17.10 OF THE CITY OF OAKLAND PLANNING CODE AND MAKE OTHER RELATED CHANGES THROUGHOUT THE PLANNING CODE; AND (B) REVISE THE GUIDELINES FOR DETERMINING PROJECT CONFORMITY WITH THE GENERAL PLAN AND ZONING REGULATIONS TO CONFORM TO THE PLANNING CODE AMENDMENTS**

**WHEREAS**, the General Plan Land Use and Transportation Element, adopted in 1998, prioritized updating the Planning Code to create a more user-friendly framework for reviewing and approving development proposals; and

**WHEREAS**, the proposed amendments modernizes the use classifications that have not been comprehensively updated since the adoption of the Planning Code in 1965, will make the Planning Code more user-friendly and applicable to the current types of activities seen in Oakland and will also allow more flexibility to appropriately regulate activities in the zoning regulations developed during the rezoning process; and

**WHEREAS**, on February 18, 2009, at a duly noticed meeting, the Zoning Update Committee recommended that the use classifications amendments be heard by the Planning Commission; and

**WHEREAS**, on April 15, 2009, at a duly noticed meeting, the Planning Commission recommended approval of the Planning Code amendments to the City Council; now, therefore,

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

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

**Section 2.** Prior to adopting this Ordinance, the City Council independently finds and determines that this action complies with CEQA because the City is relying on previously certified EIRs and no further environmental review is required under CEQA Guidelines sections 15162 and 15163. As a separate and independent basis, this Ordinance is also exempt under Sections 15061(b)(3) and/or 15183, and/or of the State CEQA Guidelines. The Environmental Review Officer is directed to cause to be filed a Notice of Determination/Notice of Exemption with the appropriate agencies.

**Section 3.** This Ordinance shall be effective 30 days from the date of final passage by the City Council, but shall not apply to (a) building/construction related permits already issued and not yet expired; (b) zoning applications approved by the City and not yet expired; or (c) complete zoning applications, as of the adoption date.

**Section 4.** The Oakland Planning Code is hereby amended to include the update of the use classifications Chapter 17.10 of the Oakland Planning Code and other related changes throughout the Planning Code contained in **Exhibit A**, attached hereto and hereby incorporated by reference.

**Section 5.** The Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations is hereby amended to make changes in Tables 2 and 2A that are related to the update of the use classification as contained in **Exhibit B**, attached hereto and hereby incorporated by reference.

**Section 6.** 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 7.** If any section, subsection, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of the remaining portions which shall remain in full effect.

**Section 8.** That the record before this Council relating to this Ordinance includes, without limitation, the following:

1. the application, including all accompanying maps and papers;
2. all relevant plans and maps;
3. all final staff reports, decision letters and other documentation and information produced by or on behalf of the City;
4. all oral and written evidence received by the City staff, Planning Commission and City Council before and during the public hearings on the application;
5. all matters of common knowledge and all official enactments and acts of the City, such as (a) the General Plan and the General Plan Conformity Guidelines; (b) Oakland Municipal Code, including, without limitation, the Oakland real estate regulations, Oakland Fire Code; (c) Oakland Planning Code; (d) other applicable City policies and regulations; and, (e) all applicable state and federal laws, rules and regulations.

**Section 9.** That the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City Council's decision is based are respectively: (a) Community & Economic Development Agency, Planning & Zoning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA.; and (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1<sup>st</sup> floor, Oakland, CA; and be it

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 16 2009

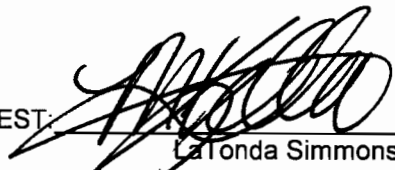
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION: 6/27/09

Introduction Date: JUN 2 2009

MPW

## NOTICE AND DIGEST

**An Ordinance, recommended by the City Planning Commission, to (a) amend the Use Classifications in Chapter 17.10 of the City of Oakland Planning Code and make other related changes throughout the Planning Code; and (b) revise the Guidelines for Determining Project Conformity With the General Plan and Zoning Regulations to conform to the Planning Code amendments.**

This ordinance modernizes these use classifications that have not been comprehensively updated since the adoption of the Planning Code in 1965. This update will make the Planning Code more user-friendly and applicable to the current types of activities seen in Oakland. It will also allow more flexibility to appropriately regulate activities in the zoning regulations developed during the rezoning process.

Additions to the Planning Code are shown as underline and omissions are shown as ~~strikethrough~~. Changes made by the City Council at their June 2, 2009 meeting are shown in grey.

## Chapter 17.10

### USE CLASSIFICATIONS

#### Article I

##### General Classification Rules

**Sections:**

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

#### Article II

##### Activity Types

###### Part 1

##### Residential Activity Types

**Sections:**

- 17.10.100 General description of Residential Activities.
- 17.10.110 Permanent Residential Activities.
- 17.10.112 Residential Care Residential Activities
- 17.10.114 Service-Enriched Permanent Housing Residential Activities.
- 17.10.116 Transitional Housing Residential Activities.
- 17.10.118 Emergency Shelter Residential Activities.
- 17.10.120 Semi-Transient Residential Activities.

###### Part 2

##### Civic Activity Types

**Sections:**

- 17.10.130 General Description of Civic Activities.
- 17.10.140 Essential Service Civic Activities.
- 17.10.150 Limited Child-Care Activities.
- 17.10.1670 Community Assembly Civic Activities.
- 17.10.170 Recreational Assembly Civic Activities.
- 17.10.180 Community Education Civic Activities.
- 17.10.190 Nonassembly Cultural Civic Activities.
- 17.10.200 Administrative Civic Activities.
- 17.10.220 Health Care Civic Activities.

- 17.10.225 Special Health Care Civic Activities.
- 17.10.230 Utility and Vehicular Civic Activities.
- 17.10.240 Extensive Impact Civic Activities.
- 17.10.250 Telecommunication Activities.

### Part 3

#### Commercial Activity Types

##### Sections:

- 17.10.260 General description of Commercial Activities.
- 17.10.270 General Food Sales Commercial Activities.
- 17.10.272 Full Service Restaurant Commercial Activities.
- 17.10.274 Limited Service Restaurant and Café.
- 17.10.280 Convenience Market Commercial Activities.
- 17.10.290 Fast-Food Restaurant Commercial Activities.
- 17.10.300 Alcoholic Beverage Sales Commercial Activities.
- ~~17.10.310 Convenience Sales and Service Commercial Activities.~~
- 17.10.320 Mechanical or Electronic Games Commercial Activities.
- 17.10.330 Medical Service Commercial Activities.
- 17.10.340 General Retail Sales Commercial Activities.
- 17.10.345 Large-scale Combined Retail and Grocery Sales Commercial Activities.
- ~~17.10.350 General Personal Consumer Service Commercial Activities.~~
- 17.10.360 Consultative and Financial Service Commercial Activities.
- 17.10.365 Check Cashier and Check Cashing Activity.
- 17.10.370 Consumer ~~Laundry Cleaning~~ and Repair Service Commercial Activities.
- 17.10.375 Dry Cleaning Plant Commercial Activities.
- 17.10.380 Group Assembly Commercial Activities.
- 17.10.385 Personal Instruction and Improvement and Small Scale Entertainment Commercial Activities.
- 17.10.390 Administrative Commercial Activities.
- ~~17.10.400 Business and Communication Service~~Business, Communication, and Media Service  
Commercial Activities.
- 17.10.410 Broadcasting and Recording Service Commercial Activities
- ~~17.10.410 Retail Business Supply Commercial Activities.~~
- 17.10.420 Research Service Commercial Activities.
- 17.10.430 General Wholesale Sales Commercial Activities.
- 17.10.440 Transient Habitation Commercial Activities.
- ~~17.10.450 Construction Sales and Service~~Wholesale Professional Building Material Sales  
Commercial Activities.
- ~~17.10.460 Automotive Sales, Rental, and Delivery Commercial Activities~~Automobile and  
Other Light Vehicle Sales and Rental.
- ~~17.10.470 Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and  
Servicing Commercial Activities.
- ~~17.10.480 Automotive Repair and Cleaning~~Automobile and Other Light Vehicle Repair and  
Cleaning Commercial Activities.
- 17.10.485 Taxi and Light Fleet-Based Service
- 17.10.490 Automotive Fee Parking Commercial Activities.
- 17.10.500 Transport and Warehousing Commercial Activities
- 17.10.505 Animal Boarding Commercial Activities.
- 17.10.510 Animal Care Commercial Activities.
- 17.10.520 Undertaking Service Commercial Activities.

**Part 4  
Industrial Activity Types**

**Sections:**

- 17.10.540 General Description of Industrial Activities.**
- 17.10.550 Custom Manufacturing Industrial Activities.**
- 17.10.560 Light Manufacturing Industrial Activities.**
- 17.10.570 General Manufacturing Industrial Activities.**
- 17.10.580 Heavy/High Impact Industrial Activities.**
- 17.10.581 Research and Development Industrial Activities.**
- 17.10.582 Construction Operations Industrial Activities.**
- 17.10.583 Warehousing, Storage, and Distribution Industrial Activities.**
- 17.10.584 Regional Freight Transportation Industrial Activities.**
- 17.10.585 Trucking and Truck-Related Industrial Activities.**
- 17.10.586 Recycling and Waste-Related Industrial Activities.**
- 17.10.587 Hazardous Materials Production, Storage and Waste Management Industrial Activities.**

**Part 5  
Agricultural and Extractive Activity Types**

**Sections:**

- 17.10.590 General description of Agricultural and Extractive Activities.**
- 17.10.600 Plant Nursery Agricultural Activities.**
- 17.10.610 Crop and Animal Raising Agricultural Activities.**
- 17.10.620 Mining and Quarrying Extractive Activities.**

**Article III  
Facility Types**

**Part 1  
Residential Facility Types**

**Sections:**

- 17.10.630 General description of Residential Facilities.**
- 17.10.640 One-Family Dwelling Residential Facilities.**
- 17.10.650 One-Family Dwelling with Secondary Unit Residential Facilities.**
- 17.10.670 Two-Family Dwelling Residential Facilities.**
- 17.10.680 Multifamily Dwelling Residential Facilities.**
- 17.10.690 Rooming House Residential Facilities.**
- 17.10.700 Mobile Home Residential Facilities.**

**Part 2  
Nonresidential Facility Types**

**Sections:**

- 17.10.710 General description of Nonresidential Facilities.**
- 17.10.720 Enclosed Nonresidential Facilities.**
- 17.10.730 Open Nonresidential Facilities.**
- 17.10.740 Drive-In Nonresidential Facilities.**
- 17.10.750 Sidewalk cafe, facility.**
- 17.10.760 Shopping Center Facility.**

**17.10.770 Drive-Through Nonresidential Facilities.**

**Part 3  
Sign Types**

**Sections:**

- 17.10.780 General description of Signs.**
- 17.10.790 Residential Signs.**
- 17.10.800 Special Signs.**
- 17.10.810 Development Signs.**
- 17.10.820 Realty Signs.**
- 17.10.830 Civic Signs.**
- 17.10.840 Business Signs.**
- 17.10.850 Advertising Signs.**

**Part 4  
Telecommunications Facility Types**

**Sections:**

- 17.10.860 General description of Telecommunications Facilities.**
- 17.10.870 Micro.**
- 17.10.880 Mini.**
- 17.10.890 Macro.**
- 17.10.900 Monopole.**
- 17.10.910 Tower.**

**17.10.030 Listing of activity classifications.**

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

- A. Residential Activities:
  - Permanent
  - Semi-Transient
  - Residential Care
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
  - Telecommunications
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant



- Limited Service Restaurant and Café
- Convenience Market
- Fast-Food Restaurant
- Alcoholic Beverage Sales
- ~~Convenience Sales and Service~~
- Mechanical or Electronic Games
- Medical Service
- General Retail Sales
- ~~General Personal Consumer Service~~
- Consultative and Financial Service
- Consumer ~~Laundry~~ Cleaning and Repair Service
- Consumer Dry Cleaning Plant
- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- Administrative
- Business and Communications Service
- ~~Retail Business Supply~~
- Research Service
- General Wholesale Sales
- Transient Habitation
- ~~Construction Sales and Service~~ Wholesale Professional Building Material Sales
- ~~Automotive Sales, Rental, and Delivery~~ Automobile and Other Light Vehicle
- Sales and Rental
- ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and
- Servicing
- ~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and
- Cleaning
- Taxi and Light Fleet-Based Service
- Automotive Fee Parking
- Animal Care
- Animal Boarding
- Undertaking Service
- D. Industrial Activities:
  - Custom Manufacturing
  - Light Manufacturing
  - General Manufacturing
  - Heavy/High Impact Manufacturing
  - Research and Development
  - Construction Operations
  - Warehousing, Storage, and Distribution
  - Regional Freight Transportation
  - Trucking and Truck-Related
  - Recycling and Waste-Related
  - Hazardous Materials Production, Storage and Waste Management
- E. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
  - Mining and Quarrying

(Ord. 12138 § 4 (part), 1999; Ord. 12072 § 4, 1998; Ord. 11904 § 5.02, 1996; prior planning code § 2210)

**17.10.050 Classification of combinations of principal activities.**

The following rules shall apply where a single lot contains activities which resemble two or more different activity types and which are not classified by Section 17.10.040 as accessory activities:

A. **Separate Classification of Each Establishment.** The principal activities conducted on a single lot by each individual establishment, management, or institution shall be classified separately.

B. **Separate Classification of Different Major Classes of Activities Conducted by Single Establishment.** If the principal activities conducted on a single lot by a single establishment, management, or institution resemble two or more different major classes of activities--Residential, Civic, Commercial, Industrial or Agricultural and Extractive Activities--the principal activities resembling each major class shall be classified separately.

C. **Classification of Different Activities Within Same Major Class, Conducted by Single Establishment.** If principal activities conducted on a single lot by a single establishment, management, or institution resemble two or more different activity types within the same major class of activities, all such principal activities shall be classified in the activity type within said class the description of which type most closely portrays the overall nature of such activities. However, when they have any of the characteristics of Utility and Vehicular, Health Care, or Extensive Impact Civic Activities; Alcoholic Beverage Sales, or General Wholesale Sales, Commercial Activities; General Manufacturing, or Heavy/High Impact Manufacturing, or Warehousing, Storage, and Distribution-Automotive Salvage/Junk Yards Industrial Activities; or Crop and Animal Raising or Mining and Quarrying Agricultural or Extractive Activities, all such principal activities within the same major class of activities as any of such types shall be classified within that one of such types the description of which most closely portrays said principal activities; except that all such Industrial-Activities shall be classified within the Warehousing, Storage, and Distribution-Automotive Salvage/Junk Yards Industrial Activities type if they have any of its characteristics, and all such Industrial Activities shall be classified within the Heavy/High Impact Manufacturing Industrial Activities type if they have any of its characteristics.

D. **Classification of Different Activities Within the Same Major Class Conducted on the Site of an ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activity.** All principal activities conducted on the site of an ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activity shall be classified as ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities regardless of separate ownership or management, unless said principal activity is listed as a Conditionally Permitted Activity pursuant to the individual zone regulations and such principal activity requires a Major Conditional Use Permit pursuant to Section 17.134.020. (Prior planning code § 2213).

## **Article II Activity Types**

### **Part 1 Residential Activity Types**

#### **17.10.100 General description of Residential Activities.**

Residential Activities include the occupancy of living accommodations on a wholly or primarily nontransient basis; except for transient occupancy of Emergency Shelters; but exclude institutional living arrangements other than those that are defined as Residential Care, Service-Enriched Permanent Housing, Transitional Housing and Emergency Shelter Residential Activities. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Ord. 12138 § 4 (part), 1999: prior planning code § 2250)

#### **17.10.110 Permanent Residential Activities.**

Permanent Residential Activities include the occupancy of living accommodations on a weekly or longer basis, with none of the living units under the same ownership or management on the same lot

being occupied on a shorter basis; but exclude institutional living arrangements other than state-licensed residential care facilities for six or fewer residents including family foster care homes. However, such residential care facilities shall be subject to the three hundred (300) foot separation requirement in Section 17.102.212B. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Ord. 12138 § 4 (part), 1999; prior planning code § 2260)

**17.10.112 Residential Care Residential Activities.**

Residential Care Residential Activities include all residential care facilities that require a state license or are state licensed for seven or more residents which provide twenty-four (24) hour primarily nonmedical care and supervision. Occupancy of living accommodations by six or fewer disabled persons, elderly persons, or persons in need of support services for chemical dependency recovery; or a family foster care home; or occupancy of any facilities supervised by or under contract with the State Department of Corrections, are excluded. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ State licensed residential care facilities for six or fewer residents shall be treated as Permanent Residential Activities except with regard to the three hundred (300) foot separation requirement in Section 17.102.212(B). (Ord. 12138 § 4 (part), 1999)

**17.10.114 Service-Enriched Permanent Housing Residential Activities.**

Service-Enriched Permanent Housing Residential Activities include permanent housing in which residents are tenants who live independently and have access to various voluntary support services, such as, health, mental health, education and employment/training services. These services may be provided on-site and/or off-site. If support services are also offered on-site and off-site residents, the support services component will be classified and regulated as Community Education and/or Health Care Civic Activities. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Ord. 12138 § 4 (part), 1999)

**17.10.116 Transitional Housing Residential Activities.**

Transitional Housing Residential Activities include all types of “transitional housing programs” as defined by the state of California, which are designed to assist persons in obtaining skills necessary for independent living in permanent housing and which have all of the following components:

A. Support services programs that include regular individualized case management services and may include alcohol and drug abuse counselling, self-improvement education, employment and training assistance services, and independent living skills development.

B. Use of a living unit by a resident in a structured living environment, which use is conditioned upon compliance with the transitional housing program rules and regulations.

C. A rule or regulation which specifies an occupancy period of not less than thirty (30) days, but not more than twenty-four (24) months.

If support services are also offered on-site to off-site residents, the support services component will be classified and regulated as Community Education and/or Health Care Civic Activities. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Ord. 12138 § 4 (part), 1999)

**17.10.118 Emergency Shelter Residential Activities.**

Emergency Shelter Residential Activities include the provision of short term housing, partly on a less-than-weekly basis and partly for a longer period, with or without a fee, to individuals who are homeless and who may require special services. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Ord. 12138 § 4 (part), 1999)

**17.10.120 Semi-Transient Residential Activities.**

Semi-Transient Residential Activities include the occupancy of living accommodations partly on a weekly or longer basis and partly for a shorter time period, but with less than 30 percent of the living units under the same ownership or management on the same lot being occupied on a less-than-weekly basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2261)

**17.10.125 Bed and Breakfast Residential Activities.**

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

- The activity occupies a One-Family Dwelling Residential Facility, One-Family Dwelling with Secondary Unit Residential Facility, or a Two-Family Dwelling Residential Facility;
- The activity allows no more than 12 adult paying guests at any time and contains no more than six guest units;
- The activity is located in a facility that is owner occupied;
- The activity is located in a facility on a property with an existing or contingency historic rating of "A", "B", "C", or "D" or is a Landmark according to the City of Oakland Office of Historic Preservation
- The facility includes incidental eating and drinking services for lodgers only that are provided from a single kitchen per bed and breakfast establishment.

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

## **Part 2 Civic Activity Types**

**17.10.130 General Description of Civic Activities.**

Civic Activities include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other activities which are strongly vested with public or social importance. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2300)

**17.10.140 Essential Service Civic Activities.**

Essential Service Civic Activities include the maintenance and operation of the following installations: ~~They also include certain activities accessory thereto, as specified in Section 17.10.040.~~

- A. Electric, gas, and telephone distribution lines and poles, and water, storm drainage, and sewer lines, with incidental appurtenances thereto, but excluding electric transmission lines;
- B. Community and botanical gardens;
- C. Private streets;
- D. Public polling places;

- E. Freeways, rapid transit routes, streets, alleys, and paths, but excluding ~~uses~~activities on, under, or over such ways which ~~uses~~activities are not customarily appurtenant thereto;
- F. Seasonal retail sales conducted for a limited duration under valid license or lease on property owned by the city;
- F. Police and Fire stations;
- G. Post offices, but excluding major mail processing centers;
- H. Telecommunications activities including the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received. (Ord. 11904 § 5.05, 1996; prior planning code § 2323)
- GI. All activities not classified elsewhere in the use regulations that are conducted on city and regional parklands and which are specifically referenced in master plans which are adopted by the Oakland City Council. (Ord. 12078 § 5 (part), 1998; prior planning code § 2310)

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

**17.10.150 Limited Child-Care Activities.**

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

**17.10.160 Community Assembly Civic Activities.**

Community Assembly Civic Activities include the provision of civic activities to assembled groups of spectators or participants at the following institutions or installations. Examples of activities in this classification include but are not limited to the following:

- churches, temples, synagogues, and other similar places of worship;
- public and private nonprofit clubs, lodges, meeting halls, and recreation centers;
- performing arts centers
- public and nonprofit gymnasiums and indoor swimming pools

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

**17.10.170 Community Recreational Assembly Civic Activities.**

~~Community Recreational Assembly Civic Activities include the provision of recreational activities, typically performed by, participants within public facilities. Examples of activities in this classification include but are not limited to the following: or at, the following institutions or installations. They also include certain activities accessory thereto, as specified in Section 17.10.040.~~

- ~~\_\_\_\_\_ A. \_\_\_\_\_ Churches, temples, and synagogues;~~
- ~~B. F~~Food-service and other concessions located within public parks;
- ~~\_\_\_\_\_ C. \_\_\_\_\_ Public, parochial, and private nonprofit clubs, lodges, meeting halls, and recreation centers;~~
- ~~D. \_\_\_\_\_~~public and parochial playgrounds and playing fields;
- ~~E. \_\_\_\_\_~~Temporary nonprofit festivals;
- ~~F. \_\_\_\_\_~~Basketball courts, tennis courts, handball courts, lawn bowling, and similar outdoor park and recreational facilities;

- ~~\_\_\_\_\_ G. \_\_\_\_\_ Public, parochial, and private nonprofit gymnasiums;~~
- H. cCommunity outdoor swimming and wading pools, and other water play features;
- I. pPicnic areas. (Ord. 12078 § 5 (part), 1998; prior planning code § 2314)

\_\_\_\_\_ This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.17.10.040

**17.10.180 Community Education Civic Activities.**

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

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

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

**17.10.190 Nonassembly Cultural Civic Activities.**

Activities that are primarily engaged in the display or preservation of objects of interest in the arts or sciences, for public, or private non-profit purposes. Examples of activities in this classification include but are not limited to the following:

- publicly owned and nonprofit art galleries
- plant conservatories
- libraries
- museums
- observatories

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

~~**17.10.190 Nonassembly Cultural Civic Activities.**~~

~~Nonassembly Cultural Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 17.10.040.~~

- ~~\_\_\_\_\_ A. \_\_\_\_\_ Public, parochial, and private nonprofit museums and art galleries;~~
- ~~\_\_\_\_\_ B. \_\_\_\_\_ Public, parochial, and private nonprofit libraries, conservatories, and observatories. (Ord. 12078 § 5 (part), 1998; prior planning code § 2317)~~

**17.10.200 Administrative Civic Activities.**

Administrative Civic Activities include the activities typically performed by ~~public,~~ public, parochial, government and public utility administrative offices. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2318)~~

**17.10.220 Health Care Civic Activities.**

Health Care Civic Activities include all activities which primarily provide medical care and supervision other than those defined elsewhere in the Zoning Regulations. Examples of activities in this classification include but are not limited to the following: ~~and are typically performed by the following institutions.~~

~~They also include certain activities accessory thereto, as specified in Section 17.10.040.~~

- A. Health clinics;
- B. Hospitals;
- C. Skilled nursing, extended care, residential care (including facilities licensed for six or fewer residents), and assisted living facilities, all of which provide medical care on site;
- D. Nonresidential centers providing psychological or family counseling and mental hygiene services to individuals or groups;
- E. Support services which include regular individualized case management for both on-site and off-site residents in conjunction with Service-Enriched Permanent Housing and Transitional Housing Residential Activities;
- F. Facilities which provide inpatient and/or outpatient medical and/or psychological treatment for mental illness, substance and alcohol abuse and addiction;
- G. State licensed "Adult Day Care Facilities" and "Adult Day Support Centers". (Ord. 12138 § 4 (part), 1999: prior planning code § 2320)

This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. (Ord. 12138 § 4 (part), 1999: prior planning code § 2320)

**17.10.225 Special Health Care Civic Activities.**

Special Health Care Civic Activities include all activities defined by Health Care Civic Activities in Section 17.10.220 ~~(F (Health Care Civic Activities: Facilities which provide inpatient and/or outpatient medical and/or psychological treatment for mental illness, substance and alcohol abuse and addiction))~~ when such services are provided primarily to persons who currently use hypodermic needles to illegally inject controlled substances and where such services may include needle exchange, drug treatment, drug counseling or such other health services frequently required by persons currently using hypodermic needles to illegally inject controlled substances. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. (Ord. 12450, § 3, 2002).

**17.10.230 Utility and Vehicular Civic Activities.**

Utility and Vehicular Civic Activities include the maintenance and operation of the following installations. ~~They also include certain activities accessory thereto, as specified in Section 17.10.040.:~~

- A. Communications equipment installations and exchanges, but excluding Telecommunications Activities specified in Section 17.10.140 Essential Civic Service Activities~~250~~;
- B. Electrical substations;
- ~~C. Emergency hospitals operated by a public agency;~~
- ~~D.~~ Gas substations;
- ~~D~~E. Neighborhood newscarrrier distribution centers;
- ~~F. Police stations and fire stations;~~
- ~~G. Post offices, but excluding major mail processing centers;~~

~~HE~~. Publicly operated off-street parking lots and garages available to the general public either without charge or on a fee basis. (Prior planning code § 2321)

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

**17.10.240 Extensive Impact Civic Activities.**

Extensive Impact Civic Activities include the activities typically performed by, or the maintenance and operation of, the following institutions and installations; ~~They also include certain activities accessory thereto, as specified in Section 17.10.040.~~

- A. Airports, heliports, and helistops;
- B. Cemeteries, mausoleums, and columbariums;
- C. Colleges, junior colleges, and universities, but excluding business schools operated as profit making enterprises;
- D. Detention and correction institutions;
- E. Docks and wharves operated by a public agency;
- F. Electric transmission lines;
- G. Garbage dumps;
- H. Golf courses and driving ranges;
- I. Major mail-processing centers;
- J. Military installations;
- K. Public and public utility corporation or truck yards;
- L. Radio and television transmission stations;
- M. Railroad and bus terminals;
- N. Railroad rights-of-way and yards and bus storage areas;
- O. Reservoirs and water tanks;
- P. Sewage disposal tanks;
- Q. Stadiums, sports arenas, auditoriums, and bandstands;
- R. Truck terminals operated by a public agency;
- S. Zoological gardens and wildlife preserves;
- ~~T. Reverse vending machines and other recycling collection centers;~~
- ~~U. Large recycling collection centers;~~
- ~~V. Campgrounds;~~
- ~~W. Stormwater detention ponds and facilities;~~
- ~~VX. Facilities supervised by or under contract with the State Department of Corrections, including alternative sentencing and community work release programs. (Ord. 12138 § 4 (part), 1999; Ord. 12078 § 5 (part), 1998; prior planning code § 2322)~~

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

**17.10.250 — Telecommunication Activities.**

~~Telecommunication Activities include the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received. (Ord. 11904 § 5.05, 1996; prior planning code § 2323)~~



### Part 3 Commercial Activity Types

#### **17.10.260 General description of Commercial Activities.**

Commercial Activities include the distribution and sale or rental of goods; the provision of services other than those classified as Civic Activities; and the administrative and research operations of private, profit-oriented firms, other than public utility firms. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2350)

#### **17.10.270 General Food Sales Commercial Activities.**

General Food Sales Commercial Activities includes the retail sales of food or beverages for off-site preparation and consumption. This classification includes, but is not limited to, the following:

A. Supermarkets or grocery stores that offer a variety of food items for home consumption such as a combination of fresh fruits, vegetables, breads, meat, dairy products, cereals, pastas, and prepackaged foods. Generally, grocery stores are a minimum 5,000 square feet and have a minimum 20 percent of net retail floor area devoted to the display of fresh fruits and vegetables/and or fresh meats, whichever is greater.

B. Stores specializing in particular or distinctive food items, including, but not limited to retailers whose primary business maintains an inventory of specialty, gourmet, health, or ethnic food items. Examples of activities in this classification include but are not limited to the following:

- gourmet food stores
- bakeries
- butchers
- specialty food stores
- fish and poultry shops
- produce markets
- delicatessens (may include sandwich shops in conjunction with the sale of other delicatessen products)
- health food stores

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

#### **17.10.272 Full Service Restaurant Commercial Activities.**

Restaurants providing food or beverage services to patrons who order and are served while seated (table service), and pay after eating. Only a minor proportion, if any, of the food is sold for consumption off-premises. These restaurants have kitchens that contain equipment suitable for cooking an assortment of foods. Also, see 17.102.180 and 17.156.070 for definitions of a full-service restaurant in relation to Alcoholic Beverage Sales. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

#### **17.10.274 Limited Service Restaurant and Cafe.**

Restaurants that generally provide food or beverage services to patrons that order and pay before eating. Food and beverages may be served in disposable containers and may be consumed on the premises or taken out. Seating for on-premises consumption is usually available and table service may not be provided. Examples of these activities include, but are not limited to, cafés and restaurants that do not fall under 17.10.270 Full Service Restaurant or 17.10.290 Fast-food Restaurant Commercial

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

**~~17.10.270 — General Food Sales Commercial Activities.~~**

~~General Food Sales Commercial Activities include the retail sale, from the premises, of food or beverages for home consumption, as well as the retail sale of prepared food or beverages for on-premises consumption, but exclude the activities described in Sections 17.10.280, 17.10.290, and 17.10.300. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2360)~~

**17.10.280 Convenience Market Commercial Activities.**

Convenience Market Commercial Activities include the retail sale of food, beverages, and small personal convenience items, primarily for off-premises consumption and typically found in establishments with long or late hours of operation and a relatively small building; but exclude delicatessens and other specialty food shops, ~~and also exclude establishments which~~ that have a sizeable assortment amount of highly perishable items such as of fresh fruits and vegetables, and fresh-cut meat. In general, “late hours of operation” means businesses that stay open until or after 10:00 PM or at or before 7:00 AM; “relatively small building” means a building that is less than 5,000 square feet; and “a sizeable amount of highly perishable items” means at least 20 percent of net retail floor area devoted to fresh fruits and vegetables and/or fresh meats, whichever is greater, devoted to these products. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2361)~~

**17.10.290 Fast-Food Restaurant Commercial Activities.**

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

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

A.—

~~In those areas of the city subject to the vehicular food vending pilot program ordinance, “vehicular food vending” is not considered a “Fast Food Restaurant Commercial Activity” and is defined as follows:~~

~~“Vehicular food vending” is the sale of ready to consume prepared foods from trucks. The use involves locating mobile catering trucks on private property on a semi permanent basis during hours of operation. Vehicular food vending generally has the following characteristics:~~

- ~~1. Food is ordered and served from a take out counter that is integral to the catering truck;~~
- ~~2. Food is paid for prior to consumption;~~
- ~~3. Catering trucks from which the food is sold typically have a take out counter and space for customer queuing; and~~
- ~~4. Foods and beverages are served in disposable wrappers, plates or containers.~~

~~Within those areas of Oakland subject to the vehicular food vending pilot program ordinance, and during such time that the pilot program is in effect, vehicular food vending is regulated by Chapter 8.09 of this code. (Ord. 12314 § 2, 2001; prior planning code § 2362)~~

#### **17.10.300 Alcoholic Beverage Sales Commercial Activities.**

Alcoholic Beverage Sales Commercial Activities include the retail sale, for on- or off-premises consumption, of liquor, beer, wine, or other alcoholic beverages, but exclude full-service restaurants. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2363)

#### **17.10.310 Convenience Sales and Service Commercial Activities.**

~~Convenience Sales and Service Commercial Activities include the retail sale, from the premises, of drugs and other frequently needed small personal convenience items such as toiletries, tobacco, and magazines, as well as the provision of personal convenience services which are typically needed frequently or recurrently, such as barber and beauty care; and include shoe shining and operation of self-service laundromats and laundry or dry cleaning pick up stations but exclude other apparel cleaning and repair services. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2364)~~

#### **17.10.320 Mechanical or Electronic Games Commercial Activities.**

Mechanical or Electronic Games Commercial Activities include the provision of pinball machines, video game devices, or other mechanical or electronic games, as defined in the Oakland Municipal Code, where the games can be played or operated by the public or by customers; but exclude the provision of such games in a pool- or billiard room or bowling alley for which a permit is required pursuant to Chapter 5.02 of the municipal code and from which persons under eighteen (18) years of age are barred at all times by the owner or operator, or in premises which are licensed by the State Department of Alcoholic Beverage Control for on-sale consumption of alcoholic beverages and which do not lawfully allow minors. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2365)~~

#### **17.10.330 Medical Service Commercial Activities.**

Medical Service Commercial Activities include the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as the provision of medical testing and analysis services. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2366)~~

**17.10.340 General Retail Sales Commercial Activities.**

General Retail Sales Commercial Activities include the sales of items generally for personal or household use, but excludes activities more specifically described in other classifications. This activity does not include establishment where more than five percent of net retail floor area is devoted to food products. Examples of activities in this classification include but are not limited to the following:

- book and magazine, music, and video stores
- pharmacy that sells prescription and non-prescription drugs along with miscellaneous retail items
- florists
- news stand
- new and used clothing and shoes stores
- department stores
- electronics and appliance stores
- furniture and home furnishing stores
- gift shops
- hardware and paint stores
- hobby supply stores
- auto parts stores, excluding service or installation
- jewelry stores
- luggage and leather goods stores
- office supply and stationary stores
- sporting goods stores

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

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

**17.10.345 Large-Scale Combined Retail and Grocery Sales Commercial Activities.**

Large-Scale Combined Retail and Grocery Sales Commercial Activities include the retail sale from the premises of goods and merchandise, primarily for personal or household use, from stores whose total sales floor area exceeds 100,000 square feet, and which devote more than 10% of sales floor area to the sale of non-taxable merchandise, but exclude wholesale clubs or other establishments selling primarily bulk merchandise and charging membership dues or otherwise restricting merchandise sales to customers paying a periodic access fee. This classification excludes the sale or rental of motor vehicles, except for parts and accessories, and the sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~This classification includes certain activities accessory to the above, as specified in Section 17.10.040. (Ord. 12547 § 3 (part), 2003)~~

**17.10.350 General Personal 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
- nail salons
- full service laundry service and dry cleaners (not including dry cleaning plants)
- shoe shine stands
- tailors
- ~~tanning salons~~
- tattoo parlors
- a pharmacy that exclusively sells prescription drugs, non-prescription drugs, and other medical related products

~~General Personal Service Commercial Activities include the provision services of a one on one nature that include, but are not limited to: tutoring, music lessons, life coaching, psychic readings, tattoo parlors, to individuals of informational, instructional, amusement, and similar services of a nonprofessional nature which are not typically needed frequently, other than the. This classification does not include services classified as Civic Activities or described in Sections 17.10.320, 17.10.360, 17.10.380, and 17.10.440. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2368)~~

#### **17.10.360 Consultative and Financial Service Commercial Activities.**

~~Consultative and Financial Service Commercial Activities include the provision of financial, mortgage, insurance, retail bank branch, consumer oriented tax services, and real estate brokerage services, as well as the provision of advice, designs, information, or consultation of a professional nature, other than the services classified as Civic Activities or described in Sections 17.10.330 Medical Service, 17.10.400 Business, Communication, and Media Service, and 17.10.420 Research Service Commercial Activities. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2369)~~

#### **17.10.365 Check Cashier and Check Cashing Activity.**

Check cashier and check cashing activity includes:

A. A person or entity that, for compensation, engages in whole or in part in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. A “check cashier” also includes the business of deferred deposits whereby the check cashier refrains from depositing a personal check written by a customer until a specific date pursuant to a written agreement as provided in Civil Code section 1789.33, as amended.

B. “Check cashier” or “check cashing activity” does not include a state or federally chartered bank, savings association, credit union, or industrial loan company. “Check cashier” or “check cashing activity” also does not include a retail seller engaged primarily in the business of selling consumer goods, such as consumables to retail buyers, that cashes checks or issues money orders for a minimum flat fee, not exceeding two dollars, as a service to its customers that is incidental to its main purpose or business. This classification also includes certain activities

~~accessory to the above, as specified in Section 17.10.040. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Ord. 12626 § 3, 2004)~~

**17.10.370 Consumer Laundry Cleaning and Repair Service Commercial Activities.**

~~Consumer Laundry Cleaning and Repair Service Commercial Activities include the cleaning or repair of personal apparel and household appliances, furniture, and similar items; but exclude establishments that include on-site dry cleaning or repair of motor vehicles and of structures. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2370)~~

**17.10.375 Consumer Dry Cleaning Plant Commercial Activities**

Dry Cleaning Plant Commercial Activities includes the on-site dry cleaning of personal apparel and similar items. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

**17.10.380 Group Assembly Commercial Activities.**

~~Group Assembly Commercial Activities include the provision of cultural, entertainment, educational, and athletic services, other than those classified as Civic Activities or described in Section 17.10.320, to assembled groups of spectators or participants. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2371)~~

instructional, amusement, or similar services of a nonprofessional nature to group assemblages of people. This classification does not include any activity classified in 17.10.180 Community Education Civic Activities. Examples of activities in this classification include but are not limited to the following:

- instructional classes in facilities with 2,000 square feet or more of classroom or instructional space.
- meeting halls, clubs, lodges, or fraternal organizations
- drive-in theaters
- theaters or venues where more than 300 people are viewing an individual stage, screen, or performance.
- temporary festivals, carnivals, fairs, and circuses
- cabarets, night clubs, dance halls, and pool halls
- banquet halls
- fitness clubs with 2,000 square feet or more of floor area

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

**17.10.385 Personal Instruction and Improvement and Small Scale Entertainment Commercial Activities.**

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

- Yoga, martial arts, driving school, and other instructional classes in facilities with less than 2,000 square feet of classroom or instructional space
- Fitness clubs with less than 2,000 square feet of floor area

- Theaters or venues where less than 300 people are viewing an individual stage, screen, or performance.

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

#### **17.10.390 Administrative Commercial Activities.**

~~Administrative Commercial Activities include the executive, management, administrative, and clerical activities of private, profit oriented firms, other than public utility firms. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2372)~~

Administrative Commercial Activities include the professional, executive, management, administrative, and clerical activities of private firms, other than public utility firms. This classification includes, but is not limited to, administrative corporate headquarter offices, business offices, and the offices of investment firms. Examples of activities in this classification include but are not limited to the following: ~~Examples of such uses include~~ cultural and advocacy offices, law firms, accounting, advertising, architectural and engineering consulting firms, management consulting firms, computer consulting, software design, data management and billing services offices, administrative offices of non-profit organizations. Activities that are more specifically described in other classifications are excluded from this activity. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~This classification includes certain activities accessory to the above, as specified in Section~~

#### **17.10.400 Business and Communication, and Media Service Commercial Activities.**

~~Business, and Communication, and Media Service Commercial Activities include the provision, primarily to firms rather than to individuals, of services of a clerical, goods brokerage, communication, or minor processing nature such as ~~small scale janitorial services,~~ digital and print production, photocopying, audio and video editing, and mailing services. ~~, including multicopy and blueprinting services; but exclude printing of books, other than pamphlets and small reports for another firm, and the storage of goods, other than small samples, for sale.~~ This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~

#### **17.10.410 Broadcasting and Recording Service Commercial Activities.**

Broadcasting and Recording Service Commercial Activities include the activities performed in broadcasting studios for over-the-air, cable or satellite delivery of radio, television programs, or internet and studios for the audio or video recording or filming of 1) musical performances, 2) radio or television programs or 3) motion pictures. This category does not include transmission towers. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

#### **17.10.410 Retail Business Supply Commercial Activities.**

~~Retail Business Supply Commercial Activities include the retail sale or rental from the premises, primarily to firms and other organizations using the goods rather than to individuals, of office equipment and supplies and similar goods, together with the provision of incidental maintenance services; but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2374)~~

**17.10.420 Research Service Commercial Activities.**

Research Service Commercial Activities include research of an industrial or scientific nature, other than medical testing and analysis and routine product testing, which is offered as a service or which is conducted by and for a private profit-oriented firm, other than a public utility firm. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2375)

**17.10.430 General Wholesale Sales Commercial Activities.**

General Wholesale Sales Commercial Activities include the storage and sale, from the premises, of ~~bulk goods to other firms for resale~~, as well as the storage of such goods on the premises and their transfer therefrom to retail outlets of the same other firms or individuals; but exclude sale or storage of motor vehicles, except for parts and accessories, and sale or storage of materials used in construction of buildings or other structures. This classification does not include hardware or paint stores. This classification also excludes activities under 17.10.345 Large-Scale Combined Retail and Grocery Sales Commercial Activity. ~~They also~~ This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~This classification includes certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2378)

**17.10.440 Transient Habitation Commercial Activities.**

Transient Habitation Commercial Activities include the provision of lodging services to transient guests on a less-than-weekly basis, other than in the case of activities classified by Section 17.10.120 Semi-Transient Residential Activities or 17.10.125 Bed and Breakfast Commercial Activities as Residential Activities. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2379)

**17.10.450 Building Material Sales Commercial Activities.**

Building Materials Sale and Service includes the sale of bulk building and landscaping supplies. This classification includes, but is not limited to, sales of heating, air conditioning, electrical and plumbing equipment, soil, soil amendments, lumber, gravel, or other similar building materials. Landscaping and building materials are commonly stored outside. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~This classification also includes certain activities accessory to the above, as specified in Section~~

**17.10.450 Construction Sales and Service Commercial Activities.**

~~Construction Sales and Service Commercial Activities include construction and incidental storage activities performed by construction contractors on lots other than construction sites, as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, other than paint, fixtures, and hardware. They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2380)

**17.10.460 Automobile and Other Light Vehicle Automotive Sales, and Rental, and Delivery Commercial Activities.**

Automobile and Light Truck Sales, Rental, and Delivery Commercial Activities include the sale, rental, leasing and incidental cleaning, servicing, and repair of small passenger vehicles and light trucks that have a gross vehicle weight less than 104,000 pounds such as cars, sports utility vehicles,



motorcycles, pickup trucks, vans, light trucks, boats and RVs. This classification also includes the retail or wholesale sale or rental, from the premises, of any type of goods where orders are placed predominantly by telephone or mail order with delivery being provided by motor vehicle. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ Delivery activities that include use of more than two on-site tow trucks are excluded from this classification and included in the *Warehousing, Distribution and Storage* or *Outdoor Storage* classification. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section~~

**17.10.470 Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities.**

Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities include the sale, from the premises, of goods and the provision of services which are generally required in the operation and maintenance of automotive vehicles that have a gross vehicle weight less than 14,000 pounds and the fulfilling of motorist needs, including sale of petroleum products together with sale and servicing of tires, batteries, automotive accessories, and replacement items, lubricating services, and performance of minor repairs. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ This classification does not include vehicle dismantling or salvage and tire re-treading or recapping. ~~(See Salvage/Junk Yards, Section 17.10.XXX).~~ This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

**17.10.480 Automobile and Other Light Vehicle Automotive Repair and Cleaning Commercial Activities.**

Automobile and Other Light Vehicle Repair and Cleaning Commercial Activities include the major repair or painting of motor vehicles that have a gross vehicle weight less than 14,000 pounds, including body work and installation of major accessories, as well as the washing and polishing of motor vehicles. ~~They also include certain activities accessory to the above, as specified in Section.~~ This classification does not include vehicle dismantling or salvage and tire re-treading or recapping. ~~(See Salvage/Junk Yards, Section 17.10.XXX).~~ This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

**17.10.485 Taxi and Light Fleet-Based Service Commercial Activities.**

Passenger transportation services, local delivery services, and other businesses that rely on fleets of three or more vehicles with a rated capacity of less than 12,500 pounds. This classification includes parking, dispatching, and offices for taxicab and limousine operations, airport shuttles, medical transport, local messenger and document delivery services, janitorial services, and similar businesses. This classification does not include towing operations except for tow truck services where vehicles are taken to off-site locations. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~This classification also includes certain activities accessory to the above, as specified in Section.~~

**17.10.490 Automotive Fee Parking Commercial Activities.**

Automotive Fee Parking Commercial Activities include the parking and storage of motor vehicles on a fee basis, other than the operation of parking facilities by a Civic Activity. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2384)

**17.10.500 Transport and Warehousing Commercial Activities (does not apply to the CIX-1, CIX-2, IG, or IO zones).**

Transport and Warehousing Commercial Activities include the provision of warehousing and storage, freight handling, shipping, and trucking services. This classification does not apply to the CIX-1, CIX-2, IG, or IO zones. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2387)

**17.10.505 Animal Boarding Commercial Activities.**

Animal Boarding Commercial Activities include any structure, land, or combination thereof used, designed, or arranged for the boarding, breeding or care of dogs, cats, pets, or other domestic animals for profit, but exclusive of animals used for agricultural purposes. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

**17.10.510 Animal Care Commercial Activities.**

Animal Care Commercial Activities include the provision of animal care, and treatment wherein the overnight care of said animals is prohibited except when necessary in the medical treatment of the animal, and boarding services. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2388)

**17.10.520 Undertaking Service Commercial Activities.**

Undertaking Service Commercial Activities include the provision of undertaking and funeral services involving the care and preparation of the human dead prior to burial. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~ (Prior planning code § 2389)

**17.10.530 Scrap Operation Commercial Activities.**

~~Scrap Operation Commercial Activities include the storage and sale, from the premises, or dismantling or other processing of used or waste materials which are not intended for reuse in their original form, and the dismantling of motor vehicles to obtain parts, except when such activities are part of a manufacturing operation. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2390)~~

**Part 4**

**Manufacturing Activity Types**

**17.10.540 General description of Industrial Activities.**

Industrial Activities include the on-site production of goods by methods other than agricultural and extractive in nature the provisions of warehousing and storage, freight handling, shipping, and trucking services; and the storage, transportation, and processing of recyclable or waste materials, and hazardous materials. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~

**17.10.550 Custom Manufacturing Industrial Activities.**

Custom Manufacturing Industrial Activities include the small-scale production of artisan and/or custom products. This activity typically includes the production of finished parts or products by hand, involving the use of hand tools and small-scale equipment within enclosed buildings. Custom Manufacturing Industrial Activities do not produce noise, vibration, air pollution, fire hazard or noxious emission that will disturb or endanger neighboring properties. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory thereto, as specified in Section 17.10.040.~~ This classification includes, but is not limited to, the production of:

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

**17.10.560 Light Manufacturing Industrial Activities.**

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

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

**17.10.570 General Manufacturing Industrial Activities.**

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

- Chemical manufacturing (except for the chemical products listed under Heavy/High/Impact Manufacturing);

Glass manufacturing;  
 Metal foundries;  
 Wood product manufacturing;  
 Heavy equipment and manufacturing;  
 Paper finishing;  
 Pipe production facilities;  
 Textile mills;  
 Tire retreading and recapping;  
 Wood product manufacturing

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

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

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

**17.10.581 Research and Development Industrial Activities.**

Research and development activities include scientific research for the design, development, engineering, and testing of high technology electronic, industrial or scientific products in advance of full-scale manufacturing of final products. The only manufacturing uses in this classification consist of the creation of prototype products, plans, or designs for the primary purpose of research, development, or evaluation, rather than sale. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory thereto, as specified in Section 17.10.040.~~

This classification excludes manufacturing uses, wholesale and storage uses, repair and retail sales, except as an accessory use as specified in Section 17.10.040; this classification also excludes the on-site production of products for sale, and biotechnology laboratories approved for National Institute of Health experiments using Risk Group 4 or Restricted Agents (commonly known as “bio-safety level 4”) (Section 17.10.580 Heavy/High Impact Manufacturing Activities).

This classification includes, but is not limited to biotechnology firms, “clean-tech”/energy, environmental, electronic research firms, or pharmaceutical research laboratories.

**17.10.582 Construction Operations Industrial Activities.**

Construction Operations Activities include enclosed and unenclosed facilities and accessory yards for construction and incidental storage activities and/or fabrication activities performed by construction contractors on lots other than construction sites. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory thereto, as specified in Section 17.10.040.~~ This classification includes, but is not limited to, the storage and custom cutting of stone for interior applications, roofing and plumbing component storage and equipment storage for environmental contractors.

**17.10.583 Warehousing, Storage, and Distribution Industrial Activities.**

This classification includes five (5) sub-classifications as described below. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040:

**A. General Warehousing, Storage and Distribution.** The warehousing and storage, primarily within enclosed buildings, of commercial goods (other than primary storage of hazardous materials), and the associated distribution activities that occur on-site prior to delivery of goods to wholesale and retail outlets or direct shipment to customers. These activities may also include ancillary truck parking and dispatching; and accessory outdoor storage areas where outdoor storage, not including parking and loading areas, does not occupy more than 30% of the total site area. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~This classification may include on-site sale of goods and merchandise if the activity is accessory to the above, as specified in Section 17.10.040. This classification includes, but is not limited to wholesale distributors of large furnishings, food products and auto parts.~~

**B. General Outdoor Storage.** Outdoor Storage Activities includes principal outdoor storage of items for more than 24 hours where such storage activities occupy more than 30% of the site area. The principal storage of goods and materials, equipment or vehicles; as well as the storage of operating equipment for warehouses, such as forklifts, pallets, and racks. This classification excludes outdoor storage uses that are more specifically described in this chapter, including, but not limited to container storage, salvage and junk yards and oil and gas storage. This classification includes, but is not limited to construction trailers, outdoor sheds or accessory portable structures, secondary sites for storage of building materials that are not for resale on-site.

**C. Self- or Mini Storage.** Self- or mini storage consist of storage in small individual spaces, on average of 400 square feet or less that are exclusively and directly accessible to a specific tenant, offered on a monthly or other limited basis, and available to the general public.

**D. Container Storage.** Container Storage includes the storage, repair, and “pre-tripping” of shipping containers, including refrigerated shipping containers, on open lots. Includes minor repair and cleaning of containers, and may include the rehabilitation of containers for other uses.

**E. Automotive Salvage/Junk Yards.** Storage and dismantling of vehicles and equipment for sale of parts.

**17.10.584 Regional Freight Transportation Industrial Activities.**

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

**A. Seaport.** The accommodation of freight service and operations by ship. This classification includes piers, wharves & docks, marine terminals, container and break-bulk storage areas

(where container storage is an accessory, rather than principal activity), related inter-modal facilities, and support services such as port and harbor operations and navigational services.

**B. Rail yard.** Accommodation of freight service and operations by rail.

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

Trucking and Truck-Related Activities include the provision of freight handling and shipping services by trucks as well as parking, maintenance, and services for trucks and other heavy vehicles and equipment. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. ~~They also include certain activities accessory to the above, as specified in Section 17.10.040.~~

**A. Freight/Truck Terminal.** The accommodation of local or worldwide freight by truck. This classification includes facilities used primarily for transfer, breaking-down, and/or consolidation of freight, as well as parking and dispatch of trucks.

**B. Truck Yard.** Parking, dispatch, refueling, and incidental repair of trucks, buses, or other fleets of heavy vehicles, where there is no on-site freight storage or transfer. This classification includes corporation yards operated by public and private towing operations. This classification does not include local courier and delivery services; towing operations as an accessory activity to ~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and Cleaning (Section 17.10.480)

**C. Truck Weigh Stations.** The weighing of commercial trucks in truck weighing facilities.

**D. Truck and Other Heavy Vehicle Sales, Rental, and Leasing.** Sales, rental, and leasing of medium and heavy trucks, truck tractors, construction or agricultural equipment, buses, commercial boats, heavy equipment, and other commercial vehicles that have gross vehicle weight ratings greater than 14,000 pounds, including the sale, installation, accessory repair and servicing of related equipment and parts. This classification does not include vehicle dismantling or salvage and tire re-treading or recapping (See Salvage/Junk Yards, Section 17.10.620).

**E. Truck and Other Heavy Vehicle Service, Repair, and Refueling.** Repair, fueling, and other servicing of medium and heavy trucks, truck tractors, construction or agricultural equipment, buses, boats, heavy equipment, and similar vehicles that generally have gross vehicle weights greater than 14,000 pounds, including the sale, installation, and servicing of related equipment and parts. This classification includes fueling stations, repair shops, body and fender shops, wheel and brake shops, engine repair and rebuilding, welding, major painting service, tire sales and installation, and upholstery shops for trucks and other heavy vehicles. This classification does not include vehicle dismantling or salvage (See Salvage/Junk Yards, Section 17.10.610E).

**17.10.586 Recycling and Waste-Related Industrial Activities**

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

**A. Satellite Recycling Collection Centers.** An activity accepting recyclable non-hazardous materials directly from the public by donation, redemption, or purchase at facilities less than five hundred (500) square feet in area that generally do not use power-driven processing equipment.

Satellite collection centers may include mobile recycling units, bulk reverse vending machines, kiosk type units, and/or unattended containers placed for the donation of recyclable materials. These facilities are generally located in, or associated with supermarkets and shopping centers. Most, though not all, satellite

collection centers are set up pursuant to requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986, which requires establishment of such centers in all "Convenience Zones" (CZ) in California, defined as the area within ½ mile of all supermarkets, to collect beverage containers made from materials such as aluminum, glass, plastic, and bimetal for recycling.

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

**C. Intermediate Recycling Processing Facility.** An activity serving as a collection point for receiving, processing, storage, and distribution of large quantities of recyclable materials delivered from recycling collection centers or other sources. Processing of most or all material typically occurs inside a building, using mechanical and/or chemical processing equipment to alter the physical form of incoming material. Processed materials may be stored in outdoor areas prior to sale to manufacturers or other end users. Intermediate processing facilities do not accept materials from but may sell goods to the public. This classification does not include facilities that handle or process hazardous materials and solid waste facilities and transfer stations.

**17.10.587 Hazardous Materials Production, Storage, and Waste Management Industrial Activities.**

**A. Small Scale Transfer and Storage Hazardous Waste Management Activities.** Small Scale Transfer and Storage Hazardous Waste Management Activities include treatment facilities with waste streams small enough to be exempt from manifest requirements as described in California Health and Safety Code, Division 20, Chapter 6.5, Article 6. Wastes from any given generator must not exceed a total volume of five gallons or a total weight of fifty (50) pounds. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. (Ord. 12072 § 5 (part), 1998)

**B. Industrial Transfer/Storage Hazardous Waste Management Activities.** Industrial Transfer/Storage Hazardous Waste Management Activities include any treatment facility which is not a Small Scale Transfer and Storage Facility or Residual Repository. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. (Ord. 12072 § 5 (part), 1998)

**C. Residuals Repositories Hazardous Waste Management Activities.** Residuals Repositories Hazardous Waste Management Activities include treatment facilities for collection of residual wastes de-fined as residues from other treatment facilities after treatment, and other irreducible stabilized or detoxified hazardous wastes. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040. (Ord. 12072 § 5 (part), 1998)

**D. Oil and Gas Storage.** Oil and Gas Storage includes tank farms and outdoor facilities for the bulk storage and handling of fuel and lubricating oils, gasoline and natural gas. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

**Part 5**

**Agricultural and Extractive Activity Types**

**17.10.590 General description of Agricultural and Extractive Activities.**

Agricultural and Extractive Activities include the on-site production of plant and animal products by agricultural methods, and of mineral products by extractive methods. This classification also includes

~~certain activities accessory to the above, as specified in Section 17.10.040. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2450)~~

**17.10.600 Plant Nursery Agricultural Activities.**

Plant Nursery Agricultural Activities include the cultivation for sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2460)~~

**17.10.610 Crop and Animal Raising Agricultural Activities.**

Crop and Animal Raising Agricultural Activities include the raising of tree, vine, field, forage, and other plant crops, intended to provide food or fibers, as well as keeping, grazing, or feeding of animals for animal products, animal increase, or value increase. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2461)~~

**17.10.620 Mining and Quarrying Extractive Activities.**

Mining and Quarrying Extractive Activities include the extraction of metallic and nonmetallic minerals, including sand and gravel pit operations. They include surface mining operations as defined by Section 2735 of the Public Resources Code of the state of California. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.~~They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2462)~~

**17.10.750 Sidewalk cafe, facility.**

A "sidewalk cafe" is either a General Food Sales Commercial, Full Service Restaurant, Limited Service Restaurant and Café, Fast-Food restaurant or Alcoholic Beverage Sales Commercial Activity located on private property with a dining area which encroaches within the sidewalk area of the public right-of-way. Such dining area shall be defined by design elements which separate the establishment from the remainder of the sidewalk. (Prior planning code § 2613)



## Chapter 17.11

### OS OPEN SPACE ZONING REGULATIONS

#### 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 and the use permit criteria at Section 17.11.110:

- A. Residential Activities:
    - Permanent
  - B. Civic Activities:
    - Essential Service
    - 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
    - Crop and Agricultural Raising
  - E. Accessory Activities
- (Ord. 12078 § 3 (part), 1998)

## Chapter 17.11A

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

#### 17.11A.050 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:

Community Assembly  
Recreational Assembly  
Community Education  
Nonassembly Cultural  
Administrative  
Residential Care  
Utility and Vehicular  
Extensive Impact

B. Agricultural and Extractive Activities:

Plant Nursery  
Crop and Animal Raising  
Mining and Quarrying

C. Off-street parking serving activities other than those listed above or in Section 17.12.040, subject to the conditions set forth in Section 17.102.100.

D. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12272 § 3 (part), 2000)

## Chapter 17.12

### R-10 ESTATE RESIDENTIAL ZONE REGULATIONS

#### 17.12.050 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:

Community Assembly

Recreational Assembly

Community Education

Nonassembly Cultural

Administrative

Utility and Vehicular

Extensive Impact

B. Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

Mining and Quarrying

C. Off-street parking serving activities other than those listed above or in Section 17.12.040, subject to the conditions set forth in Section 17.102.100.

D. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12138 § 5 (part), 1999; prior planning code § 3254)

## Chapter 17.14

### R-20 LOW DENSITY RESIDENTIAL ZONE REGULATIONS

#### 17.14.050 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:

Community Assembly

Recreational Assembly

Community Education

Nonassembly Cultural

Administrative

Utility and Vehicular

Extensive Impact

B. Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

Mining and Quarrying

C. Off-street parking serving activities other than those listed above or in Section 17.14.040, subject to the conditions set forth in Section 17.102.100.

D. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12138 § 5 (part), 1999; prior planning code § 3354)

## Chapter 17.16

### R-30 ONE-FAMILY RESIDENTIAL ZONE REGULATIONS

#### 17.16.050 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:

Community Assembly  
Recreational Assembly  
Community Education  
Nonassembly Cultural  
Administrative  
Utility and Vehicular  
Extensive Impact

B. Agricultural and Extractive Activities:

Plant Nursery  
Crop and Animal Raising  
Mining and Quarrying

C. Off-street parking serving activities other than those listed above or in Section 17.16.040, subject to the conditions set forth in Section 17.102.100.

D. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12138 § 5 (part), 1999; prior planning code § 3454)

## Chapter 17.18

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

#### 17.18.050 Conditionally permitted activities.

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
- B. Civic Activities:
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Utility and Vehicular
  - Extensive Impact
- C. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
  - Mining and Quarrying
- D. Off-street parking serving activities other than those listed above or in Section 17.18.040, subject to the conditions set forth in Section 17.102.100.
- E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110.  
(Ord. 12138 § 5 (part), 1999; prior planning code § 3554)

**Chapter 17.20**

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

**17.20.040 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. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
- B. Civic Activities:
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- C. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
  - Mining and Quarrying
- D. Off-street parking serving activities other than those listed above or in Section 17.20.030, subject to the conditions set forth in Section 17.102.100.
- E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof subject to the conditions set forth in Section 17.102.110. (Ord. 12138 § 5 (part), 1999; prior planning code § 3579)

**Chapter 17.22**

**R-40 GARDEN APARTMENT RESIDENTIAL ZONE REGULATIONS**

**17.22.060 Conditionally permitted activities.**

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
- B. Civic Activities:
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- C. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
  - Mining and Quarrying
- D. Off-street parking serving activities other than those listed above or in Section 17.22.050, subject to the conditions set forth in Section 17.102.100.
- E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12138 § 5 (part), 1999; prior planning code § 3604)



## Chapter 17.24

### R-50 MEDIUM DENSITY RESIDENTIAL ZONE REGULATIONS

#### 17.24.060 Conditionally permitted activities.

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
- B. Civic Activities:
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly; Cultural
  - Administrative
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- C. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
  - Mining and Quarrying
- D. Off-street parking serving activities other than those listed above or in Section 17.24.050, subject to the conditions set forth in Section 17.102.100.
- E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12138 § 5 (part), 1999; prior planning code § 3654)

**Chapter 17.26**

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

**17.26.050 Permitted activities.**

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

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Telecommunications

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.08 (part), 1996; prior planning code § 3753)

## Chapter 17.28

### R-70 HIGH DENSITY RESIDENTIAL ZONE REGULATIONS

#### 17.28.050 Permitted activities.

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

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Telecommunications

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.08 (part), 1996; prior planning code § 3803)

**Chapter 17.30**

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

**17.30.050 Permitted activities.**

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

- A. Residential Activities:
  - Permanent
  - Residential Care occupying a One-Family Dwelling Residential Facility
  - Semi-Transient
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Telecommunications

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.08 (part), 1996; prior planning code § 3853)

**17.30.060 Conditionally permitted activities.**

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Administrative
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - Convenience Market
  - Alcoholic Beverage Sales
  - ~~Convenience Sales and Service~~
  - Medical Service
  - Consumer Service
  - Consultative and Financial Service, but limited to the provision of advice, designs, information, or consultation of a professional nature
- D. Agricultural and Extractive Activities:
  - Crop and Animal Raising
- E. Off-street parking serving activities other than those listed above or in Section 17.30.050, subject to the conditions set forth in Section 17.102.100.

F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12138 § 5 (part), 1999; prior planning code § 3854)

**17.30.090 Special regulations applying to certain Commercial Activities.**

All General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, Convenience Market, Alcoholic Beverage Sales, and ~~Convenience Sales and Consumer~~ Service Commercial Activities shall, except for off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed portions of Multifamily Dwelling or Rooming House Residential Facilities, with customer access only through the lobby of such a facility. The maximum floor area devoted to such activities by any single establishment shall be one thousand five hundred (1,500) square feet. No Business Signs or display windows shall be provided for such activities. See also Section 17.102.210. (Prior planning code § 3858)

**17.30.110 Use permit criteria for Commercial Activities.**

A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, Convenience Market, Fast-Food Restaurant, Alcoholic Beverage Sales, or ~~Convenience Sales and Consumer~~ Service. A conditional use permit for General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, Convenience Market, Fast-Food Restaurant, Alcoholic Beverage Sales, or ~~Convenience Sales and Consumer~~ Service Commercial Activities may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134, and that the proposed activities are intended primarily to serve residents of the facility within which the activities are to be located. See also Section 17.102.210.

B. Consultative and Financial Service. A conditional use permit for Consultative and Financial Service Commercial Activities may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to both of the following additional criteria:

1. That the proposal involves preservation of an existing building which is architecturally or culturally significant, or which will substantially contribute to the livability of abutting properties and the surrounding neighborhood by providing architectural variety, lower bulk and coverage than otherwise permitted, and a generous amount of open space and landscaping;

2. That the proposed activity will generate little or no vehicular and pedestrian traffic beyond that represented by persons working on the premises.

(Prior planning code § 3861)

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

**17.32.050 Permitted activities.**

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

- A. Residential Activities:
  - Permanent
  - Residential Care occupying a One-Family Dwelling Residential Facility
  - Semi-Transient
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Telecommunications

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.08 (part), 1996; prior planning code § 3903)

**17.32.060 Conditionally permitted activities.**

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Administrative
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurants
  - Limited Service Restaurants and Cafe
  - Convenience Market
  - Alcoholic Beverage Sales
  - ~~Convenience Sales and Service~~ Consumer Service
  - Medical Service
  - ~~Consultative and Financial Service~~, but limited to the provision of advice,

designs, \_\_\_\_\_ information, or consultation of a professional nature

- D. Agricultural and Extractive Activities:
  - Crop and Animal Raising
- E. Off-street parking serving activities other than those listed above or in Section 17.32.050, subject to the conditions set forth in Section 17.102.100.
- F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110.

(Ord. 12138 § 5 (part), 1999; prior planning code § 3904)

**17.32.090 Special regulations applying to certain Commercial Activities.**

All General Food Sales, Full Service Restaurants, Limited Service Restaurants and Cafe, Convenience Market, Alcoholic Beverage Sales, and ~~Convenience Sales and Service~~Consumer Service Commercial Activities shall, except for off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed portions of Multifamily Dwelling or Rooming House Residential Facilities, with customer access only through the lobby of such a facility. The maximum floor area devoted to such activities by any single establishment shall be one thousand five hundred (1,500) square feet. See also Section 17.102.210.  
(Prior planning code § 3908)

**Chapter 17.34**

**C-5 NEIGHBORHOOD COMMERCIAL ZONE REGULATIONS**

**17.34.030 Permitted activities.**

The following activities, as described in the use classifications in Chapter 17.10, are permitted, subject, where applicable, to the provisions of Section 17.34.070:

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Nonassembly Cultural
  - Telecommunications
- C. Commercial Activities:
  - ~~Convenience Sales and Service~~
  - Medical Service
  - General Retail Sales
  - ~~General Personal Consumer Service~~
  - Consumer Laundry Cleaning and Repair Service
  - Consumer Dry Cleaning Plant

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.23, 1996; prior planning code § 4203)

**17.34.040 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. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Utility and Vehicular
  - Administrative
  - Health Care
  - Community Education
  - Extensive Impact
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - Financial and Consultative Services
  - Convenience Market
  - Alcoholic Beverage Sales
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
  - Group Assembly
  - Personal Instruction and Improvement and Small Scale Entertainment



Service	Administrative <del>Business and Communication Service</del> <u>Business, Communication, and Media</u> <u>Broadcasting and Recording Service</u> Automotive Fee Parking Animal Care Animal Boarding
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- D. Agricultural and Extractive Activities:  
     Plant Nursery
- E. Off-street Parking Servicing Activities other than those listed above, subject to the conditions set forth in Section 17.102.100.
- F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12138 § 5 (part), 1999; prior planning code § 4204)

**17.34.070 Restrictions on ground-level uses.**

- A. Parking and Loading at Ground Level. No off-street parking or loading area or driveway shall be located on any portion of the ground level of any lot except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.
- B. Nonretail Uses on the Ground Floor. No Residential Activity; Limited Child-Care, Community Assembly, Recreational Assembly, Community Education, Administrative, or Health Care Civic Activity; or Medical Service, Consultative and Financial Service, Group Assembly, Personal Instruction and Improvement and Small Scale Entertainment, Administrative, or ~~Business and Communication Service~~Business, Communication, or Broadcasting and Recording Service and Media Service Commercial Activity shall be located on the ground floor of any building, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and except that incidental pedestrian entrances which lead to such an activity elsewhere in the building are permitted. (Ord. 12138 § 6 (part), 1999; Ord. 12016 § 2 (part), 1997; prior planning code § 4207)

**Chapter 17.36**

**C-10 LOCAL RETAIL COMMERCIAL ZONE REGULATIONS**

**17.36.040 Permitted activities.**

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

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - ~~Recreational Assembly~~
  - Community Education
  - Nonassembly Cultural
  - Telecommunications
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - ~~Convenience Sales and Service~~
  - Medical Service
  - General Retail Sales
  - ~~General Personal Consumer Service~~
  - Consultative and Financial Service

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.24, 1996; prior planning code § 4253)

**17.36.050 Conditionally permitted activities.**

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Administrative
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- C. Commercial Activities:
  - Convenience Market
  - Alcoholic Beverage Sales
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
  - Consumer ~~Laundry Cleaning~~ and Repair Service
  - Consumer Dry Cleaning Plant
  - Group Assembly

Personal Instruction and Improvement and Small Scale Entertainment  
Automotive Servicing Automobile and Other Light Vehicle Gas Station and  
Servicing

Automotive Fee Parking

D. Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

E. Off-street parking serving activities other than those listed above or in Section 17.36.010, subject to the conditions set forth in Section 17.102.100.

F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110.

(Ord. 12138 § 5 (part), 1999; prior planning code § 4254)

**Chapter 17.38**

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

**17.38.030 Permitted activities.**

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

A. Civic Activities:

- Essential Service
- Limited Child-Care
- Community Assembly
- ~~Recreational Assembly~~
- Community Education
- Nonassembly Cultural
- Administrative
- Telecommunications

B. Commercial Activities:

- General Food Sales
- Full Service Restaurant
- Limited Service Restaurant and Café
- ~~Convenience Sales and Service~~
- Medical Service
- General Retail Sales
- ~~General Personal Consumer Service~~
- Consultative and Financial Service

(Ord. 11904 § 5.25, 1996; prior planning code § 4303)

**17.38.040 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. Residential Activities:

- Permanent
- Residential Care
- Service-Enriched Permanent Housing
- Transitional Housing

B. Civic Activities:

- Nursing Home
- Residential Care
- Health Care
- Utility and Vehicular
- Extensive Impact

C. Commercial Activities:

- Check Cashier and Check Cashing
- Convenience Market
- Fast-Food Restaurant
- Alcoholic Beverage Sales
- Mechanical or Electronic Games, subject to the provisions of Section

17.102.210C

- ~~Consumer Laundry Cleaning and Repair Service~~
- Consumer Dry Cleaning Plant
- Group Assembly

	<u>Personal Instruction and Improvement and Small Scale Entertainment</u>
	Administrative
<u>Servicing</u>	<del>Automotive Servicing</del> <u>Automobile and Other Light Vehicle Gas Station and</u>
<u>Cleaning</u>	<del>Automotive Repair and Cleaning</del> <u>Automotive and Other Light Vehicle Repair and</u>
	Automotive Fee Parking
	Animal Care
	<u>Animal Boarding</u>

D. Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

E. Off-street parking serving activities other than those listed above or in Section 17.38.030, subject to the conditions set forth in Section 17.102.100.

F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110.

(Ord. 12626 § 4 (part), 2004; Ord. 12138 § 5 (part), 1999; prior planning code § 4304)

**Chapter 17.40**

**C-25 OFFICE COMMERCIAL ZONE REGULATIONS**

**17.40.040 Permitted activities.**

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

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Telecommunications
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - ~~Convenience Sales and~~ Consumer Service
  - Medical Service
  - General Retail Sales
  - Consultative and Financial Service
  - Administrative

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.26, 1996; prior planning code § 4353)

**17.40.050 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 use permit criteria at Section 17.40.110 and the conditional use permit procedure in Chapter 17.134:

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- C. Commercial Activities:
  - Check Cashier and Check Cashing
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
  - ~~General Personal~~ Consumer Service

Service

~~Business and Communication Service~~Business, Communication, and Media

Broadcasting and Recording Service

Automotive Fee Parking

- D. Agricultural and Extractive Activities:
  - Crop and Animal Raising
- E. Off-street parking serving activities other than those listed above or in Section 17.40.040, subject to the conditions set forth in Section 17.102.100.
- F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12626 § 4 (part), 2004; Ord. 12138 § 5 (part), 1999; prior planning code § 4354)

**Chapter 17.42**

**C-27 VILLAGE COMMERCIAL ZONE REGULATIONS**

**17.42.040 Permitted activities.**

The following activities, as described in the use classifications in Chapter 17.10, are permitted, subject, where applicable, to the provisions of Section 17.42.080:

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Telecommunications
- C. Commercial Activities:
  - ~~Convenience Sales and Service~~
  - Medical Service
  - General Retail
  - ~~General Personal Consumer Service~~
  - Consultative and Financial Service
  - Consumer Laundry Cleaning and Repair Service
  - Consumer Dry Cleaning Plant
  - Administrative
  - ~~Business and Communication Service~~ Business, Communication, and Media Service
  - Broadcasting and Recording Service
  - ~~Retail Business Supply~~

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.27, 1996; prior planning code § 4403)

**17.42.050 Conditionally permitted activities.**

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Utility and Vehicular
  - Extensive Impact
  - Special Health Care Civic Activities
- C. Commercial Activities:
  - General Food Sales*



Full Service Restaurant  
Limited Service Restaurant and Café  
Convenience Market  
Fast-Food Restaurant  
Alcoholic Beverage Sales  
Mechanical or Electronic Games, subject to the provisions of Section

17.102.210C

Group Assembly  
Personal Instruction and Improvement and Small Scale Entertainment  
Automotive Fee Parking  
Animal Care  
Animal Boarding

- D. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising

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

F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12450 § 4 (part), 2002; Ord. 12138 § 5 (part), 1999; prior planning code § 4404)

**17.42.080 Restrictions on ground-level uses.**

A. Parking and Loading at Ground Level. No off-street parking or loading area or driveway shall be located on any portion of the ground level of any lot except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

B. Nonretail Uses on the Ground Floor. No Residential Activity; Limited Child-Care, Community Assembly, Recreational Assembly, Community Education, Administrative or Health Care Civic Activity; or Medical Service, Consultative and Financial Service, Group Assembly, Personal Instruction and Improvement and Small Scale Entertainment, Administrative, ~~or Business and Communication Service~~ Business, Communication, and Media Service or Broadcasting and Recording Service Commercial Activity shall be located on the ground floor of any building except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, and except that incidental pedestrian entrances which lead to such an activity elsewhere in the building are permitted. (Ord. 12138 § 6 (part), 1999; prior planning code § 4407)

**Chapter 17.44**

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

**17.44.030 Permitted activities.**

The following activities, as described in the use classifications in Chapter 17.10, are permitted, subject where applicable to the provisions of Sections 17.44.070 and 17.44.080:

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- B. Civic Activities:
  - Essential Service
  - Limited Child Care
  - Community Assembly
  - Recreational Assembly
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Telecommunications
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - Medical Service
  - General Retail Sales
  - ~~General Personal Consumer Service~~
  - Consultative and Financial Service
  - Consumer ~~Laundry Cleaning~~ and Repair Service
  - Consumer Dry Cleaning Plant
  - Administrative
  - ~~Business and Communication Service~~ Business, Communication, and Media Service
  - Broadcasting and Recording Service
  - ~~Retail Business Supply~~

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.28, 1996; prior planning code § 4428)

**17.44.040 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 Section 17.44.110 and the conditional use permit procedure in Chapter 17.134:

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Utility and Vehicular
  - Community Education
  - Special Health Care Civic Activities
- C. Commercial Activities:

<u>Convenience Sales and Service</u>	<u>Automotive Servicing</u>
<u>Automobile and Other Light Vehicle Gas Station and</u>	
<u>Automotive Repair and Cleaning</u>	<u>Automotive and Other Light Vehicle Repair and</u>
<u>Cleaning</u>	
	Convenience Market
	Fast-Food Restaurant
	Alcoholic Beverage Sales
	Group Assembly
	<u>Personal Instruction and Improvement and Small Scale Entertainment</u>
	Animal Care
	<u>Animal Boarding</u>

- D. Industrial Activities:
  - Custom Manufacturing
- E. Agricultural Activities:
  - Plant Nursery
- F. Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 17.102.100.
- G. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110.
- H. Installation of motor vehicle accessories. (Ord. 12450 § 5, 2002; Ord. 12138 § 5 (part), 1999; prior planning code § 4429)

**17.44.070 Restrictions on ground-level uses.**

A. Open Front-Yard Parking, Loading Areas and Driveway Entrances from the Principal Street at Ground Level. No front-yard parking or loading area or driveway entrance from the principal street shall be located on any portion of the ground level of any lot except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, and the use permit provisions of Section 17.44.110.

B. Nonretail Uses on the Ground Floor. Except as provided in Section 17.44.200(C)(1)(a), no Residential Activity; Limited Child Care, Community Assembly, Recreational Assembly, Community Education, Civic Activity; Administrative, Health Care, Medical Service, Consultative and Financial Service, ~~Business and Communication Service~~Business, Communication, and Media Service, Broadcasting and Recording Service or ~~Group Assembly, Personal Instruction and Improvement and Small Scale Entertainment~~ Commercial Activity shall be located on the ground floor of any building as set forth in subsection C of this section, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and the provisions of Section 17.44.110, and except that incidental pedestrian entrances which lead to such an activity elsewhere in the building are permitted.

C. Areas of Restriction. Ground floor uses are restricted, as set forth in subsection B of this section, for the following area: the properties generally abutting Shattuck Avenue, and Telegraph Avenue between Interstate 580 and 52nd Street/Claremont Avenue. (Ord. 12138 § 6 (part), 1999; Ord. 12016 § 2 (part), 1997; prior planning code § 4432)

**17.44.090 Special regulations applying to certain Commercial Activities.**

A. Convenience Markets, Fast-Food Restaurants, and Certain Establishments Selling Alcoholic Beverages. See Section 17.102.210.

B. Automotive-Related Activities. All services performed by Automotive Service and Automotive Repair and CleaningAutomotive and Other Light Vehicle Repair and Cleaning Commercial Activities, except those involving the dispensing of gasoline, shall take place in an enclosed building, and shall be screened from view of the principal street except upon the granting of a conditional use permit

pursuant to the conditional use permit procedure in Chapter 17.134, and the provisions of Section 17.44.110.

C. Industrial Activities. All accessory Industrial Activities, as defined in Section 17.10.040 shall be conducted entirely within an enclosed facility. (Prior planning code § 4434)

**Chapter 17.46**

**C-30 DISTRICT THOROUGHFARE COMMERCIAL ZONE  
REGULATIONS**

**17.46.050 Permitted activities.**

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

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Utility and Vehicular, but excluding communications equipment installations and exchanges
  - Telecommunications
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - ~~Convenience Sales and Service~~
  - Medical Service
  - General Retail Sales
  - ~~General Personal Consumer~~ Service
  - Consultative and Financial Service
  - Consumer Laundry Cleaning and Repair Service
  - Consumer Dry Cleaning Plant
  - Administrative
  - ~~Business and Communication Service~~ Business, Communication, and Media Service
  - Broadcasting and Recording Service
  - ~~Retail Business Supply~~
  - Automotive Fee Parking

D. Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 17.102.100. (Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.29, 1996; Ord. 11854 § 3, 1996; prior planning code § 4453)

**17.46.060 Conditionally permitted activities.**

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing

- Transitional Housing
- Emergency Shelter
- B. Civic Activities:
  - Extensive Impact
  - Utility and Vehicular (communications equipment installations and exchanges, only)
- C. Commercial Activities:
  - Special Health Care Civic Activities
  - Check Cashier and Check Cashing
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- General Wholesale Sales
- Automotive ServicingAutomobile and Other Light Vehicle Gas Station and Servicing
- Automotive Repair and CleaningAutomotive and Other Light Vehicle Repair and Cleaning
- Animal Care
- Animal Boarding
- D. Industrial Activities:
  - Custom Manufacturing
- E. Agricultural and Extractive Activities:
  - Plant Nursery

**17.46.090 Special regulations applying to certain Commercial Activities.**

- A. Convenience Markets, Fast-Food Restaurants, and Certain Establishments Selling Alcoholic Beverages or Providing Mechanical or Electronic Games. See Section 17.102.210.
- B. Automotive ServicingAutomobile and Other Light Vehicle Gas Station and Servicing.
  - 1. Automotive ServicingAutomobile and Other Light Vehicle Gas Station and Servicing Commercial Activities shall not involve open storage of goods or materials. All repair and lubrication performed by such activities shall take place in an enclosed building.
  - 2. See Section 17.46.180B for special landscaping requirements.
  - 3. See Section 17.46.110 for limitations on Signs. (Ord. 12224 § 3 (part), 2000; prior planning code § 4458)

**17.46.180 Buffering and landscaping.**

- A. General Requirements. All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.
- B. Landscaping for Automotive ServicingAutomobile and Other Light Vehicle Gas Station and Servicing Commercial Activities. Two percent of the lot area devoted to Automotive ServicingAutomobile and Other Light Vehicle Gas Station and Servicing Commercial Activities shall be developed with lawn, ground cover, garden, or shrubs, and one street tree shall be provided for each seventy-five (75) feet of street line abutting the lot, subject to the standards for required landscaping and screening in Chapter 17.124. (Prior planning code § 4472)

**Chapter 17.48**

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

**17.48.030 Permitted activities.**

The following activities, as described in the use classifications in Chapter 17.10, are permitted, subject where applicable to the provisions of Section 17.48.070:

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Telecommunications
- C. Commercial Activities:
  - ~~Convenience Sales and Service~~
  - Medical Service
  - General Retail Sales
  - ~~General Personal Consumer Service~~
  - Consultative and Financial Service
  - Consumer Laundry Cleaning and Repair Service
  - ~~Consumer Dry Cleaning Plant~~
  - Administrative
  - ~~Business and Communication Service~~ Business, Communication, and Media Service
  - ~~Broadcasting and Recording Service~~
  - ~~Retail Business Supply~~

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.30 (part), 1996; prior planning code § 4478)

**17.48.040 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. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Utility and Vehicular
  - Extensive Impact
  - Special Health Care Civic Activities
- C. Commercial Activities:
  - General Food Sales

- Full Service Restaurant
- Limited Service Restaurant and Café
- Convenience Market
- Fast-Food Restaurant
- Alcoholic Beverage Sales
- Mechanical or Electronic Games, subject to the provisions of Section

17.102.210C

- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- Research Service
- General Wholesale Sales
- Automotive Fee Parking
- Animal Care
- Animal Boarding

D. Manufacturing Activities:  
Custom

E. Agricultural and Extractive Activities:  
Plant Nursery  
Crop and Animal Raising

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

G. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12450 § 7, 2002; Ord. 12138 § 5 (part), 1999; prior planning code § 4479)

**17.48.070 Restrictions on ground-level uses.**

A. Parking and Loading at Ground Level. No off-street parking or loading area or driveway shall be located on any portion of the ground level of any lot except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

B. Nonretail Uses on the Ground Floor. No Residential Activity; Limited Child Care, Community Assembly, Recreational Assembly, Community Education, Administrative, or Health Care Civic Activity; or Medical Service, Consultative and Financial Service, Group Assembly, Personal Instruction and Improvement and Small Scale Entertainment, Administrative, ~~or Business and Communication Service~~Business, Communication, and Media Service, or Broadcasting and Recording Service Commercial Activity shall be located on the ground floor of any building, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and except that incidental pedestrian entrances which lead to such an activity elsewhere in the building are permitted. (Ord. 12138 § 6 (part), 1999; Ord. 12016 § 2 (part), 1997; prior planning code § 4482)



**Chapter 17.50**

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

**17.50.050 Permitted activities.**

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

A. Residential Activities:

- Permanent
- Residential Care occupying a One-Family Dwelling Residential Facility

B. Civic Activities:

- Essential Service
- Limited Child-Care
- Community Assembly
- ~~Recreational Assembly~~
- Community Education
- Nonassembly Cultural
- Administrative
- Health Care
- Telecommunications

C. Commercial Activities:

- General Food Sales
- Full Service Restaurant
- Limited Service Restaurant and Café
- ~~Convenience Sales and Service~~
- Medical Service
- General Retail Sales
- ~~General Personal Consumer Service~~
- Consultative and Financial Service
- ~~Consumer Laundry Cleaning and Repair Service~~
- Consumer Dry Cleaning Plant
- Administrative
- ~~Business and Communication Service~~ Business, Communication, and Media Service
- Broadcasting and Recording Service
- ~~Retail Business Supply~~

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.30 (part), 1996; prior planning code § 4503)

**17.50.060 Conditionally permitted activities.**

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

A. Residential Activities:

- Residential Care, except when occupying a One-Family Dwelling Residential Facility
- Service-Enriched Permanent Housing
- Transitional Housing
- Emergency Shelter

B. Civic Activities:

- Utility and Vehicular
- Extensive Impact
- Special Health Care Civic Activities

C. Commercial Activities:

- Check Cashier and Check Cashing
- Convenience Market
- Fast-Food Restaurant
- Alcoholic Beverage Sales
- Mechanical or Electronic Games, subject to the provisions of Section

17.102.210C

- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- General Wholesale Sales
- Automotive Servicing Automobile and Other Light Vehicle Gas Station and
- Cleaning Automotive Repair and Cleaning Automotive and Other Light Vehicle Repair and
- Automotive Fee Parking
- Animal Care
- Animal Boarding

D. Manufacturing Activities:

- Custom

E. Agricultural and Extractive Activities:

- Plant Nursery
- Crop and Animal Raising

F. Off-street parking serving activities other than those listed above or in Section 17.50.050, subject to the conditions set forth in Section 17.102.100.

G. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12626 § 4 (part), 2004; Ord. 12450 § 8, 2002; Ord. 12138 § 5 (part), 1999; prior planning code § 4504)

**Chapter 17.52**

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

**17.52.050 Permitted activities.**

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

A. Civic Activities:

- Essential Service
- Limited Child-Care
- Community Assembly
- ~~Recreational Assembly~~
- Nonassembly Cultural
- Administrative
- Telecommunications

B. Commercial Activities:

- General Food Sales
- Full Service Restaurant
- Limited Service Restaurant and Café
- ~~Convenience Sales and Service~~
- Medical Service
- ~~General Personal~~Consumer Service
- General Retail Sales
- Consultative and Financial Service
- Administrative
- ~~Business and Communication Service~~Business, Communication, and Media Service
- ~~Broadcasting and Recording Service~~
- ~~Retail Business Supply~~
- Research Service

(Ord. 12076 § 3 (part), 1998; Ord. 11904 § 5.30 (part), 1996; prior planning code § 4528)

**17.52.060 Conditionally permitted activities.**

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

A. Civic Activities:

- Utility and Vehicular
- Extensive Impact
- Community Education
- Health Care

B. Commercial Activities:

- Convenience Market
- Fast-Food Restaurant
- Alcoholic Beverage Sales
- Mechanical or Electronic Games, subject to the provisions of Section

17.102.210C

- General Wholesale Sales
- Transient Habitation, subject to the provisions of Section 17.102.37
- ~~Consumer Laundry~~Cleaning and Repair Service

Consumer Dry Cleaning Plant

~~Construction Sales and Service~~ Wholesale Professional Building Material Sales

Group Assembly

Personal Instruction and Improvement and Small Scale Entertainment

~~Automotive Sales, Rental, and Delivery~~ Automobile and

Other Light Vehicle Sales and Rental, but limited to properties without frontage on ~~\_\_\_\_\_~~ Hegenberger Road

~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and

Servicing

Taxi and Light Fleet-Based Service, but limited to properties without frontage on Hegenberger Road

Transport and Warehousing, but limited to properties without frontage on Hegenberger Road

Animal Care

Animal Boarding

C. Industrial Activities

Custom, Light, and General Manufacturing, but limited to properties without frontage on Hegenberger Road

D. Agricultural and Extractive Activities:

Crop and Animal Raising

E. Off-street parking serving activities other than those listed above or in Section 17.52.050, subject to the conditions set forth in Section 17.102.100.

F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110.

G. Additional activities not otherwise permitted or conditionally permitted if such activities are part of a Foreign Trade Zone as designated by the United States of America. (Ord. 12266 § 5 (part), 2000; Ord. 12076 § 3 (part), 1998: prior planning code § 4529)

**17.52.090 Special regulations applying to certain commercial activities.**

A. Convenience Markets, Fast-Food Restaurants, and Certain Establishments Selling Alcoholic Beverages or Providing Mechanical or Electronic Games. See Section 17.102.210.

B. ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and Servicing. ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities shall not involve open storage of goods or materials. All repair and lubrication performed by such activities shall take place in an enclosed building.

C. Existing Automotive Fee Parking Lots. Existing fee parking lots may be reconfigured to increase the number of parking spaces and make more efficient use of the existing parking area. Expansion of existing facilities to include structured parking or additional parcels constitutes an expansion of a nonconforming use and will not be permitted. (Ord. 12076 § 3 (part), 1998: prior planning code § 4533)

**Chapter 17.54**

**C-40 COMMUNITY THOROUGHFARE COMMERCIAL ZONE REGULATIONS**

**17.54.040 Required design review process.**

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Facility accommodating an ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and Servicing or an ~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and Cleaning Commercial Activity, Residential Facility, Mixed Use Development, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.  
(Ord. 11904 § 5.60 (part), 1996: prior planning code § 4552.1)

**17.54.050 Permitted activities.**

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

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
  - Semi-Transient
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - ~~Recreational Assembly~~
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Utility and Vehicular, but excluding communications equipment installations and exchanges
  - Telecommunications
- C. Commercial Activities:
  - General Food Sales
  - ~~Full Service Restaurant~~
  - ~~Limited Service Restaurant and Café~~
  - ~~Convenience Sales and Service~~
  - Medical Service
  - General Retail Sales
  - ~~General Personal~~ Consumer Service
  - Consultative and Financial Service
  - Consumer ~~Laundry~~ Cleaning and Repair Service
  - ~~Consumer Dry Cleaning Plant~~
  - Administrative
  - ~~Business and Communication Service~~ Business, Communication, and Media Service
  - ~~Broadcasting and Recording Service~~
  - ~~Retail Business Supply~~
  - Research Service

- General Wholesale Sales
- Construction Sales and Service
- Wholesale Professional Building Material Sales
- Automotive Sales, Rental, and Delivery
- Automobile and Other Light Vehicle
- Sales and Rental
- Automotive Servicing
- Automobile and Other Light Vehicle Gas Station and
- Servicing
- Automotive Repair and Cleaning
- Automobile and Other Light Vehicle Repair and
- Cleaning

- Automotive Fee Parking
- D. Manufacturing Activities:
  - Custom
- E. Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 17.102.100. (Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.31 (part), 1996; Ord. 11854 § 5, 1996; prior planning code § 4553)

**17.54.060 Conditionally permitted activities.**

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Extensive Impact
  - Utility and Vehicular (communications equipment installations and exchanges, only)
  - Special Health Care Civic Activities
- C. Commercial Activities:
  - Check Cashier and Check Cashing
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C

- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- Transient Habitation
- Animal Care
- Animal Boarding
- Undertaking Service

- D. Manufacturing Activities:
  - Light
- E. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
- F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12626 § 4 (part), 2004; Ord. 12450 § 9, 2002; Ord. 12138 § 5 (part), 1999; Ord. 11854 § 6, 1996; prior planning code § 4554)

**17.54.090 Special regulations applying to certain Commercial Activities.**

A. Convenience Markets, Fast-Food Restaurants, and Certain Establishments Selling Alcoholic Beverages or Providing Mechanical or Electronic Games. See Section 17.102.210.

B. ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing.

1. ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities shall not involve open storage of goods or materials. All repair and lubrication performed by such activities shall take place in an enclosed building.

2. See Section 17.54.180b for special landscaping requirements.

3. See Section 17.54.110 for limitations on Signs.

(Prior planning code § 4558)

**17.54.180 Buffering and landscaping.**

A. General Requirements. All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

B. Landscaping for ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities. One and one-half percent of the lot area devoted to ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities shall be developed with lawn, ground cover, garden, or shrubs, and one street tree shall be provided for each one hundred (100) feet of street line abutting the lot, subject to the standards for required landscaping and screening in Chapter 17.124. (Prior planning code § 4572)

**Chapter 17.56**

**C-45 COMMUNITY SHOPPING COMMERCIAL ZONE REGULATIONS**

**17.56.050 Permitted activities.**

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

A. Residential Activities:

- Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- Semi-Transient

B. Civic Activities:

- Essential Service
- Limited Child-Care
- Community Assembly
- Recreational Assembly
- Community Education
- Nonassembly Cultural
- Administrative
- Health Care
- Telecommunications

C. Commercial Activities:

- General Food Sales
- Full Service Restaurant
- Limited Service Restaurant and Café
- ~~Convenience Sales and Service~~
- Medical Service
- General Retail Sales
- ~~General Personal Consumer Service~~
- Consultative and Financial Service
- Consumer ~~Laundry Cleaning~~ and Repair Service
- Consumer Dry Cleaning Plant
- Administrative
- ~~Business and Communication Service~~Business, Communication, and Media Service
- ~~Broadcasting and Recording Service~~
- ~~Retail Business Supply~~
- Research Service

D. Industrial Activities:

- Custom Manufacturing

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.32 (part), 1996; prior planning code § 4603)

**17.56.060 Conditionally permitted activities.**

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

A. Residential Activities:

- Residential Care, except when occupying a One-Family Dwelling Residential Facility
- Service-Enriched Permanent Housing



- Transitional Housing
- Emergency Shelter
- B. Civic Activities:
  - Utility and Vehicular
  - Special Health Care Civic
  - Extensive Impact Civic
- C. Commercial Activities:
  - Check Cashier and Check Cashing
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- General Wholesale Sales
- Transient Habitation
- Automotive Sales, Rental, and Delivery Automobile and Other Light Vehicle
- Sales and Rental
- Automotive Servicing Automobile and Other Light Vehicle Gas Station and
- Servicing
- Automotive Repair and Cleaning Automotive and Other Light Vehicle Repair and
- Cleaning
- Automotive Fee Parking
- Animal Care
- Animal Boarding
- Undertaking Service
- D. Industrial Activities:
  - Light Manufacturing
- E. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
- F. Off-street parking serving activities other than those listed above or in Section 17.56.050, subject to the conditions set forth in Section 17.102.100.
- G. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12626 § 4 (part), 2004; Ord. 12450 § 10, 2002; Ord. 12138 § 5 (part), 1999; prior planning code § 4604)

**Chapter 17.58**

**C-51 CENTRAL BUSINESS SERVICE COMMERCIAL ZONE REGULATIONS**

**17.58.050 Permitted activities.**

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

- A. Residential Activities:
  - Permanent
  - Residential Care occupying a One-Family Dwelling Residential Facility
  - Semi-Transient
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Education
  - Community Assembly
  - Recreational Assembly
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Utility and Vehicular, but excluding communications equipment installation and exchanges
  - Telecommunications
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurants
  - Limited Service Restaurants and Cafe
  - ~~Convenience Sales and Service~~ Consumer Service
  - Medical Service
  - General Retail Sales
  - ~~General Personal Service~~
  - Consultative and Financial Service
  - Consumer ~~Laundry~~ Cleaning and Repair Service
  - Consumer Dry Cleaning Plant
  - Group Assembly
  - Personal Instruction and Improvement and Small Scale Entertainment
  - Administrative
  - ~~Business and Communication Service~~ Business, Communication, and Media Service
  - Broadcasting and Recording Service
  - ~~Retail Business Supply~~
  - Research Service
  - General Wholesale Sales
  - Transient Habitation
- D. Manufacturing Activities:
  - Custom

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.31 (part), 1996; Ord. 11854 § 7, 1996; prior planning code § 4828)

**17.58.060 Conditionally permitted activities.**

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Extensive Impact
  - Utility and Vehicular (communications equipment installations and exchanges, only)
  - Special Health Care Civic Activities
- C. Commercial Activities:
  - Check Cashier and Check Cashing
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
  - ~~Automotive Sales, Rental, and Delivery~~ Automobile and Other Light Vehicle Sales
  - Automotive Servicing Automobile and Other Light Vehicle Gas Station and Servicing
  - Automobile and Other Light Vehicle Automotive Repair and Cleaning Automotive Repair and Cleaning
  - Automotive Fee Parking
  - Animal Care
  - Undertaking Service
  - Transient Habitation, subject to the provisions of Section 17.102.370
- D. Manufacturing Activities:
  - Light
- E. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
- F. Off-street parking serving activities other than those listed above or in Section 17.58.050, subject to the conditions set forth in Section 17.102.100.
- G. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.100. (Ord. 12626 § 4 (part), 2004; Ord. 12450 § 11, 2002; Ord. 12266 § 5 (part), 2000; Ord. 12138 § 5 (part), 1999; Ord. 11854 § 8, 1996; prior planning code § 4829)

## Chapter 17.60

### C-52 OLD OAKLAND COMMERCIAL ZONE REGULATIONS

#### 17.60.050 Permitted activities.

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

A. Residential Activities:

- Permanent
- Residential Care occupying a One-Family Dwelling Residential Facility
- Semi-Transient

B. Civic Activities:

- Essential Service
- Limited Child-Care
- Community Assembly
- Recreational Assembly
- Community Education
- Nonassembly Cultural
- Administrative
- Health Care
- Telecommunications

C. Commercial Activities:

- General Food Sales
- Full Service Restaurants
- Limited Service Restaurants and Cafe
- ~~Convenience Sales and Service~~ Consumer Service
- Medical Service
- General Retail Sales
- ~~General Personal Service~~
- Consultative and Financial Service
- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- Administrative
- ~~Retail Business Supply~~

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.32 (part), 1996; prior planning code § 4853)

#### 17.60.060 Conditionally permitted activities.

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

A. Residential Activities:

- Residential Care, except when occupying a One-Family Dwelling Residential Facility
- Service-Enriched Permanent Housing
- Transitional Housing
- Emergency Shelter

B. Civic Activities:

- Utility and Vehicular
- Extensive Impact

C. Commercial Activities:

- Check Cashier and Check Cashing
- Convenience Market

Alcoholic Beverage Sales  
Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C  
Consumer ~~Laundry Cleaning~~ and Repair Service

~~Consumer Dry Cleaning Plant~~

~~Business, Communication, and Media Service~~

~~Broadcasting and Recording Service~~ ~~Business and Communication Service~~

Research Service

General Wholesale Sales

Transient Habitation

Automotive Fee Parking

D. Manufacturing Activities:

Custom

(Ord. 12626 § 4 (part), 2004; Ord. 12138 § 5 (part), 1999; prior planning code § 4854)

**Chapter 17.62**

**C-55 CENTRAL CORE COMMERCIAL ZONE REGULATIONS**

**17.62.050 Permitted activities.**

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

A. Residential Activities:

- Permanent Residential Care occupying a One-Family Dwelling Residential Facility
- Semi-Transient

B. Civic Activities:

- Essential Service
- Limited Child-Care
- Community Assembly
- Recreational Assembly
- Community Education
- Nonassembly Cultural
- Administrative
- Health Care
- Telecommunications

C. Commercial Activities:

- General Food Sales
- Full Service Restaurants
- Limited Service Restaurants and Cafe
- ~~Convenience Sales and Service~~ Consumer Service
- Medical Service
- General Retail Sales
- ~~General Personal Service~~
- Consultative and Financial Service
- Consumer ~~Laundry~~ Cleaning and Repair Service
- Consumer Dry Cleaning Plant
- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- Administrative
- Business, Communication, and Media Service
- Broadcasting and Recording Service ~~Business and Communication Service~~
- ~~Retail Business Supply~~
- Research Service

D. Manufacturing Activities:

- Custom

(Ord. 12266 § 5 (part), 2000; Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.32 (part), 1996; prior planning code § 4878)

**17.62.060 Conditionally permitted activities.**

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

A. Residential Activities:

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

- Service-Enriched Permanent Housing
- Transitional Housing
- Emergency Shelter
- B. Civic Activities:
  - Utility and Vehicular
  - Special Health Care Civic Activities
  - Extensive Impact Civic
- C. Commercial Activities:
  - Check Cashier and Check Cashing
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
  - General Wholesale Sales
  - ~~Automotive Sales, Rental, and Delivery~~ Automobile and Other Light Vehicle Sales and

Rental

- ~~Automobile and Other Light Vehicle Gas Station and Servicing~~
- ~~Automotive Servicing~~
- Automotive Fee Parking
- Animal Care
- Undertaking Service
- Transient Habitation, subject to the provisions of Section 17.102.370
- D. Industrial Activities:
  - Light Manufacturing
- E. Agricultural and Extractive Activities:
  - Crop and Animal Raising
- F. Off-street parking serving activities other than those listed above or in Section 17.62.050, subject to the conditions set forth in Section 17.102.100.
- G. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12626 § 4 (part), 2004; Ord. 12450 § 12, 2002; Ord. 12266 § 5 (part), 2000; Ord. 12138 § 5 (part), 1999; prior planning code § 4879)

**Chapter 17.64**

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

**17.64.020 Required design review process.**

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Local Register Property, Residential Facility, Facility accommodating an ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and Servicing or an ~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and Cleaning Commercial Activity, Mixed Use Development, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.  
(Ord. 11904 § 5.60 (part), 1996: prior planning code § 4902)

**17.64.030 Permitted activities.**

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

A. Civic Activities:

- Essential Service
- Nonassembly Cultural Utility and Vehicular, but excluding communications equipment installations and exchanges
- Telecommunications

B. Commercial Activities:

- General Food Sales
- Full Service Restaurant
- Limited Service Restaurant and Café
- Convenience Market
- ~~Convenience Sales and Consumer Service~~
- Mechanical or Electronic Games, subject to the provisions of Section

17.102.210C

- ~~Consumer Laundry Cleaning and Repair Service~~
- Consumer Dry Cleaning Plant
- ~~Business and Communication Service~~ Business, Communication, and Media

Service

Broadcasting and Recording Service

~~Retail Business Supply~~

Research Service

General Wholesale Sales

~~Construction Sales and Service~~ Wholesale Professional Building Material Sales

~~Automotive Sales, Rental, and Delivery~~ Automobile and Other Light Vehicle

Sales and Rental

~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and

Servicing

~~Automotive Repair and Cleaning~~ Automotive and Other

Light Vehicle Repair and Cleaning

Taxi and Light Fleet-Based Service, except as provided in Section 17.102.210F

Automotive Fee Parking

Transport and Warehousing, except as provided in Section 17.102.210F

Animal Care



- Animal Boarding
- Undertaking Service
- C. Agricultural and Extractive Activities:
  - Plant Nursery
- D. Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 17.102.100. (Ord. 11904 § 5.33, 1996; Ord. 11854 § 9, 1996; prior planning code § 4903)

**17.64.040 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:
  - Community Assembly
  - Recreational Assembly
  - Extensive Impact
  - Utility and Vehicular (communications equipment installations and exchanges, only)
- B. Commercial Activities:
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - ~~General Personal Consumer Service~~
  - ~~Consultative and Financial Service~~
  - Group Assembly
  - Personal Instruction and Improvement and Small Scale Entertainment
  - Administrative
- C. Manufacturing Activities:
  - Custom
  - Light
- D. Agricultural and Extractive Activities:
  - Crop and Animal Raising
- E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.100.110. (Ord. 11956 § 3, 1996; Ord. 11854 § 10, 1996; prior planning code § 4904)

**17.64.070 Special regulations applying to certain Commercial Activities.**

The maximum floor area devoted to General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café Convenience Market, Fast-Food Restaurant, Alcoholic Beverage Sales, or ~~Convenience Sales and Consumer Service~~ Commercial Activities by any single establishment shall be three thousand (3,000) square feet. See also Section 17.102.210. (Prior planning code § 4908)

**Chapter 17.65**

**HBX HOUSING AND BUSINESS MIX COMMERCIAL ZONE REGULATIONS**

**17.65.030 Permitted, conditionally permitted and prohibited activities.**

The following table lists the permitted, conditionally permitted, and prohibited activities in the HBX-1, HBX-2, and HBX-3 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.

Activity	Regulations			Additional Regulations
	HBX-1	HBX-2	HBX-3	
<b>Residential Activities</b>				
Permanent Residential	P	P	P	
Residential Care occupying a One-Family Dwelling Residential Facility	P	P	P	17.102.212
Residential Care not occupying a One-Family Dwelling Residential Facility	C	C	C	17.102.212
Service-Enriched Permanent Housing	C	C	C	17.102.212
Transitional Housing	C	C	C	17.102.212
Emergency Shelter	C	C	C	17.102.212
Semi-Transient Residential	C	C	C	17.102.212
<b>Civic Activities</b>				
Essential Service	C	C	C	
Limited Child-Care	P	P	P	
Community Assembly	P(L1)	P(L1)	P(L1)	
Recreational Assembly	P(L1)	P(L2)	P(L3)	
Community Education	C	C	C	
Nonassembly Cultural	P(L2)	P(L2)	P(L2)	
Administrative	P(L2)	P(L2)	P(L2)	
Health Care	C	C	C	
Special Health Care	C	C	C	17.102.410
Utility and Vehicular	C	C	C	
Extensive Impact	C	C	C	
Telecommunications	P	P	P	17.128
<b>Commercial Activities</b>				
General Food Sales	P(L3)	P(L3)	P(L3)	
Full Service Restaurant	P(L3)	P(L3)	P(L3)	
Limited Service Restaurant and Café	P(L3)	P(L3)	P(L3)	
Convenience Market	C	C	C	17.102.210
Fast-Food Restaurant	--	--	--	17.102.210

EXHIBIT A--REVISED

Alcoholic Beverage Sales	C	C	C	17.102.210
<del>Convenience Sales and Service</del>	<del>P</del>	<del>P</del>	<del>P</del>	
Mechanical or Electronic Games	C	C	C	17.102.210
Medical Service	P(L2)	P(L2)	P(L2)	
General Retail Sales	P	P	P	
Large-Scale Combined Retail and Grocery Sales	--	--	--	
<del>General Personal Consumer Service</del>	<del>P</del>	<del>P</del>	<del>P</del>	
Consultative and Financial Service	P(L2)	P(L2)	P(L2)	
Check Cashier and Check Cashing	--	--	--	17.102.430
Consumer <del>Laundry</del> Cleaning and Repair Service	C	C	C	
<del>Consumer Dry Cleaning Plant</del>	<del>C</del>	<del>C</del>	<del>C</del>	
Group Assembly	C	C	C	
Personal Instruction and Improvement and Small Scale Entertainment	C	C	C	
Administrative	P(L2)	P(L2)	P(L2)	
<del>Business and Communication Service</del> Business, Communication, and Media Service	<del>P</del>	<del>P</del>	<del>P</del>	
<del>Broadcasting and Recording Service</del>	<del>P</del>	<del>P</del>	<del>P</del>	
<del>Retail Business Supply</del>	<del>P</del>	<del>P</del>	<del>P</del>	
Research Service	P(L2)(L4)	P(L2)(L4)	P(L2)(L4)	
General Wholesale Sales	P(L2)	P(L2)	P(L2)	
Transient Habitation	--	--	--	17.102.370
<del>Construction Sales and Service</del> Wholesale Professional Building Material Sales	<del>P(L5)</del>	<del>P(L5)</del>	<del>P(L5)</del>	
<del>Automotive Sales, Rental and Delivery</del> and other Light Vehicle Sales and Rental	--	--	--	
<del>Automotive Servicing</del> Automobile and Other Light Vehicle Gas Station and Servicing	--(L6)	--	--	
<del>Automotive Repair and Cleaning</del> Automotive and Other Light Vehicle Repair and Cleaning	--(L6)	--	--	
<del>Taxi and Light Fleet-Based Service</del>	<del>P(L7)</del>	<del>P(L7)</del>	<del>P(L7)</del>	
Automotive Fee Parking	--	--	--	
Transport and Warehousing	P(L7)	P(L7)	P(L7)	
Animal Care	<del>C(L8)</del>	<del>C(L8)</del>	<del>C(L8)</del>	
Animal Boarding	--	--	--	
Undertaking Service	--	--	--	
Scrap Operation	--	--	--	17.102.210
<b>Manufacturing Activities</b>				
Custom Manufacturing	P(L2)	P(L2)	P(L2)	17.120
Light Manufacturing	P(L2)(L4)	P(L2)(L4)	P(L2)(L4)	17.120
General Manufacturing	--	--	--	
Heavy Manufacturing	--	--	--	
Small Scale Transfer and Storage Hazardous Waste Management	--	--	--	
Industrial Transfer/Storage Hazardous Waste Management	--	--	--	
Residuals Repositories Hazardous Waste Management	--	--	--	

<i>Agricultural and Extractive Activities</i>				
Plant Nursery	C	C	C	
Crop and Animal Raising	--	--	--	
Mining and Quarrying Extractive	--	--	--	
<i>Accessory off-street parking serving prohibited activities</i>	C	C	C	17.102.110
<i>Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof</i>	C	C	C	17.102.110

**Limitations:**

- L1- The total floor area devoted to these activities by a single establishment shall only exceed ten thousand (10,000) square feet upon the granting of a conditional use permit (see Chapter 17.134).
- L2- The total floor area devoted to these activities by a single establishment shall only exceed twenty-five thousand (25,000) square feet upon the granting of a conditional use permit (see Chapter 17.134).
- L3- The total floor area devoted to a grocery store shall only exceed twenty-five thousand (25,000) square feet upon the granting of a conditional use permit (see Chapter 17.134). The total floor area devoted to a restaurant shall only exceed three thousand (3,000) square feet upon the granting of a conditional use permit (see Chapter 17.134).
- L4- 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).
- L5- This activity shall be only permitted upon the granting of a conditional use permit (see Chapter 17.134) if it is the principal activity on a lot that is 25,000 square feet or larger or covers 25,000 square feet or more of lot area.
- L6- Except on Lowell Street, a nonconforming ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and Servicing or Automotive Repair and Cleaning ~~Automotive and Other Light Vehicle Repair and Cleaning~~ Commercial Activity in the HBX-1 zone may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed upon the granting of a conditional use permit (see Chapter 17.134) and approval pursuant to the regular design review procedure (see Chapter 17.136). This conditional use permit and regular design review approval may be granted only upon determination that the proposal is adequately buffered from the street and surrounding residential activities through landscaping and fencing. See 17.114 for general regulations regarding nonconforming uses.
- L7- Warehousing is permitted if the total floor area by a single establishment does not exceed twenty-five thousand (25,000) square feet. Floor areas over twenty-five thousand (25,000) square feet are only permitted upon the granting of a conditional use permit (see Chapter 17.134). Outdoor storage as a principal activity is only permitted upon the granting of a conditional use permit (see Chapter 17.134). Container storage, oil and gas storage, freight terminals, corporation yards, truck terminals, and truck services as primary activities are not permitted. Also, see Section 17.65.050 for special regulations regarding self storage establishments.
- ~~L8- Dog or cat kennels are not permitted.~~

**17.65.050 Special regulations for self storage establishments.**

A. For the purposes of this Chapter, a “self storage establishment” means an establishment that provides storage in small individual spaces that are exclusively and directly accessible to a specific tenant, offered on a monthly or other limited basis, and available to the general public. Generally, the individual storage spaces are 400 square feet or less.

B. No more than twenty percent of the total floor area on a lot shall be occupied by self storage establishments.

C. No project that includes a self storage establishment shall have any floor area devoted to self storage within 20 feet of the building frontage.

D. Projects that include self storage establishments shall have a minimum fifty (50) percent of lot frontage occupied by ~~Convenience Sales and Service, General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, General Retail Sales, and/or General Personal~~ Consumer Service Commercial Activities on the ground floor. These ground floor activities shall not be directly associated with the self storage establishment at the site.

**17.65.150 Special regulations for HBX work/live Facilities.**

A. Definition. An “HBX work/live unit” means a room or suite of rooms that are internally connected maintaining a common household that includes (1) cooking space and sanitary facilities that satisfy the provisions of other applicable codes and (2) adequate working space reserved for, and

regularly used by, one or more persons residing therein. An HBX work/live unit accommodates both residential and nonresidential activities but emphasizes the accommodation of commercial activities. An HBX work/live unit meets all applicable regulations contained in this section.

B. The establishment of an HBX work/live unit is permitted in the HBX zones if it meets and is consistent with the regulations and definitions contained in this section.

C. Regulations in this section do not super-sede regulations contained in Section 17.102.190 relating to the conversion of buildings originally designed for commercial or industrial activities into joint living and working quarters.

D. Activity, parking, bicycle parking, loading, open space, and unit size standards. The following table contains the activities allowed in an HBX work/live unit; the minimum size of an HBX work/live unit; and the parking, loading, and open space required for each HBX work/live unit:

Standard	Requirement		Notes
Activities allowed in an HBX work/live unit	Same permitted and conditionally permitted activities as described in Section 17.65.030 and any activity that would qualify as a home occupation in a residential facility (See Chapter 17.112)		
Required parking	One parking space per unit plus one additional unassigned visitor or employee parking space per five HBX work/live units		1
Required bicycle parking	<b>With private garage for each unit:</b>	<b>Without private garage for each unit:</b>	2
	One short-term space for each 20 dwelling units; minimum requirement is two short-term spaces.	One long-term space for each four dwelling units; minimum requirement is two long-term spaces. One short-term space for each 20 dwelling units; minimum requirement is two short-term spaces.	
Required loading	<b>Square feet of facility</b>	<b>Requirement</b>	3
	Less than 25,000 square feet	No berth required	
	25,000--69,999 square feet	One berth	
	70,000--130,000 square feet	Two berths	
	Each additional 200,000 square feet	One additional berth	
Required usable open space	75 square feet of usable open space per unit		
Minimum size of unit	No individual unit shall be less than eight hundred (800) square feet of floor area		

**Notes:**

1. See Chapter 17.116 for other off-street parking standards.
2. See Chapter 17.117 for other bicycle parking standards.
3. All required usable open space shall meet the usable open standards contained in Chapter 17. 126, except that all usable open space for HBX work/live units may be provided above ground. Further, each square foot of private usable open space equals two square feet towards the total usable open space requirement.

4.E. Each new HBX work/live unit shall qualify as at least one of the following Unit Types:

Unit Type	Maximum residential floor area	Special requirements	Separation between residential and nonresidential floor area
Type 1	One-third	None	Nonresidential floor area and residential floor area shall be located on separate floors (including mezzanines) or be separated by an interior wall (see Note 1, below, for an exception for kitchens).
Type 2	45 percent	There must be two entrances into the unit, one adjacent to the residential space, the other adjacent to the nonresidential space; the nonresidential entrance must be clearly designated as a business entrance separate from the residential entrance and be directly accessible by the public.	Nonresidential floor area and residential floor area shall be located on separate floors (including mezzanines) or be separated by an interior wall (see Note 1, below, for an exception for kitchens).
Type 3	55 percent	<del>6.1.</del> The majority of the nonresidential floor area for the unit must be at a public street level and directly accessible to the street; <del>7.2.</del> The unit must have no residential floor area at the ground level; and <del>8.3.</del> The ground floor entrance must be clearly designated as a business entrance.	Nonresidential floor area and residential floor area shall be located on separate floors (including mezzanines).

**Note:**

In Types 1 and 2, a kitchen may be open to non-residential floor area if the kitchen is adjacent to and directly accessible from a residential floor area or stairs that lead to residential floor area. In these unpartitioned kitchens, the kitchen is only required to be separated from the nonresidential floor area by a partition that can be opened and closed. The counters, cabinets, sink and appliances in the area that will function as a kitchen and the floor area that is four feet in front of these items shall be considered residential floor area.

F. All required plans for the creation of HBX work/live units shall (1) delineate areas designated to contain residential activities and areas designated to contain nonresidential activities and (2) contain a table showing the square footage of each unit devoted to residential and nonresidential activities.

G. For HBX work/live units, residential and nonresidential floor areas shall be designated according to the following standards:

1. Residential floor area shall be considered areas containing bedrooms, sleeping areas, and kitchens (not including kitchenettes).
2. Nonresidential floor area shall include floor areas designated for working.
3. The floor area of stairs and balconies shall not be considered floor area for the purpose of this subsection.
4. The floor area between residential rooms that will commonly be used for residential activities and foot traffic such as the corridors and areas between bedrooms, kitchens, residentially designated bathrooms, and other similar areas shall be considered residential floor area.
5. The floor area of bathrooms shall be counted according to the following rules:
  - A.a. If there is only one bathroom in the unit, half of the bathroom shall be considered residential floor area and half shall be considered nonresidential floor area;
  - B.b. If there is more than one bathroom in a unit the rules in the following table shall apply:

**Bathroom access**

**Floor area calculation of bathroom**

Bathroom can only be accessed through residential floor area	All of bathroom shall be considered residential floor area
Bathroom can be directly accessed from both nonresidential and residential floor area	Half of bathroom shall be considered residential floor area, the other half nonresidential floor area.
Bathroom can only be accessed through nonresidential floor area	All of bathroom shall be considered nonresidential floor area. However, if all bathrooms in the unit require access through nonresidential floor area, then at least one bathroom shall be considered residential floor area. In this case, the bathroom that is closest to or most conveniently accessed from residential floor area shall be designated as residential floor area.

6. In unpartitioned kitchens (see footnote 1 of the table contained in subsection E), the counters, cabinets, sink and appliances in the area that will function as a kitchen and the floor area that is four feet in front of these items shall be considered residential floor area.
7. If any part of a loft or mezzanine is designated as residential space according to rules above, then the entire loft or mezzanine space shall be considered residential floor area.
- ~~B.8.~~ The Planning Director shall determine the designation of the floor area when the above standards do not clearly do so.

H. Each HBX work/live unit shall contain no more than one fully equipped kitchen. An HBX work/live unit may contain a second kitchenette to serve the nonresidential floor area. For the purposes of this section a kitchenette shall be considered a space with a counter that is no more than twenty (20) square feet, a sink, and an area for a refrigerator. No stovetop or oven (excluding microwave ovens) shall be permitted in a kitchenette.

I. Each HBX work/live unit shall have at least one public entrance that is directly adjacent to nonresidential floor area. A visitor traveling through this business entrance shall not be required to pass through any residential floor area in order to enter into the nonresidential area of the unit.

J. Any building permit plans for the construction or establishment of HBX work/live units shall (1) clearly state that the proposal includes work/live units and (2) label the units intended to be work/live units as work/live units. This requirement is to assure the City applies building codes appropriate for a work/live unit.

K. Each unit shall contain at least one tenant that operates a business within that unit. That tenant shall possess a valid and active City of Oakland Business Tax Certificate to operate a business out of the unit.

L. For any HBX work/live unit, a statement of disclosure shall be (1) provided to prospective owners or tenants before a unit or property is rented, leased, or sold and (2) in any covenant, conditions, and restrictions associated with a facility. This statement of disclosure shall contain the following acknowledgments:

1. The unit is in a nonresidential facility that allows commercial and/or light industrial activities that may generate odors, truck traffic, vibrations, noise and other impacts at levels and during hours that residents may find disturbing.

2. Each unit shall contain at least one tenant that operates a business within that unit. This tenant must possess an active City of Oakland Business Tax Certificate for the operation out of the unit.

M. Each building with an HBX work/live unit shall contain a sign that: (1) is permanently posted (2) is at a common location where it can be frequently seen by all tenants such as a mailbox, lobby, or entrance area (3) is made of durable material (4) has a minimum dimension of nine by eleven inches and lettering at least one-half an inch tall. This sign shall contain the following language: "This development contains work/live units. As such, please anticipate the possibility of odors, truck traffic, noise or other

impacts at levels and hours that residents may find disturbing.” Further, City of Oakland regulations require that each unit have a tenant that (1) operates a business from that unit and (2) possesses an active City of Oakland Business Tax Certificate for this business.

N. HBX work/live units are nonresidential facilities and counted towards the nonresidential floor area ratio, not the residential density.

O. The development of HBX work/live units in an HBX zone shall not be considered adding housing units to the City’s rental supply and does not create “conversion rights” under the City’s condominium conversion ordinance, Chapter 16.36. The development standards for HBX work/live units are not intended to be a circumvention of the requirements of the City’s condominium conversion ordinance, Chapter 16.36.

P. Regular Design Review Criteria. Regular design review approval for HBX work/live units may be granted only upon determination that the proposal conforms to the regular design review criteria set forth in the design review procedure in Chapter 17.136 and to all of the following additional criteria:

1. That the exterior of a new building containing primarily HBX work/live units has a commercial or industrial appearance. This includes, but is not necessarily limited to, the use of nonresidential building styles or other techniques;

2. That a building containing HBX work/live units has nonresidential activities and nonresidential floor area on the ground floor or level and at street fronting elevations. These units shall have a significant ground floor street presence. The floor area facing the streets shall contain nonresidential activities and a depth of at least 20 feet for lots more than 35 feet wide, 15 feet otherwise. This ground level shall be either part of a larger HBX work/live Type 3 unit or its own independent commercial space;

3. That units on the ground floor or level of a building have nonresidential floor area that is directly accessible from and oriented towards the street;

4. That units on the ground floor or level of a building have a business presence on the street. This includes, but is not necessarily limited to, providing storefront style windows, interior space visible to the street, a business door that is oriented towards the street, a sign or other means that identifies the business on the door and elsewhere, a prominent ground floor height, or other techniques;

5. That the layout of nonresidential floor areas within a unit provides a functional and bona fide open area for working activities;

6. That the floor and site plan for the project include an adequate provision for the delivery of items required for a variety of businesses. This may include, but is not necessarily limited to, the following:

- a. Service elevators designed to carry and move oversized items,
- b. Stairwells wide and/or straight enough to deliver large items,
- c. Loading areas located near stairs and/or elevators and
- d. Wide corridors for the movement of oversized items.

7. That the floor and site plan for the project provide units that are easily identified as businesses and conveniently accessible by clients, employees, and other business visitors. (Ord. 12776 § 3, Exh. A (part), 2006; Ord. 12772 § 1 (part), 2006)



**Chapter 17.66**

**M-10 SPECIAL INDUSTRIAL ZONE REGULATIONS**

**17.66.030 Permitted activities.**

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

- A. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Nonassembly Cultural
  - Administrative
  - Telecommunications
- B. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - ~~Convenience Sales and~~ Consumer Service
  - Medical Service
  - Consultative and Financial Service
  - Administrative
  - ~~Business and Communication Service~~ Business, Communication, and Media Service
  - Broadcasting and Recording Service
  - Research Service
  - General Wholesale Sales
  - Automotive Fee Parking
- C. Industrial Activities:
  - Custom Manufacturing
  - Light Manufacturing
- D. Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 17.102.100. (Ord. 11904 § 5.64 (part), 1996; prior planning code § 5403)

**17.66.040 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 17.34:

- A. Civic Activities:
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Utility and Vehicular
  - Extensive Impact
  - Special Health Care Civic Activities
- B. Commercial Activities:
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - ~~Retail Business Supply~~
  - ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and Servicing
- C. *Agricultural and Extractive Activities:*

Plant Nursery  
Crop and Animal Raising

D. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12450 § 14, 2002; Ord. 12772 § 1 (part), 2006)

**Chapter 17.68**

**M-20 LIGHT INDUSTRIAL ZONE REGULATIONS**

**Sections:**

- 17.68.010 Title, purpose, and applicability.
- 17.68.020 Required design review process.
- 17.68.030 Permitted activities.
- 17.68.040 Conditionally permitted activities.
- 17.68.050 Permitted facilities.
- 17.68.060 Conditionally permitted facilities.
- 17.68.070 Special regulations applying to certain Commercial and Civic Activities.
- 17.68.071 Special regulations applying to Hazardous Waste Management Activities.
- 17.68.080 Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.
- 17.68.085 Special regulations applying to ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing and ~~Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning Commercial Activities.
- 17.68.090 Performance standards for Commercial and Manufacturing Activities.
- 17.68.100 Limitations on Signs.
- 17.68.110 Minimum lot frontage.
- 17.68.120 Maximum height.
- 17.68.130 Minimum yards.
- 17.68.140 Buffering and landscaping.
- 17.68.150 Other zoning provisions.

**17.68.030 Permitted activities.**

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

A. Civic Activities:

- Essential Service
- Limited Child-Care
- Nonassembly Cultural
- Administrative
- Telecommunications

B. Commercial Activities:

- General Food Sales
- Full Service Restaurant
- Limited Service Restaurant and Café
- ~~Convenience Sales and Service~~

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

- Medical Service
- General Retail Sales
- ~~General Personal Consumer Service~~
- Consultative and Financial Service
- Administrative
- ~~Business and Communication Service~~Business, Communication, and Media

Service

- Broadcasting and Recording Service
- Research Service
- General Wholesale Sales

~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and Cleaning, except as provided in Section 17.102.370.

Automotive Fee Parking, except as provided in Section 17.102.370.

C. Industrial Activities:

Custom Manufacturing --when located further than one hundred fifty (150) feet from residential zones

Light Manufacturing --when located further than one hundred fifty (150) feet from residential zones

D. Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 17.102.100. (Ord. 12289 § 4 (part), 2000; Ord. 11904 § 5.64 (part), 1996; prior planning code § 5603)

**17.68.040 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:

~~Community Assembly~~

~~Recreational Assembly~~

Community Education

Utility and Vehicular

Extensive Impact

Special Health Care Civic Activities

B. Commercial Activities:

Convenience Market

Fast-Food Restaurant

Alcoholic Beverage Sales

Consumer ~~Laundry Cleaning~~ and Repair Service

Consumer ~~Dry Cleaning Plant~~

~~Retail Business Supply~~

~~Construction Sales and Service~~ Wholesale Professional Building Material Sales

~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and

Servicing

Taxi and Light Fleet-Based Service, except as provided in Section 17.102.210F

~~Transport and Warehousing, except as provided in~~

Section 17.102.210F

Animal Care

Animal Boarding

C. Industrial Activities:

Custom Manufacturing --when located within one hundred fifty (150) feet of residential zones

Light Manufacturing --when located within one hundred fifty (150) feet of residential zones

General Manufacturing, provided that electroplating activities shall also be subject to the provisions of Section 17.102.340

Warehousing, Storage, and Distribution—Automotive Salvage/Junk Yards

Small Scale Transfer and Storage Hazardous Waste Management when located a minimum of 2,000 feet from a Residential Facility; such facilities when located within 2,000 feet of a Residential Facility are not permitted

D. Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

Mining and Quarrying

E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12450 § 15, 2002; Ord. 12147 § 3 (part), 1999; Ord. 12072 § 6, 1998; Ord. 11956 § 4, 1996; prior planning code § 5604)

**17.68.070 Special regulations applying to certain Commercial and Civic Activities.**

A. Administrative Activities, Medical Service, and Consultative and Financial Service. The total floor area devoted to Administrative Civic Activities or Administrative, Medical Service, or Consultative and Financial Service Commercial Activities on any single lot shall not exceed fifteen thousand (15,000) square feet, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

B. General Retail Sales and ~~General Personal~~Consumer Service. The total floor area devoted to General Retail Sales or ~~General Personal~~Consumer Service Commercial Activities by any single establishment shall not exceed three thousand (3,000) square feet, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

C. Convenience Markets, Fast-Food Restaurants, and Certain Establishments Selling Alcoholic Beverages or Providing Mechanical or Electronic Games. See Section 17.102.210. (Prior planning code § 5608)

**17.68.085 Special regulations applying to ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing and Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning~~ Commercial Activities.**

No facility accommodating an ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing or Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning~~ Commercial Activity that is located within one hundred fifty (150) feet of any residential zone boundary shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such a proposal shall have been approved pursuant to the design review procedure in Chapter 17.136. (Ord. 12240 § 5, 2000)

## Chapter 17.70

### M-30 GENERAL INDUSTRIAL ZONE REGULATIONS

#### Sections:

- 17.70.010 Title, purpose, and applicability.  
 17.70.020 Required design review process.  
 17.70.030 Permitted activities.  
 17.70.040 Conditionally permitted activities.  
 17.70.050 Permitted facilities.  
 17.70.060 Conditionally permitted facilities.  
 17.70.070 Special regulations applying to certain Commercial and Civic Activities.  
 17.70.080 Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.  
 17.70.081 Special regulations applying to Hazardous Waste Management Activities.  
 17.70.085 Special regulations applying to ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing and ~~Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning Commercial Activities.  
 17.70.090 Performance standards for Commercial and Manufacturing Activities within four hundred feet of residential zone.  
 17.70.100 Limitations on Signs.  
 17.70.110 Minimum lot frontage.  
 17.70.120 Maximum height.  
 17.70.130 Minimum yards.  
 17.70.140 Buffering.  
 17.70.150 Other zoning provisions.

#### 17.70.030 Permitted activities.

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

- A. Civic Activities:
- Essential Service
  - Limited Child-Care
  - Nonassembly Cultural
  - Administrative
  - Utility and Vehicular, but excluding communications equipment installation and exchanges
  - Telecommunications
- B. Commercial Activities:
- General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - Convenience Market
  - ~~Convenience Sales and Service~~
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
  - Medical Service
  - General Retail Sales
  - ~~General Personal~~Consumer Service
  - Consultative and Financial Service
  - Administrative

Service ~~Business and Communication Service~~ Business, Communication, and Media  
Broadcasting and Recording Service  
~~Retail Business Supply~~  
Research Service  
General Wholesale Sales  
~~Construction Sales and Service~~ Wholesale Professional Building Material Sales  
~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and  
Servicing, except as provided in Section 17.102.380.  
~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and  
Cleaning, except as provided in Section 17.102.380.  
Taxi and Light Fleet-Based Service, except as provided in Section 17.102.210E  
and subject to provisions in Section 17.102.380

~~Automotive Fee Parking~~, except as provided in Section 17.102.380.

~~Transport and Warehousing~~, except as provided in Section 17.102.210E  
and subject to provisions in Section 17.102.380.

C. Industrial Activities:

Custom Manufacturing  
Light Manufacturing  
General Manufacturing, except electroplating activities

D. Agricultural and Extractive Activities:

Plant Nursery  
Crop and Animal Raising

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

(Ord. 12289 § 4 (part), 2000; Ord. 12147 § 3 (part), 1999; Ord. 11956 § 5, 1996; Ord. 11904 § 5.65 (part), 1996; prior planning code § 5703)

**17.70.040 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:

~~Community Assembly~~  
~~Recreational Assembly~~  
Community Education  
Extensive Impact  
Utility and Vehicular (communications equipment installations and exchanges,

only)

Special Health Care Civic Activities

B. Commercial Activities:

~~Fast-Food Restaurant~~  
~~Alcoholic Beverage Sales~~  
~~Consumer Laundry Cleaning and Repair Service~~  
Consumer Dry Cleaning Plant  
~~Group Assembly~~  
~~Personal Instruction and Improvement and Small Scale Entertainment~~  
~~Automotive Sales, Rental, and Delivery~~ Automobile and Other Light Vehicle

Sales and Rental

Animal Care

Animal Boarding

- C. Industrial Activities:  
 General Manufacturing, electroplating activities subject to the provisions of Section 17.102.340  
 Warehousing, Storage, and Distribution—Automotive Salvage/Junk Yards  
 Small Scale Transfer and Storage Hazardous Waste Management when located a minimum of 2,000 feet from a Residential Facility; such facilities when located within 2,000 feet of a Residential Facility are not permitted  
 Industrial Transfer/Storage Hazardous Waste Management when located a minimum of 2,000 feet from a Residential Facility; such facilities when located within 2,000 feet of a Residential Facility are not permitted
- D. Agricultural and Extractive Activities:  
 Mining and Quarrying
- E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12450 § 16, 2002; Ord. 12147 § 3 (part), 1999; Ord. 12072 § 8, 1998; Ord. 11956 § 6, 1996; Ord. 11854 § 12, 1996; prior planning code § 5704)

**17.70.070 Special regulations applying to certain Commercial and Civic Activities.**

- A. Administrative Activities, Medical Service, and Consultative and Financial Service. The total floor area devoted to Administrative Civic Activities or Administrative, Medical Service, or Consultative and Financial Service Commercial Activities on any single lot shall not exceed fifteen thousand (15,000) square feet, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.
- B. General Retail Sales and ~~General Personal~~Consumer Service. The total floor area devoted to General Retail Sales or ~~General Personal~~Consumer Service Commercial Activities by any single establishment shall not exceed three thousand (3,000) square feet, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.
- C. Certain Establishments Selling Alcoholic Beverages or Providing Mechanical or Electronic Games. See Section 17.102.210. (Prior planning code § 5708)

**17.70.085 Special regulations applying to ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing and ~~Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning Commercial Activities.**

No facility accommodating an ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing or ~~Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning Commercial Activity that is located within one hundred fifty (150) feet of any residential zone boundary shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such a proposal shall have been approved pursuant to the design review procedure in Chapter 17.136. (Ord. 12240 § 6, 2000)



**Chapter 17.72**

**M-40 HEAVY INDUSTRIAL ZONE REGULATIONS**

**Sections:**

- 17.72.010 Title, purpose, and applicability.
- 17.72.020 Required design review process.
- 17.72.030 Permitted activities.
- 17.72.040 Conditionally permitted activities.
- 17.72.050 Permitted facilities.
- 17.72.060 Conditionally permitted facilities.
- 17.72.070 Special regulations applying to certain Commercial and Civic Activities.
- 17.72.080 Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.
- 17.72.081 Special regulations applying to Hazardous Waste Management Activities.
- 17.72.085 Special regulations applying to ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing and Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning~~ Commercial Activities.
- 17.72.090 Limitations on Signs.
- 17.72.100 Minimum lot frontage.
- 17.72.110 Maximum height.
- 17.72.120 Minimum yards.
- 17.72.130 Buffering.
- 17.72.140 Other zoning provisions.

**17.72.030 Permitted activities.**

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

- A. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Nonassembly Cultural
  - Administrative
  - Utility and Vehicular, but excluding communications equipment installations and exchanges
  - Telecommunications
- B. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - Convenience Market
  - ~~Convenience Sales and Service~~
  - Mechanical or Electronic Games, subject to the provisions of Section

17.102.210C

- Medical Service
- General Retail Sales
- ~~General Personal~~Consumer Service
- Consultative and Financial Service
- Administrative
- ~~Business and Communication Service~~Business, Communication, and Media Service
- Broadcasting and Recording Service

- ~~Retail Business Supply~~
- ~~Research Service~~
- ~~General Wholesale Sales~~
- ~~Construction Sales and Service~~ Wholesale Professional Building Material Sales
- ~~Automotive Sales, Rental, and Delivery~~ Automobile and Other Light Vehicle
- Sales and Rental
- ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and
- Servicing
- ~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and
- Cleaning
- Taxi and Light Fleet-Based Service, except as provided in Section 17.102.210F
- Automotive Fee Parking
- Transport and Warehousing, except as provided in Section 17.102.210F
- Scrap Operation, except as provided in Section 17.102.210F
- C. Industrial Activities:
  - Custom Manufacturing
  - Light Manufacturing
  - General Manufacturing, except electroplating activities
- D. Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
- E. Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 17.102.100. (Ord. 12147 § 3 (part), 1999; Ord. 11956 § 7, 1996; Ord. 11904 § 5.65 (part), 1996; Ord. 11889 § 2, 1996; Ord. 11854 § 13, 1996; prior planning code § 5803)

**17.72.040 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:
  - ~~Community Assembly~~
  - ~~Recreational Assembly~~
  - ~~Community Education~~
  - ~~Extensive Impact~~
  - ~~Utility and Vehicular (communications equipment installations and exchanges, only)~~
  - Special Health Care Civic Activities
- B. Commercial Activities:
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - Consumer ~~Laundry~~ Cleaning and Repair Service
  - ~~Consumer Dry Cleaning Plant~~
  - Group Assembly
  - Personal Instruction and Improvement and Small Scale Entertainment
  - Animal Care
  - Animal Boarding
- C. Industrial Activities:
  - General Manufacturing, electroplating activities subject to the provisions of Section 17.102.340
  - Heavy/ High Impact Manufacturing

Small Scale Transfer and Storage Hazardous Waste Management when located a minimum of 2,000 feet from a Residential Facility; such facilities when located within 2,000 feet of a Residential Facility are not permitted

Industrial Transfer/Storage Hazardous Waste Management when located a minimum of 2,000 feet from a Residential Facility; such facilities when located within 2,000 feet of a Residential Facility are not permitted

D. Agricultural and Extractive Activities:

Mining and Quarrying

E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12450 § 17, 2002; Ord. 12147 § 3 (part), 1999; Ord. 12072 § 10, 1998; Ord. 11889 § 3, 1996; Ord. 11854 § 14, 1996; prior planning code § 5804)

**17.72.070 Special regulations applying to certain Commercial and Civic Activities.**

A. Administrative Activities, Medical Service, and Consultative and Financial Service. The total floor area devoted to Administrative Civic Activities or Administrative, Medical Service, or Consultative and Financial Service Commercial Activities on any single lot shall not exceed fifteen thousand (15,000) square feet, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

B. General Retail Sales and ~~General Personal Consumer~~ Service. The total floor area devoted to General Retail Sales or ~~General Personal Consumer~~ Service Commercial by any single establishment shall not exceed three thousand (3,000) square feet, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

C. Certain Establishments Selling Alcoholic Beverages or Providing Mechanical or Electronic Games. See Section 17.102.210.

D. Scrap Operations.

1. No Scrap Operation Commercial Activity shall be located within four hundred (400) feet from the boundary of any other zone except the M-30 zone, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

2. The following regulations shall apply to all Scrap Operation Commercial Activities in the M-40 zone which are not subject to the requirement for a conditional use permit. Except for accessory off-street parking, landscaping, and screening, said activities shall be conducted entirely within an enclosed building or behind a solid lumber, masonry, or sheet metal fence or wall not less than ten feet high, subject to the standards for required landscaping and screening in Chapter 17.124. All openings in such fence or wall shall be equipped with solid gates or doors of the same height as the fence or wall, and said gates or doors shall be kept securely closed at such times as the establishment is not open for business. Open storage of vehicles and other scrap material shall not exceed twenty (20) feet in height.

3. See Sections 17.72.090 and 17.102.210F. (Ord. 11956 § 8, 1996; prior planning code § 5808)

**17.72.085 Special regulations applying to ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing and ~~Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning Commercial Activities.**

No facility accommodating an ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing or ~~Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning Commercial Activity that is located within one hundred fifty (150) feet of any residential zone boundary shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such a proposal shall have been approved pursuant to the design review procedure in Chapter 17.136. (Ord. 12240 § 7, 2000)

**Chapter 17.73**

**CIX-1, CIX-2, IG AND IO INDUSTRIAL ZONES**

**17.73.020 Permitted and Conditionally Permitted Uses and Facilities**

The following table lists the permitted, conditionally permitted, and prohibited uses and facilities in the CIX-1, CIX-2, IG and IO zones. The descriptions of these uses are contained in Chapter 17.10.

“P” designates permitted uses and facilities in the corresponding zone.

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

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

“--” designates uses and facilities that are prohibited in the corresponding zone.

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

Uses	Zones				Additional Regulations
	CIX-1	CIX-2	IG	IO	
<b>Residential Uses</b>	All residential uses prohibited in each zone				
<b>Civic Uses</b>					
Essential Service	C	C	C	C	
Limited Child-Care	--	--	--	--	
Community Assembly	P	C	--	C	
Recreational Assembly	<u>P</u>	<u>C</u>	<u>--</u>	<u>C</u>	
Community Education	P	C	--	C	
Nonassembly Cultural	P	C	--	C	
Administrative	P	C	--	C	
Health Care	P	--	--	--	
Special Health Care	C	C	--	--	
Utility and Vehicular	P	C	C	C	
Extensive Impact	C	C	C	C	
Telecommunication	P	P	P	P	See Chapter 17.128
<b>Commercial Uses</b>					
General Food Sales	P	C (L1)	C (L1)	P (L1)	
Full Service Restaurant	P	<u>C (L1)</u>	<u>C (L1)</u>	<u>P (L1)</u>	
Limited Service Restaurant and Café	<u>P</u>	<u>C (L1)</u>	<u>C (L1)</u>	<u>P (L1)</u>	
Convenience Market	C	C	--	C	See Section 17.102.210
Fast Food Restaurant	C	C	--	C	
Alcoholic Beverage Sales	L2	C	--	--	
<del>Convenience Sales and Service</del>	<del>P</del>	<del>P</del>	<del>--</del>	<del>P</del>	
Mechanical or Electronic Games	L3	--	--	--	See Section 17.102.210
Medical Service	P	C	--	C	
General Retail Sales	P	--	--	--	Retail allowed as an accessory use only in CIX-2 and IO per Section 17.10.040
Large-Scale Combined Retail and Grocery Sales	--	--	--	--	
<del>General Personal Consumer Service</del>	<del>P</del>	<del>--</del>	<del>--</del>	<del>--</del>	
Consultative and Financial Services	P	--	--	--	
Check Cashier and Check Cashing	--	--	--	--	

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

Uses	Zones				Additional Regulations
	CIX-1	CIX-2	IG	IO	
Consumer Laundry Cleaning and Repair Service	P	C	--	--	
<u>Consumer Dry Cleaning Plant</u>	<u>P</u>	<u>C</u>	<u>--</u>	<u>--</u>	
Group Assembly	P (L7)	C (L8)	C (L8)	C (L8)	
<u>Personal Instruction and Improvement and Small Scale Entertainment</u>	<u>P (L7)</u>	<u>C (L8)</u>	<u>C (L8)</u>	<u>C (L8)</u>	
Administrative	P	P	L9	P	
<u>Business and Communication Service Business, Communication, and Media Service</u>	P	P	P	P	
<u>Broadcasting and Recording Service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Retail Business Supply</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	
Research Service	P	P	C	P	
General Wholesale Sales	P	P	P	P	No retail ancillary activities allowed in IG or IO.
Transient Habitation	--	--	--	--	
<u>Construction Sales and Service Wholesale Professional Building Material Sales</u>	L3	L3	--	--	
<u>Automotive Sales, Rental, and Delivery Automobile and Other Light Vehicle Sales and Rental</u>	P	C	--	C	
<u>Automotive Servicing Automobile and Other Light Vehicle Gas Station and Servicing</u>	P	P	P	--	If located within (150) feet of any residential zone boundary is pursuant to the design review procedure in Chapter 17.136.
<u>Automotive Repair and Cleaning Automobile and Other Light Vehicle Repair and Cleaning</u>	L3	L3	P	--	If located within (150) feet of any residential zone boundary is pursuant to the design review procedure in Chapter 17.136.
Automotive Fee Parking	L3	P	P	P	
Animal Care	L4	C	C	--	
<u>Animal Boarding</u>	<u>L4</u>	<u>C</u>	<u>C</u>	<u>--</u>	
Undertaking Service	P	C	C	--	
<b>Industrial Uses</b>					
Custom Manufacturing	P	P	P	P	
Light Manufacturing	P	P	P	P	
General Manufacturing	L3	L3	P	--	
Heavy Manufacturing	--	--	C	--	
Research and Development	P	P	P	P	
Construction Operations	L3	L3	L3	C	
Warehousing, Storage and Distribution					

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

Uses		Zones				Additional Regulations
		CIX-1	CIX-2	IG	IO	
A.	General Warehousing, Storage and Distribution	P	P	P	P	No retail component allowed in IG or IO. See Section 17.73.060
B.	General Outdoor Storage	C	L3	P	P	
C.	Self or Mini Storage	C	C	--	C	
D.	Container Storage	--	L3	P	--	
E.	Automotive Salvage and Junk Yards	--	--	L3	--	
Regional Freight & Transportation:						
A.	Seaport	--	--	P	C	
B.	Rail Yard	--	C	P	--	
Trucking & Trucking-related Activities:						
A.	Freight/Truck Terminal	L5	L3	P	--	If located within (150) feet of any residential zone boundary is pursuant to the design review procedure in Chapter 17.136.
B.	Truck Yard	L5	C	P	C	
C.	Truck Weigh Stations	--	P	P	--	
D.	Truck & Other Heavy Vehicle Sales, Rental & Leasing	L6	P	P	P	
E.	Truck & Other Heavy Vehicle Service, Repair, and Refueling	L5	P	P	--	
Recycling & Waste Related Activities						
A.	Satellite Recycling Collection Centers	C	C	C	C	
Hazardous Materials Production, Storage & Waste-Related Activities						L11 See also Health & Safety Protection Zone (S-19)
A.	Small Scale Transfer and Storage	--	C	C	--	
B.	Industrial Transfer/Storage	--	--	C	--	
C.	Residuals Repositories	--	--	C	--	
D.	Oil and Gas Storage	--	--	L2	--	
<b>Agricultural and Extractive uses</b>						
Plant nursery		P	P	P	--	See Section 17.102.220
Crop and animal raising		--	--	C	--	
Mining and Quarrying Extractive		--	--	C	--	

Facility Types	Zones				Additional Regulations
	CIX-1	CIX-2	IG	IO	
<b>Residential Facilities</b>	All residential uses prohibited in each zone				
<b>Nonresidential Facilities</b>					
Enclosed Nonresidential	P	P	P	P	
Open Nonresidential	P	P	P	P	
Sidewalk Cafe	C	C	--	--	See Section 17.102.335
Drive-In Nonresidential	--	--	--	--	
Drive-Through Nonresidential	C	C	C	C	See Section 17.102.290
Shopping Center Facility	--	--	--	--	
<b>Telecommunications</b>					
Micro Telecommunications	P	P	P	P	See Chapter 17.128

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

Uses	Zones				Additional Regulations
	CIX-1	CIX-2	IG	IO	
Mini Telecommunications	P	P	P	P	
Macro Telecommunications	C	C	P	P	
Monopole Telecommunications	C	C	P	P	
Tower Telecommunications	--	--	P	P	
<b>Signs</b>					
Residential Signs	--	--	--	--	See Chapter 17.104
Special Signs	P	P	P	P	
Development Signs	P	P	--	--	
Realty Signs	P	P	P	P	
Civic Signs	P	P	P	P	
Business Signs	P	P	P	P	
Advertising Signs	--	--	--	--	

**Limitations:**

- L1. Limited to location on a ground floor in CIX-2, IG and IO. Over 5,000 sf floor area requires a conditional use permit in CIX-2, IG, and IO.
- L2. Prohibited within 300 feet of a residential zone and requires a conditional use permit elsewhere throughout the zone. (Conditional use permit is required in CIX-2).
- L3. A conditional use permit is required if within 300 feet of a residential zone; Permitted if beyond 300 feet of a residential zone.
- L4. A conditional use permit is required if the use involves any of the following: a) outdoor yard activities; or b) ancillary overnight boarding.
- L5. Prohibited within 600 feet of a residential zone. A conditional use permit is required elsewhere throughout the zone.
- L6. A conditional use permit is required a) if within 300 feet of a residential zone, and b) if located anywhere in the district when outdoor repair and service activity exceeds 50% of site area.
- L7. A conditional use permit is required for entertainment uses.
- L8. Entertainment, educational and athletic services are not permitted.
- L9. Administrative activities accessory to an existing industrial activity are limited to twenty (20) percent of floor area in IG.
- L10. Prohibited within 300 feet of a residential zone; a conditional use permit is required within 300 to 600 feet of a residential zone; permitted if beyond 600 feet of a residential zone boundary.
- L11. A conditional use permit is required for electroplating activities.

**17.73.040 Special Regulations for Work/Live Units in the Industrial Zones**

—A. Applicability. A work/live unit in the industrial zones must meet all applicable regulations contained in this section. Regulations in this section supersede regulations contained in Section 17.102.190 relating to the conversion of buildings originally designed for commercial or industrial activities into joint living and working quarters for work/live units in the industrial zones only.

—B. Definition. A “work/live unit” means a room or suite of rooms that are internally connected maintaining a common household that includes: (1) cooking space and sanitary facilities that satisfy the provisions of other applicable codes, and (2) adequate working space reserved for, and regularly used by, one or more persons residing therein. A work/live unit accommodates a primary nonresidential activity with an accessory residential component.

—C. Conditional use permit required.

a.1. Establishment of a work/live unit for new construction is only permitted upon determination that the proposal conforms to the conditional use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 on lots that are both: 1) in the CIX-1 or CIX-2 zones and 2) within three-hundred feet of a residential zone.

b.2. Establishment of a work/live unit through the conversion of an existing building originally designed for commercial or industrial activities is permitted in all industrial zones with the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 provided there are existing artist and/or artisan residents who meet the requirements of Zoning Code Bulletin regarding “live/work” (issued August 29, 2001 and amended August 23, 2004).

—D. Regular design review required. Establishment of a work/live unit shall only be permitted upon determination that the proposal conforms to the regular design review criteria set forth in the design review procedure in Chapter 17.136 and to all of the following additional criteria:

—1. That the exterior of a new building containing primarily work/live units in the industrial zones has a commercial or industrial appearance. This includes, but is not necessarily limited to, the use of nonresidential building styles or other techniques;

—2. That units on the ground floor or level of a building have a business presence on the street. This includes, but is not necessarily limited to, providing roll up doors at the street or storefront style windows that allow interior space to be visible from the street, a business door that is oriented towards the street, a sign or other means that identifies the business on the door and elsewhere, a prominent ground floor height, or other techniques;

—3. That the layout of nonresidential floor areas within a unit provides a functional and bona fide open area for working activities;

—4. That the floor and site plan for the project include an adequate provision for the delivery of items required for a variety of businesses. This may include, but is not necessarily limited to, the following:

- a. Service elevators designed to carry and move oversized items,
- b. Stairwells wide and/or straight enough to deliver large items,
- c. Loading areas located near stairs and/or elevators and
- d. Wide corridors for the movement of oversized items; and

—5. That the floor and site plan for the project provide units that are easily identified as businesses and conveniently accessible by clients, employees and other business visitors.

—E. Activity, parking, loading, open space, and unit size standards for work/live units. The following table contains the activities allowed in a work/live unit; the minimum size of an industrial work/live unit; and the parking, loading and open space required for each work/live unit:

**Table 17.73.040.C Activity, parking, loading, open space, and unit size standards for work/live units.**

Standard	Requirement	Notes
Activities allowed in a work/live unit	Same permitted and conditionally permitted activities as described in Section 17.73.020 for the applicable base zone.	
Required parking	One parking space per unit plus one additional unassigned visitor or employee parking space per five work/live units	1, 3
Required loading	<b>Square feet of facility</b>	<b>Requirement</b>



	Less than 10,000 square feet	No berth required
	10,000--69,999 square feet	One berth
	70,000--130,000 square feet	Two berths
	Each additional 200,000 square feet	One additional berth
Required usable open space	75 square feet of usable open space per unit	
Minimum size of unit	No individual unit shall be less than eight hundred (800) square feet of floor area	

**Notes:**

1. See Chapter 17.116 for other off-street parking standards.
2. All required usable open space shall meet the usable open standards contained in Chapter 17. 126, except that all usable open space work/live units may be provided above ground. Further, each square foot of private usable open space equals two square feet towards the total usable open space requirement.
3. Parking and open space standards apply to new construction. For conversion of existing buildings, maintaining existing parking and open space is required.

—F.— A work/live unit shall consist of a maximum of one-third residential floor area with the remaining floor area to be used for the primary non-residential activity. All required plans for the creation of industrial work/live units shall: (1) delineate areas designated to contain residential activities and areas designated to contain nonresidential activities, and (2) contain a table showing the square footage of each unit devoted to residential and nonresidential activities.

—G.— Work/live space shall be considered Commercially/ Industrially Oriented Joint Living and Working Quarters under the Building Code. Any building permit plans for the construction or establishment of work/live units shall: (1) clearly state that the proposal includes Commercially/Industrially Joint Living and Working Quarters and (2) label the units intended to be these units as Commercially/ Industrially Joint Living and Working Quarters. This requirement is to assure the City applies building codes that allow industrial activities in work/live units in the industrial zones.

—H.— Each unit shall contain at least one tenant that operates a business within that unit. That tenant shall possess a valid and active City of Oakland Business Tax Certificate to operate a business out of the unit.

—I.— For any work/live unit, a statement of disclosure shall be: (1) provided to prospective owners or tenants before a unit or property is rented, leased, or sold, and (2) recorded with the County of Alameda as a Notice of Limitation and in any other covenant, conditions and restrictions associated with a facility. This statement of disclosure shall contain the following acknowledgments:

1. The unit is in a nonresidential facility that allows commercial and/or industrial activities that may generate odors, truck traffic, vibrations, noise and other impacts at levels and during hours that residents may find disturbing.

2. Each unit shall contain at least one tenant that operates a business within that unit. This tenant must possess an active City of Oakland Business Tax Certificate for the operation out of the unit.

—J.— Each building with a work/live unit shall contain a sign that: (1) is permanently posted; (2) is at a common location where it can be frequently seen by all tenants such as a mailbox, lobby, or entrance area; (3) is made of durable material; (4) has a minimum dimension of nine by eleven inches and lettering at least one-half an inch tall. This sign shall contain the following language: “This development contains work/live units. As such, please anticipate the possibility of odors, truck traffic, noise or other impacts at levels and hours that residents may find disturbing.”

—K.— The development of work/live units in the industrial zones shall not be considered adding housing units to the City’s rental supply, nor does it create “conversion rights” under the City’s condominium conversion ordinance, O.M.C. Chapter 16.36, nor are the development standards for work/live units intended to be a circumvention of the requirements of the City’s condominium conversion ordinance, O.M.C. Chapter 16.36.

**Chapter 17.74**

**S-1 MEDICAL CENTER 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 occupying a One-Family Dwelling Residential Facility
  - Semi-Transient
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Health Care
  - Telecommunications
- C. Commercial Activities:
  - Medical Service

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.75, 1996; prior planning code § 6103)

**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. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Administrative
  - Utility and Vehicular
  - Community Education
  - Special Health Care Civic Activities
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - ~~Convenience Sales and Service~~
  - ~~General Personal~~Consumer Service
  - Consultative and Financial Service
  - Group Assembly
  - Personal Instruction and Improvement and Small Scale Entertainment
  - Administrative

<u>Service</u>	<del>Business and Communication Service</del> <u>Business, Communication, and Media</u>
	<u>Broadcasting and Recording Service</u>
	<del>Retail Business Supply</del>
	Research Service
	Automotive Fee Parking
	Animal Care
	<u>Animal Boarding</u>

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 17.102.100.

E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110.

(Ord. 12450 § 13, 2002; Ord. 12138 § 5 (part), 1999; prior planning code § 6104)

**Chapter 17.76**

**S-2 CIVIC CENTER ZONE REGULATIONS**

**17.76.050 Permitted activities.**

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

- A. Residential Activities:
  - Permanent Residential Care occupying a One-Family Dwelling Residential Facility
  - Semi-Transient
- B. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Community Assembly
  - ~~Recreational Assembly~~
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Telecommunications
- C. Commercial Activities:
  - Medical Service
  - Consultative and Financial Service
  - Administrative

(Ord. 12138 § 5 (part), 1999; Ord. 11904 § 5.76, 1996; prior planning code § 6153)

**17.76.060 Conditionally permitted activities.**

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

- A. Residential Activities:
  - Residential Care, except when occupying a One-Family Dwelling Residential Facility
  - Service-Enriched Permanent Housing
  - Transitional Housing
  - Emergency Shelter
- B. Civic Activities:
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - ~~Convenience Sales and Service~~
  - General Retail Sales
  - ~~General Personal~~ Consumer Service

~~Consumer Laundry Cleaning and Repair Service~~  
~~Consumer Dry Cleaning Plant~~

~~Group Assembly~~

~~Personal Instruction and Improvement and Small Scale Entertainment~~

~~Business and Communication Service~~ Business, Communication, and Media

Service

Broadcasting and Recording Service

~~Retail Business Supply~~

~~Research Service~~

~~Transient Habitation~~

~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and

Servicing

Automotive Fee Parking

D. Off-street parking serving activities other than those listed above or in Section 17.76.050, subject to the conditions set forth in Section 17.102.100.

E. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12138 § 5 (part), 1999; prior planning code § 6154)

## Chapter 17.78

### S-3 RESEARCH CENTER ZONE REGULATIONS

#### 17.78.040 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:

Community Assembly

Recreational Assembly

Administrative

Utility and Vehicular

Extensive Impact

(Prior planning code § 6204)

**Chapter 17.81**

**S-5 BROADWAY RETAIL FRONTAGE INTERIM COMBINING ZONE REGULATIONS**

**17.81.060 Permitted and conditionally permitted activities.**

The following table lists activities permitted, conditionally permitted, and prohibited in the S-5 zone. 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) in the corresponding zone.

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

“--” designates activities that are prohibited in the corresponding zone.

Activity	Regulations	Additional Regulations
<i>Residential Activities</i>		
Permanent Residential	C (L1)	
Residential Care occupying a One-Family Dwelling Residential Facility	C (L1)	17.102.212
Residential Care not occupying a One-Family Dwelling Residential Facility	C (L1)	17.102.212
Service-Enriched Permanent Housing	C (L1)	17.102.212
Transitional Housing	C (L1)	17.102.212
Emergency Shelter	--	17.102.212
Semi-Transient Residential	--	17.102.212
<i>Civic Activities</i>		
Essential Service	P	
Limited Child-Care	C (L1)	
Community Assembly	C (L1)	
Recreational Assembly	C(L1)	
Community Education	P (L1)	
Nonassembly Cultural	P	
Administrative	P (L1)	
Health Care	C	
Special Health Care	--	17.102.410
Utility and Vehicular	--	
Extensive Impact	--	
Telecommunication	P	17.128

Activity	Regulations	Additional Regulations
<i>Commercial Activities</i>		
General Food Sales	P	
Full Service Restaurant		
Limited Service Restaurant and Café		
Convenience Market	C	17.102.210
Fast-Food Restaurant	C	
Alcoholic Beverage Sales	C	17.102.210
Convenience Sales and Service	P	
Mechanical or Electronic Games	--	17.102.210
Medical Service	P (L2)	
General Retail Sales	P	
Large-Scale Combined Retail and Grocery Sales	--	
General Personal Consumer Service	P	
Consultative and Financial Service	P	
Check Cashier and Check Cashing	--	
Consumer Laundry Cleaning and Repair Service	P	
Consumer Dry Cleaning Plant		
Group Assembly	C	
Personal Instruction and Improvement and Small Scale Entertainment	C	
Administrative	P (L1)	
Business and Communication Service Business, Communication, and Media Service	P	
Broadcasting and Recording Service	P	
Retail Business Activity	C	
Research Center	--	
General Wholesale Sales	--	
Transient Habitation	--	17.102.370
Construction Sales and Service Wholesale Professional Building Material Sales	--	
Automotive Sales, Rental, and Delivery Automobile and Other Light Vehicle Sales and Rental	C	
Automotive Servicing Automobile and Other Light Vehicle Gas Station and Servicing	--(L3)	17.114.050 (A)
Automotive Repair and Cleaning Automobile and Other Light	--(L3)	17.114.050 (A)



Vehicle Repair and Cleaning		
Taxi and Light Fleet-Based Service	--	
Automotive Fee Parking	C	
Transport and Warehousing	--	
Animal Care	C	
Animal Boarding	C	
Undertaking Service	--	
Scrap Operation	--	17.102.210

Activity	Regulations	Additional Regulations
<b><i>Manufacturing Activities</i></b>		
Custom Manufacturing	--	
Light Manufacturing	--	
General Manufacturing	--	
Heavy Manufacturing	--	
Small Scale Transfer and Storage Hazardous Waste Management	--	
Industrial Transfer/Storage Hazardous Waste Management	--	
Residuals Repositories Hazardous Waste Management	--	
<b><i>Agricultural and Extractive Activities</i></b>		
Plant Nursery	--	
Crop and Animal raising	--	
Mining and Quarrying Extractive	--	
<b><i>Accessory off-street parking serving prohibited activities</i></b>	C	17.102.110

**Limitations:**

L1 - These activities shall not be located on the ground floor of a building on a lot with a property line that abuts the Broadway or 27<sup>th</sup> Street right of way except for incidental pedestrian entrances that lead to one of these activities in stories above the ground floor.

L2- These activities may only be located on the ground floor of a building on a lot that has a property line abutting the Broadway or 27<sup>th</sup> Street right of way upon the granting of a conditional use permit (see Chapter 17.134), and shall conform to the additional criteria contained in Section 17.25.030. However, incidental pedestrian entrances that lead to one of these activities in stories above the ground floor are permitted without the granting of a conditional use permit.

(Ord. 12850 § 2 Exh. A (part), 2008)

L3- Reestablishment of a discontinued, legal non-conforming ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing activity and/or an ~~Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning activity must occur no later than six (6) months after discontinuation of such a activity, per section 17.114.050(A).

**17.81.070 Special regulations regarding facilities on the ground level of principal facilities.**

- A. This section shall only apply to lots that have a discontinued, legal non-conforming ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing activity and/or an ~~Automotive Repair and Cleaning~~Automotive and Other Light Vehicle Repair and Cleaning activity must occur no later than six (6) months after discontinuation property line abutting either the Broadway, Valdez Street, 24th Street, 26th Street, 27th Street, or Bay Place right of way.
- B. For the purposes of this section, the front of a building on lots abutting more than one street shall be that side facing the most prominent street. The following is a ranking of the prominence of streets in the S-5 zone, from most prominent to least prominent: Broadway, 27th Street, Bay Place, Valdez Street, 24th Street, 26th Street, and then all other streets.
- C. Except upon the granting of a conditional use permit (see subsection E of this section), only principal nonresidential facilities (excluding joint living and working quarters) shall be located within the front thirty (30) feet of the ground floor of any new principal facility located on a corner lot that abuts the Broadway right of way.
- D. Except upon the granting of a conditional use permit (see subsection E), only principal non-residential facilities (excluding joint living and working quarters) and a maximum one driveway shall be located within the front thirty (30) feet of the ground floor of any new principal facility located on an interior lot that abuts the Broadway right of way. This driveway shall be a maximum nineteen (19) feet in width and lead to parking that is at least thirty feet (30) from the front of the building.
- E. Upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, twenty (20) percent of the width of the front thirty (30) feet of the ground floor of a new principal facility may contain required parking. This conditional use permit may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and the following additional criterion:
1. That the requirements contained in subsections C or D of this section are infeasible due to lot dimensions, topographic features, or other site constraints.
- F. The ground level of Broadway facing facades of new principal facilities shall have a store front appearance defined by at least the following design elements:
1. An ample amount of street-facing ground level building facade comprised of clear, non-reflective windows that allow views of indoor commercial space. This includes:
    - a. A minimum of sixty (60) percent of the front building façade between three and one half feet and ten (10) feet in height comprised of clear, non-reflective windows that allow views of indoor commercial space or product display areas. The total area of the front building façade shall not include the area with the driveway;
    - b. The bottom of any window or product display window being no more than four feet above the abutting sidewalk; and
    - c. Product display windows used to satisfy that are a minimum height of four and one half feet and internally lighted.
  2. A prominent and primary entrance feature facing Broadway; and
  3. An area designated for signage. (Ord. 12859 Exh. A, 2008; Ord. 12850 § 2 Exh. A (part), 2008)

**Chapter 17.86**

**S-8 URBAN STREET COMBINING ZONE REGULATIONS**

**17.86.050 Permitted activities in front twenty feet of ground floor.**

Only the following activities shall be located on the ground floor of any building within the first twenty (20) feet thereof facing the abutting street or streets, except as otherwise provided in Sections 17.86.050 and 17.86.080 and except that pedestrian entrances to activities elsewhere in the building may occupy not more than one-third of the face of the building as measured parallel to the street line or lines:

- A. Civic Activities:
    - Essential Service
  - B. Commercial Activities:
    - General Food Sales
    - Full Service Restaurant
    - Limited Service Restaurant and Café
    - ~~Convenience Sales and Service~~
    - Medical Service
    - General Retail Sales
    - ~~General Personal Consumer Service~~
    - Consultative and Financial Service
    - Consumer Laundry Cleaning and Repair Service
    - Consumer Dry Cleaning Plant
    - ~~Retail Business Supply~~
    - Business, Communication, and Media Service
    - ~~Business and Communication Service~~
    - Broadcasting and Recording Service
- (Prior planning code § 6453)

**17.86.060 Conditionally permitted activities in front twenty feet of ground floor.**

Where otherwise allowed by the zones with which the S-8 zone is combined, the following activities may be located on the ground floor of a building within the first twenty (20) feet thereof facing the abutting street or streets upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

- A. Civic Activities:
  - ~~Community Assembly~~
  - ~~Recreational Assembly~~
  - Nonassembly Cultural
  - Administrative
  - Utility and Vehicular
  - Extensive Impact
- B. Commercial Activities:
  - Convenience Market
  - Fast-Food Restaurant
  - Alcoholic Beverage Sales
  - Mechanical or Electronic Games, subject to the provisions of Section 17.102.210C
  - ~~Group Assembly~~
  - Personal Instruction and Improvement and Small Scale Entertainment
  - Administrative
  - Research Service

General Wholesale Sales

Transient Habitation

Automotive Fee Parking, subject to the provisions of Section 17.86.080.

(Prior planning code § 6454)

## Chapter 17.88

### S-9 RETAIL FRONTAGE COMBINING ZONE REGULATIONS

**Sections:**

- 17.88.010 Title, purposes, and applicability.
- 17.88.020 Zones with which the S-9 zone may be combined.
- 17.88.030 **Conditional use permit requirement for General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, and Consultative and Financial Activities on ground floor.**
- 17.88.040 Use permit criteria.

- 17.88.030 **Conditional use permit requirement for General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, and Consultative and Financial Activities on ground floor.**

General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, and Consultative and Financial Service Commercial Activities shall not be located on the ground floor of any building, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and the provisions of Section 17.88.040, and except that incidental entranceways which lead to such an activity on a different floor are permitted.

(Prior planning code § 6504)

**Chapter 17.97**

**S-15 TRANSIT ORIENTED DEVELOPMENT ZONE REGULATIONS**

**17.97.040 Permitted activities.**

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

- A. Residential Activities:
  - Permanent
- B. Civic Activities:
  - Essential Service
  - Limited Child Care
  - Community Assembly
  - Recreational Assembly
  - Community Education
  - Nonassembly Cultural
  - Administrative
  - Health Care
  - Telecommunications
- C. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café
  - ~~Convenience Sales and Service~~
  - Medical Service
  - General Retail Sales
  - ~~General Personal Consumer Service~~
  - Consultative and Financial Service
  - Administrative
  - ~~Business and Communication Service~~Business, Communication, and Media Service
  - Broadcasting and Recording Service
  - Group Assembly
  - Personal Instruction and Improvement and Small Scale Entertainment

(Ord. 11904 § 5.78, 1996; Ord. 11892 § 4 (part), 1996: prior planning code § 6853)

**17.97.050 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 Section 17.97.100 and the conditional use permit procedure in Chapter 17.134:

- A. Residential Activities:
  - Residential Care
  - Service-Enriched Permanent Housing
  - Transitional Housing
- B. Civic Activities:
  - Utility and Vehicular
  - Extensive Impact
- C. Commercial Activities:
  - Fast Food Restaurant
  - Convenience Market
  - ~~Consumer Laundry Cleaning~~ and Repair Service
  - Consumer Dry Cleaning Plant

Transient Habitation and Commercial Activities  
Alcoholic Beverage Sales  
Mechanic or Electronic Games  
Animal Care  
Animal Boarding

Automotive Fee Parking subject to the additional criteria contained in Section 17.97.100(F)

- D. Industrial Activities:
  - Custom Manufacturing
- E. Off-street parking serving nonresidential activities listed in Sections 17.97.040 and 17.97.050.
- F. Additional activities which are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof, subject to the conditions set forth in Section 17.102.110. (Ord. 12561 § 3 (part), 2004; Ord. 12138 § 5 (part), 1999; Ord. 11892 § 4 (part), 1996; prior planning code § 6854)

**Chapter 17.98**

**S-16 INDUSTRIAL-RESIDENTIAL TRANSITION COMBINING ZONE REGULATIONS**

**17.98.040 Permitted activities.**

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

- A. Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Nonassembly Cultural (with less than ten thousand (10,000) square feet of gross floor area)
  - Administrative (with less than ten thousand (10,000) square feet of gross floor area)
  - Telecommunications
- B. Commercial Activities:
  - ~~Convenience Sales and Service~~
  - General Retail Sales
  - ~~General Personal~~Consumer Service
  - Consultative and Financial Service
  - Administrative
  - ~~Business and Communication Service~~Business, Communication, and Media Service
  - ~~Broadcasting and Recording Service~~
  - ~~Retail Business Supply~~
  - Research Service (with less than ten thousand (10,000) square feet of gross floor area)
- C. Industrial Activities:
  - Custom Manufacturing (with less than ten thousand (10,000) square feet of gross floor area)
  - Light Manufacturing (with less than ten thousand (10,000) square feet of gross floor area)

(Ord. 12289 § 3 (part), 2000)

**17.98.050 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 and the special regulations in Section 17.98.090:

- A. Civic Activities:
  - ~~Community Assembly~~
  - ~~Recreational Assembly~~
  - Community Education
  - Nonassembly Cultural (with more than ten thousand (10,000) square feet of new gross floor area)
  - Administrative (with more than ten thousand (10,000) square feet of new gross floor area)
  - Utility and Vehicular
- B. Commercial Activities:
  - General Food Sales
  - Full Service Restaurant
  - Limited Service Restaurant and Café



Convenience Market (subject to provisions in Section 17.102.210A)  
 Mechanical or Electronic Games (subject to provisions in Section 17.102.210C)  
 Medical Service  
~~Consumer Laundry Cleaning and Repair Service~~  
~~Consumer Dry Cleaning Plant~~

Group Assembly  
~~Personal Instruction and Improvement and Small Scale Entertainment~~  
 Research Service (with more than ten thousand (10,000) square feet of new gross floor area)  
 General Wholesale Sales (with less than fifty thousand (50,000) square feet of gross floor area)  
~~Construction Sales and Service~~ Wholesale Professional Building Material Sales  
 Automotive Fee Parking  
 Animal Care  
~~Animal Boarding~~

- C. Industrial Activities:
  - Custom Manufacturing (with more than ten thousand (10,000) square feet of new gross floor area)
  - Light Manufacturing (with more than ten thousand (10,000) square feet of new gross floor area)
- D. Agricultural and Extractive Activities:
  - Plant Nursery
- E. Accessory Activities:
  - Joint Living and Working Quarters (as defined in Section 17.10.040C and subject to the provisions in Section 17.102.190 and the special regulations in Section 17.98.090A.)
  - Open Storage

(Ord. 12289 § 3 (part), 2000)

**17.98.060 Prohibited activities.**

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

- A. Commercial Activities:
  - Alcoholic Beverage Sales
  - ~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and  
Cleaning
  - ~~Automotive Sales, Rental, and Delivery~~ Automobile and Other Light Vehicle  
Sales and Rental
  - ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and  
Servicing
  - Fast-Food Restaurant
- B. Industrial Activities:
  - General Manufacturing
  - Warehousing, Storage, and Distribution
  - Industrial Transfer/Storage Hazardous Waste Management
- C. Agricultural and Extractive Activities
  - Crop and Animal Raising
  - Mining and Quarrying

(Ord. 12289 § 3 (part), 2000)



## Chapter 17.102

### GENERAL REGULATIONS APPLICABLE TO ALL OR SEVERAL ZONES

#### 17.102.430 Regulations applying to check cashier and/or check cashing activity.

A. Additional Use Permit Criteria. A conditional use permit for any conditionally permitted check cashier and or check cashing activity as defined in Section 17.10.365 of the Oakland Planning Code may only be granted upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134, to any and all applicable use permit criteria set forth in the particular individual zone regulations. and to all of the following performance standards:

1. That each check cashier and or check cashing activity be located not less than one thousand (1,000) feet from the nearest check cashier and check cashing activity within the city of Oakland.

2. That each check cashier and or check cashing activity be a minimum of five hundred (500) feet from the following activities, which on the date of an application for check cashier and/or check cashing activity had a vested right under California law to operate:

a. Community education civic activities,

b. State or federally chartered bank, savings association, credit union, or industrial loan company,

c. Community assembly civic activities,

d. Recreational assembly civic activities or

~~e.~~ Alcoholic beverage sales commercial activities, excluding full service restaurants and alcoholic beverage sales commercial activities with twenty-five (25) or more full time equivalent (FTE) employees and a total floor area of twenty thousand (20,000) square feet or more. (Note that this precludes combining check cashing with alcoholic beverage sales commercial activities because alcoholic beverage sales commercial activities are always considered a primary activity and therefore subject to this distance standard).

3. That each check cashier and or check cashing activity meets the following performance standards and that these performance standards are included as standard conditions of approval. These performance standards may be amended or expanded by Staff and/or the Planning Commission as they are applied to individual locations and projects:

a. A lighting plan shall be reviewed and approved by the Zoning Administrator prior to issuing building permits and installed prior to establishing the activity. Exterior lighting shall be provided on all frontages. Such lighting shall be designed to illuminate persons standing outside such that they can be identified fifty (50) feet away. Exterior lighting shall be designed so as not to cast glare offsite.

b. Storefronts shall have glass or transparent glazing in the windows and doors. No more than ten (10) percent of any window or door area shall be covered by signs, banners, or opaque coverings of any kind so that law enforcement personnel will have clear view of the entire public area in the premises from the public sidewalk.

c. Days and hours of operation shall be, no earlier than 7:00 AM nor later than 7:00 PM Monday through Saturday. Patrons shall be discouraged from loitering prior to, during and/or after hours. At least one no loitering sign with letters at least two inches tall shall be installed and maintained where it will be most visible to pedestrians on each side of the building in which the activity is located including, but not limited to, street frontages and parking lots.

d. Graffiti shall be removed within seventy-two (72) hours of application.

e. No exterior pay telephones shall be permitted.

f. Litter shall be removed at least two times daily or as needed from in front of and for twenty (20) feet beyond the building along adjacent street(s). All "street furniture" such as crates or mattresses shall be removed daily or as needed.

g. The applicant shall post at least one certified uniformed security guard on duty at all times the business is open. The security guard shall patrol the interior and all exterior portions of the property under control of the owner or lessee including, but not limited to, parking lots and any open public spaces such as lobbies. (Ord. 12626 § 5, 2004)

## Chapter 17.110

### BUFFERING REGULATIONS

#### Sections:

- 17.110.010 Title, purpose, and applicability.**  
**17.110.020 General buffering requirements--Residential and S-1, S-2, S-3, S-13, S-15 and OS zones.**  
**17.110.030 General buffering requirements--Commercial and industrial zones.**  
**17.110.040 Special buffering requirements.**

#### **17.110.030 General buffering requirements--Commercial and industrial zones.**

(See illustration I-17.) The following regulations shall apply in all commercial and industrial zones, and are in addition to the provisions set forth in Section 17.110.040:

A. Screening Along Entire Lot Line Abutting Residential Zone If Lot in Commercial or Industrial Zone Is Occupied by Commercial, Industrial, or Agricultural or Extractive Activities. Wherever any lot which is located in any commercial or industrial zone and which is occupied by Commercial, Industrial, or Agricultural or Extractive Activities abuts a lot located in any residential zone, it shall be screened from the residentially zoned lot, along the entire abutting lot line except where a driveway or maneuvering aisle is shared with the abutting lot in the manner described in Section 17.116.170, by dense landscaping not less than five and one-half feet (5 ½) high and not less than three (3) feet wide, or by a decorative screening fence or wall not less than five and one-half (5 ½) feet high, subject to the standards for required landscaping and screening in Chapter 17.124 and the exceptions stated in said chapter.

B. Screening of Open Parking, Loading, and Storage Areas in Certain Situations. All open off-street parking areas located on any lot containing three or more parking spaces, and all open off-street loading, storage, sales, display, service, and processing areas on any lot, shall be:

1. Screened from any Residential Facilities located on any abutting lot, except where a maneuvering aisle is shared with the abutting lot in the manner described in Section 17.116.170, by dense landscaping not less than five and one-half (5 ½) feet high and not less than three (3) feet wide, or by a decorative screening fence or wall not less than five and one-half (5 ½) feet high, subject to the standards for required landscaping and screening and the exceptions stated therein; and

2. Screened from any abutting lot located in any residential zone, except where a maneuvering aisle is shared with the abutting lot in the manner described in Section 17.116.170, by dense landscaping not less than five and one-half (5 ½) feet high and not less than three (3) feet wide, or by a decorative screening fence or wall not less than five and one-half (5 ½) feet high, subject to the standards for required landscaping and screening and the exceptions stated therein; and

3. Except in the case of sales, display, or service areas occupied by ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities, screened from that portion of any street, alley, or path, or private street or other way described in Section 17.106.020, directly across which or within one hundred fifty (150) feet, as measured parallel to the centerline of such public or private way, along which there is a lot in any residential zone, by dense landscaping not less than three and one-half (3 ½) feet high and not less than three (3) feet wide, or by a decorative screening fence or wall not less than three and one half (3 ½) feet high, subject to the standards for required landscaping and screening and the exceptions stated therein.

C. Restrictions on Storage, Repair, and Production in Certain Required Yards. See subsections H and K of Section 17.108.130.

D. Control on Artificial Illumination in Certain Situations. All artificial illumination which is readily visible from any of the Residential Facilities or residentially zoned lots referred to in subsection B of this section shall be nonflashing and shall be directed away from said facilities and lots so as to *eliminate objectionable glare.* (Prior planning code § 7111)

## NONCONFORMING USES

### 17.114.050 Nonconforming activity--Discontinuance.

A. Activity Nonconforming Because It Is Not a Permitted Activity. Other than: 1) an Alcoholic Beverage Sales Commercial Activity, the sale of alcoholic beverages at any full-service restaurant in a location described by Section 17.102.210B, or 2) an ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing or ~~Automotive Repair and Cleaning~~Automobile and Other Light Vehicle Repair and Cleaning Activity in the S-5 Zone, whenever an activity that is nonconforming wholly or partly because it is not itself a permitted activity where it is located, occupies four hundred (400) square feet or more of floor area and hereafter discontinues active operation for a continuous period of one year, or occupies less than four hundred (400) square feet of floor area and hereafter discontinues active operation for a continuous period of six months, and the facilities accommodating or serving such activity are not utilized for another activity during such period, said facilities may thereafter be utilized only for a normally permitted or conditionally permitted activity pursuant to Section 17.114.070A, except the former activity may be resumed after a longer period upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

B. Whenever an Alcoholic Beverage Sales Commercial Activity, or sale of alcoholic beverages at any full-service restaurant in a location described by Section 17.102.210B, discontinues active operation for more than ninety (90) days or ceases to be licensed by the State Department of Alcoholic Beverage Control, it may be resumed only upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134. However, if another activity has replaced it, the former activity may thereafter be resumed if and only if such resumption would constitute an allowable change under Section 17.114.070A. Section 17.114.060 shall also apply.

C. Whenever an ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and Servicing or ~~Automotive Repair and Cleaning~~Automobile and Other Light Vehicle Repair and Cleaning Activity in the S-5 Zone discontinues active operation for more than six (6) months, it may be resumed only upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134. However, if another activity has replaced it, the former activity may thereafter be resumed if and only if such resumption would constitute an allowable change under Section 17.114.070A. Section 17.114.060 shall also apply.

D Activity Nonconforming for Other Reasons. A nonconforming activity which is itself a permitted activity where it is located, and which is nonconforming only as to applicable off-street parking or loading requirements, performance standards, or other requirements applying to activities, may be resumed regardless of the period during which it may have discontinued active operation. However, if another activity has replaced it, the former activity may thereafter be resumed only if such resumption would constitute an allowable change under Section 17.114.070B. Section 17.114.060 shall also apply. (Ord. 12017 § 2, 1997; prior planning code § 7420)

### 17.114.070 Nonconforming activity--Allowed substitutions and other changes in activity.

A. Activity Nonconforming Because It Is Not a Permitted Activity. The activities specified in the following table may be substituted for any of the indicated activities which is nonconforming wholly or partly because it is not itself a permitted activity where it is located:

Zone	Prior Nonconforming Activity	Activity Which May be Substituted for Prior Activity, Subject to the Provisos Listed Below This Table
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<b>Zone</b>	<b>Prior Nonconforming Activity</b>	<b>Activity Which May be Substituted for Prior Activity, Subject to the Provisos Listed Below This Table</b>
Any zone.	Any such activity.	Any activity otherwise permitted or, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, any activity otherwise conditionally permitted in the same location.
Any residential zone or S-1, S-2, or S-3 zone.	Any such Industrial Activity where it is not conditionally permitted.	Any civic or Commercial Activity permitted in the C-10 zone.
	The following such Commercial Activities where they are not conditionally permitted:	Any Civic or Commercial Activity permitted in the C-35 zone.
	<u>Research Service</u>	
	<u>General Wholesale Sales</u>	
	<u>Construction Sales and Service</u> <u>Wholesale Professional Building Material Sales</u>	
	<u>Automotive Sales, Rental, and Delivery</u> <u>Automobile and Other Light Vehicle Sales and Rental</u>	
	<u>Automotive Repair and Cleaning</u> <u>Automotive and Other Light Vehicle Repair and Cleaning</u>	
	<u>Taxi and Light Fleet-Based Service</u>	
	Transport and Warehousing	
	Animal Care	
	<u>Animal Boarding</u>	
	Undertaking Service	
	Scrap Operation	
	The following such Commercial Activities where they are not conditionally permitted:	Administrative Civic Activities.
	General Food Sales	Any Commercial Activity permitted in the C-10 zone.
	<u>Full Service Restaurant</u>	<u>Administrative Commercial Activities.</u>
	<u>Limited Service Restaurant and Café</u>	
	Convenience Market	
	Fast-Food Restaurant	
	Alcoholic Beverage Sales	
	<u>Convenience Sales and Service</u>	
	Mechanical or Electronic Games	
	General Retail Sales	
	<u>General Personal Consumer Service</u>	
	<u>Consumer Laundry</u> <u>Cleaning and Repair Service</u>	
	<u>Consumer Dry Cleaning Plant</u>	

Zone	Prior Nonconforming Activity	Activity Which May be Substituted for Prior Activity, Subject to the Provisos Listed Below This Table
	Group Assembly	
	<u>Personal Instruction and Improvement and Small Scale Entertainment</u>	
	<del>Business and Communication Service</del> <u>Business, Communication, and Media Service</u>	
	<u>Broadcasting and Recording Service</u>	
	<del>Retail Business Supply</del>	
	The following such Commercial Activities where they are not conditionally permitted:	Administrative Civic Activities.
	Medical Service	The following Commercial Activities:
	Consultative and Financial Service	Medical Service
	Administrative	Consultative and Financial Service
		Administrative
	Any such Commercial Activity where it is not conditionally permitted.	Any Commercial Activity permitted in the C-35 zone.
Any commercial zone.	Any such Industrial Activity where it is not conditionally permitted.	Any Commercial Activity permitted in the C-45 zone.
Any industrial zone.	Any such Commercial Activity where it is not conditionally permitted.	Any Commercial Activity permitted in the C-35 zone.

Changes that do not constitute substitutions may be made in any activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located. The above substitutions and other changes may be made without regard for requirements on off-street parking and loading, conduct of activities within enclosed buildings, means of customer access, and total floor area which normally apply to activities, except as otherwise provided in Section 17.116.020C. However:

1. If the nonconforming activity is itself conditionally permitted where it is located, no substitution or other change shall be made in it which would conflict with, or further conflict with, any requirement on off-street parking or loading, conduct of activities within enclosed buildings, means of customer access, or total floor area which normally applies to activities. (Changes which are allowed by Section 17.116.020B shall not be deemed to conflict or further conflict with the parking or loading requirements.)

2. Conversions of dwelling units to use by a nonresidential activity shall be subject, where applicable, to the provisions of Section 17.102.230.

3. If the nonconforming activity is located at ground level on any lot in the C-5, C-27, C-28, C-31, or S-9 zone, or on the ground floor of any building within the first twenty (20) feet thereof facing the abutting street or streets in the S-8 zone, or anywhere in the S-16 zone, no change shall be made in the nature as such of the particular activity, except when the result is itself permitted in the same location, unless a conditional use permit is granted pursuant to the conditional use permit procedure. This does not restrict a change in ownership, tenancy, or management where the previous line of business or other function is not changed.

4. For any nonconforming Alcoholic Beverage Sales Commercial Activity presently located in any zone in which it is not a permitted activity, no change shall be made in the activity which change requires obtaining a different type of alcoholic beverage sale retail license from the state of California Department of Alcoholic Beverage Control. Further, no change shall be made in any nonconforming



activity involving the sale of alcoholic beverages at a full service restaurant in any location described by Section 17.102.210(B)(2), which change requires obtaining a different type of alcoholic beverage sale retail license from the state of California Department of Alcoholic Beverage Control, unless a conditional use permit is granted pursuant to the conditional use permit procedure in Chapter 17.134.

5. No substitution or other change shall be made in any nonconforming activity which would conflict, or further conflict, with any applicable provision of the performance standards in Chapter 17.120, or of any kind of requirement not mentioned hereinabove which applies to activities.

6. In cases of discontinuance, damage, or destruction, the pertinent provisions of Sections 17.114.050 or 17.114.060 shall also apply.

If the activity resulting from a change allowed above is not a normally permitted and otherwise conforming activity, and is not authorized by a conditional use permit or other special zoning approval, it shall be deemed a nonconforming activity and changes in it shall be subject to this section.

B. Activity Nonconforming for Other Reasons. Except as otherwise provided in Sections 17.114.050 and 17.114.060, an activity which is itself permitted or, upon the granting of a conditional use permit pursuant to the conditional use permit procedure, an activity which is itself conditionally permitted may be substituted for any activity which is itself a permitted activity where it is located and which is nonconforming only as to applicable off-street parking or loading requirements, performance standards, or other requirements applying to activities. Changes other than substitutions may also be made in such activities. However, no substitution or other change shall be made which would create any new nonconformity, or increase any existing nonconformity, with respect to said requirements. (Changes which are allowed by Section 17.116.020B shall not be deemed to conflict or further conflict with the parking or loading requirements.) If the activity resulting from the change does not meet such requirements, and is not authorized by a conditional use permit or other special zoning approval, it shall be deemed nonconforming and changes in it shall be subject to this subsection. (Ord. 12289 § 4 (part), 2000; Ord. 12016 § 2 (part), 1997; prior planning code § 7422)

**17.114.080 Nonconforming activity--Allowed alterations and extensions.**

A. Nonresidential Activity Nonconforming Because It Is Not a Permitted Activity. Except as otherwise provided in Section 17.114.060, a nonresidential activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed, subject to the requirements normally applying to uses where the activity is located and subject to the following provisions and exceptions:

1. Except as otherwise provided in subsection (A)(3) of this section, the floor area and overall outside dimensions of any building, or portion thereof, devoted to such activity shall not be increased; no open parking, loading, sales, display, service, production, or storage area accommodating or serving such activity shall be relocated or increased in size; and no such building or open area shall be wholly reconstructed. However, in the case of an establishment classified as an Alcoholic Beverage Sales Commercial Activity, the total floor area, open areas, or outside building dimensions occupied by the establishment may be increased as long as the amount of space actually devoted to the sale of alcoholic beverages is not increased by more than twenty (20) percent of that already existing.

2. In the case of an establishment classified as an Alcoholic Beverage Sales Commercial Activity, the percentage of actual floor area devoted to the sale of alcoholic beverages shall not be increased by more than twenty (20) percent of that already existing, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134.

3. New, wholly reconstructed, enlarged, or relocated structures or open areas devoted to off-street parking or loading serving such activity may be provided wherever Automotive Fee Parking Commercial Activities are permitted or, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, wherever Automotive Fee Parking Commercial Activities are conditionally permitted. In residential zones, such facilities for off-street parking may be provided in the situations, and subject to the conditions, prescribed in Section 17.102.100.

4. New Signs may be provided for such activity, but the aggregate area of display surface of all Signs serving such activity shall not be increased. All Signs shall be subject to the limitations, other than aggregate area of display surface, normally applying to Signs where they are located.

5. During any five-year period, beginning on or after the effective date of the zoning regulations or of any subsequent rezoning or other amendment thereto which makes such activity thus nonconforming, the aggregate cost of all alterations for which a building or sign permit is required, and which are intended for any activity subject to this subsection, shall not exceed twenty-five (25) percent of the replacement cost, as estimated by the Building Services Department, of the facilities accommodating or serving such activity at the beginning of said period. However, the cost of alterations ordered by any governmental agency or permitted by Section 17.114.060 shall be exempt from said maximum cost.

6. No facility accommodating a nonconforming ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and Servicing or ~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and Cleaning Commercial Activity shall be altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136.

7. A nonconforming ~~Automotive Servicing~~ Automobile and Other Light Vehicle Gas Station and Servicing or ~~Automotive Repair and Cleaning~~ Automotive and Other Light Vehicle Repair and Cleaning Commercial Activity in the HBX-1 zone may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed upon the granting of a conditional use permit (see Chapter 17.134) and approval pursuant to the regular design review procedure in Chapter 17.136. This conditional use permit and design review approval may be granted only upon determination that the proposal is adequately buffered from the street and surrounding residential activities through landscaping and fencing.

B. Residential Activity Nonconforming Because It Is Not a Permitted Activity. Except as otherwise provided in Section 17.114.060, a Residential Activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed, subject to the following provisions:

1. The number of living units shall not be increased.

2. The amount of added or wholly reconstructed floor area devoted to such activity shall not exceed in the aggregate twenty (20) percent of that already existing on the affected lot. If a new or wholly reconstructed floor area is developed, usable open space shall be provided for all living units on the lot in the amount required therefor in the R-60 zone.

3. Existing usable open space shall not be reduced below, or if already less than shall not be reduced further below, the usable open space requirements applying in the R-60 zone.

4. All alterations and other changes shall conform to, or not further conflict with, the minimum yard and court and maximum height requirements and the limitations on Signs generally applying in the R-50 zone, as well as to the requirements generally applying to uses where the activity is actually located.

C. Activity Nonconforming for Other Reasons. Except as otherwise provided in Section 17.114.060, any activity which is itself a permitted activity where it is located and which is nonconforming only as to off-street parking or loading requirements, performance standards, or other requirements applying to activities may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed, in any way which does not result in a greater degree of nonconformity with respect to such requirements and which conforms to the requirements normally applying to uses where the activity is located. (Ord. 12240 § 8, 2000; prior planning code § 7423)

## Chapter 17.116

### OFF-STREET PARKING AND LOADING REQUIREMENTS

#### 17.116.060 Off-street parking--Residential Activities.

A. Permanent and Semi-Transient Residential Activities. Except as otherwise provided in Section 17.44.200, Chapter 17.94, Sections 17.102.300, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for all Permanent and Semi-Transient Residential Activities when located in the indicated zones and occupying the specified facilities and shall be developed and maintained pursuant to the provisions of Article IV of this chapter:

Residential Facility Type	Zone	Requirement
One-Family Dwelling.	R-1, R-10, R-20, R-30, except when combined with the S-12 zone.	Two spaces for each dwelling unit occupying a lot fronting on a street with parking allowed on one or both sides of the street; three spaces for each dwelling unit occupying a lot fronting on a street with parking prohibited on both sides of the street except that two spaces shall be required on such lots with an average lot width of fifty-five (55) feet or less, and two spaces shall be required on such lots where the site area to be covered by the structure has a gradient greater than twenty (20) percent or the street-to-setback gradient as measured from the edge of pavement to the front setback line is greater than twenty (20) percent; however, in the S-11 zone, the requirement shall be one space per bedroom with a minimum of two spaces per dwelling unit.
	R-35, R-36, R-40, except when combined with the S-12 zone.	One and one-half spaces for each dwelling unit.
	R-36, when lot is less than 4,000 square feet in size and/or 45 feet in width, except when combined with the S-12 zone.	One space for each dwelling unit.
	C-28, except as provided by Section 17.44.200.	One space for each dwelling unit.
	C-52, except when combined with the S-12 zone.	No spaces required.
	S-15 zone, except when combined with the S-12 zone.	One half-space for dwelling unit.
	Any other zone, except when combined with the S-12 zone.	One space for each dwelling unit.

<b>Residential Facility Type</b>	<b>Zone</b>	<b>Requirement</b>
	Any zone combined with the S-12 zone.	See Section 17.94.040.
One-Family Dwelling with Secondary Unit.	R-1, R-10, R-20, R-30, R-35, R-36, R-40, except when combined with the S-12 zone.	One space for the secondary unit unless the lot already contains a total of at least three spaces; however, in the S-11 zone the requirement shall be one space for each bedroom in any secondary unit. See Section 17.102.360.
	R-50, R-60, R-70, R-80, R-90, C-5, C-10, C-20, except when combined with the S-12 zone.	One space for the secondary unit unless the lot already contains a total of at least two spaces; however, in the S-11 zone the requirement shall be one space for each bedroom in any secondary unit. See Section 17.102.360.
	Any zone combined with the S-12 zone.	See Section 17.94.040.
Two-Family Dwelling. Multifamily Dwelling.	R-30, R-35, R-36, R-40, except when combined with the S-12 zone.	One and one-half spaces for each dwelling unit.
	C-28, except as provided by Section 17.44.200.	One space per dwelling unit.
	C-52, except when combined with the S-12 zone.	No spaces required.
	S-15 zone, except when combined with the S-12 zone.	One-half space for each dwelling unit.
	Any other zone, except when combined with the S-12 zone.	One space for each dwelling unit.
	Any zone combined with the S-12 zone.	See Section 17.94.040.
Rooming House.	C-52.	No spaces required.
	Any other zone.	One space for each two rooming units.
Mobile Home.	C-52.	No spaces required.
	Any other zone.	One space for each living unit plus one additional space for each four living units.
Bed and Breakfast	Any zone.	One space for each two units plus the required parking for a One-Family dwelling in the underlying zone.

#### 17.116.070 Off-street parking--Civic Activities.

Except as otherwise provided in Sections 17.44.200, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for the specified Civic Activities when located in the indicated zones and occupying facilities of the specified sizes or having the indicated numbers of employees or doctors, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

<b>Civic Activity</b>	<b>Zone</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
A. Essential Service. Limited Childcare.	S-15.	--	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	--	No spaces required.
<b>B. Community Assembly and Recreational Assembly:</b> playgrounds and playing fields; concessions located in public parks; temporary nonprofit festivals.	C-52.	--	No spaces required.
	S-15.	--	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
Private non-profit clubs and lodges.	S-15.	--	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	--	No spaces required.
Churches and all other.	C-52.	--	No spaces required.
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each 20 seats or for each 150 square feet area where seats are not fixed, in principal meeting rooms.
	C-5, C-10, C-28, C-31, C-35.	Total of 75 seats or 750 square feet of floor area where seats are not fixed, in principal meeting rooms.	One space for each 15 seats, or for each 100 square feet of floor area where seats are not fixed, in principal meeting rooms.

<b>Civic Activity</b>	<b>Zone</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
	S-15.	--	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	Total of 75 seats, or 750 square feet of floor area where seats are not fixed in principal meeting rooms.	One space for each 10 seats, or for each 100 square feet of floor area where seats are not fixed, in principal meeting rooms.
<b>C. Community Education: high schools.</b>	C-52, C-55.	-	No spaces required.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	One space for each three employees plus one space for each 10 students of planned capacity.
all others.	C-52, C-55.	-	No spaces required.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	One space for each three employees.
<b>D. Nonassembly Cultural Administrative.</b>	C-52, C-55.	-	No spaces required.
	C-45, S-2.	10,000 square feet of floor area.	One space for each 1,400 square feet of floor area.
	C-5, C-10, C-28, C-31, C-35.	3,000 square feet of floor area.	One space for each 900 square feet of floor area.
	S-15	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.

<b>Civic Activity</b>	<b>Zone</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
	Any other zone.	3,000 square feet of floor area.	One space for each 600 square feet of floor area.
<b>E. Health Care:</b> hospitals.	C-52.	-	No spaces required.
	C-45, C-51, C-55, S-2.	No minimum.	One space for each staff or regular visiting doctor.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	One space for each four beds, plus one space for each four employees other than doctors, plus one space for each staff or regular visiting doctor.
clinics.	C-52.	-	No spaces required.
	C-45, C-51, C-55, S-2.	No minimum.	One space for each staff or regular visiting doctor.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	Three spaces for each staff or regular visiting doctor plus one space for each two other employees.
all other.	C-52.	-	No spaces required.
	C-45, C-51, C-55, S-2.	No minimum.	One space for each staff or regular visiting doctor.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.

<b>Civic Activity</b>	<b>Zone</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
	Any other zone.	No minimum.	One space for each six beds, plus one space for each four employees other than doctors, plus one space for each staff or regular visiting doctor.
<b>F. Utility and Vehicular.</b>	C-52, C-55.	-	No spaces required.
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each vehicle used in connection with the activities.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	3,000 square feet of floor area.	One space for each three employees plus one space for each vehicle used in connection with the activities.
<b>G. Extensive Impact: colleges and universities.</b>	C-52, C-55.	-	No spaces required.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	One space for each three employees plus one space for each six students of planned capacity.
all other.	C-52.	-	No spaces required.
	S-15.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.



(Ord. 12138 § 4 (part), 1999; Ord. 11892 § 13, 1996: prior planning code § 7512)

**17.116.080 Off-street parking--Commercial Activities.**

Except as otherwise provided in Sections 17.44.200, 17.101.090, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for the specified Commercial Activities when located in the indicated zones and occupying facilities of the specified sizes, or having the indicated numbers of employees, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

<b>Commercial Activity</b>	<b>Zone</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
<b>A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café.</b>	C-52, C-55, S-15.	10,000 square feet of floor area.	No spaces required.
Convenience Market.			
Alcoholic Beverage Sales.			
	C-45, C-51, S-2.	3,000 square feet of floor area.	One space for each 450 square feet of floor area.
	C-5, C-10, C-28, C-31, C-35.	3,000 square feet of floor area.	One space for each 300 square feet of floor area.
	Any other zone.		One space for each 200 square feet of floor area.
<del>B. Convenience Sales and Service.</del>	<del>C-52, C-55, S-15.</del>	-	<del>No spaces required</del>
<b>B. Mechanical or Electronic Games.</b>	<u>C-52, C-55, S-15.</u>	=	<u>No spaces required</u>
Medical Service.			
General Retail Sales, except when sales are primarily of bulky merchandise such as furniture or large appliances.			
<del>General Personal Consumer Service.</del>			
Consumer <del>Laundry Cleaning and Repair Service and Consumer Dry Cleaning Plant</del> , except when services consists primarily of repair or cleaning of large items such as furniture or carpets.			

Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
General Wholesale Sales, whenever 50 percent or more of all sales on the lot are at retail.			
Undertaking Service.			
	C-45, C-51, S-2.	1,000 square feet of floor area.	One space for each 900 square feet of floor area.
	C-5, C-10, C-28, C-31, C-35	3,000 square feet of floor area.	One space for each 600 square feet of floor area.
	Any other zone.	3,000 square feet of floor area.	One space for each 400 square feet of floor area.
C. Consultative and Financial Service.	C-52, C-55, S-15.	-	No spaces required.
Administrative.			
<del>Business and Communication Service</del> <u>Business, Communication, and Media Service.</u>			
<del>Broadcasting and Recording Service</del>			
<del>Retail Business Supply, whenever 50 percent or more of all sales on the lot are at retail.</del>			
Research Service.			
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each 1,400 square feet of floor area.
	C-5, C-10, C-28, C-31, C-35.	3,000 square feet of floor area.	One space for each 900 square feet of floor area.
	Any other zone.	3,000 square feet of floor area.	One space for each 600 square feet of floor area.
<del>D. Retail Business Supply, whenever less than 50 percent of all sales on the lot are at retail.</del>	<del>C-52, C-55, S-15.</del>	-	<del>No spaces required.</del>
<u>D. General Wholesale Sales, whenever less than 50 percent of all sales on the lot are at retail.</u>	<u>C-52, C-55, S-15.</u>		<u>No spaces required.</u>
<del>Construction Sales and Service</del> <u>Wholesale Professional Building Material Sales.</u>			
Automotive Sales and Service.			

<b>Commercial Activity</b>	<b>Zone</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
<del>Automotive Sales, Rental, and Delivery</del> <u>Automobile and Other Light Vehicle Sales and Rental.</u>			
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each 1,000 square feet of floor area, or for each three employees, whichever requires fewer spaces.
	Any other zone.	5,000 square feet of floor area.	One space for each 1,000 square feet of floor area, or for each three employees, whichever requires fewer spaces.
<u>E. Group Assembly and Personal Instruction and Improvement and Small Scale Entertainment..</u>	C-52, C-55, S-15.	-	No Spaces required.
	C-45,-C-51, S-2.	10,000 square feet of floor area.	One space for each 16 seats in indoor places of assembly with fixed seats, plus one space for each 160 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly area.
	C-5, C-10, C-28, C-31, C-35.	Total of 75 seats in indoor places of assembly with fixed seats, or 750 square feet of floor area in dance halls or other indoor places of assembly without fixed seats, or 5,000 square feet of outdoor assembly areas.	One space for each eight seats in indoor places of assembly with fixed seats, plus one space for each 80 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly areas.

Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
	Any other zone.	Total of 75 seats in indoor places of assembly with fixed seats, or 750 square feet of floor area in dance halls or other indoor places of assembly without fixed seats, or 5,000 square feet of outdoor assembly areas.	One space for each eight seats in indoor places of assembly with fixed seats, plus one space for each 80 feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly areas.
<b>F. Transient Habitation.</b>	C-52, S-15.	-	No spaces required.
	C-55.	No minimum.	One space for each unit in a motel and one space for each two units in a hotel.
	Any other zone.	No minimum.	One space for each unit in a motel and three spaces for each four units in a hotel.
<b>G. General Retail Sales, when ever sales are primarily of bulky merchandise such as furniture or large appliances.</b>	C-52, C-55, S-15.	-	No spaces required.
<u>Consumer Laundry Cleaning and Repair Service, whenever services consist primarily of repair or cleaning of large items such as furniture or carpets.</u>			
<u>Animal care and Animal Boarding.</u>			
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each 1,000 square feet of floor area.
	Any other zone.	5,000 square feet of floor area.	One space for each 1,000 square feet of floor area.
<b>H. Automotive ServicingAutomobile and Other Light Vehicle Gas Station and Servicing.</b>	C-52, C-55.	-	No spaces required.
<u>Automotive Repair and CleaningAutomotive and Other Light Vehicle Repair and Cleaning.</u>			
<u>Automotive Fee Parking.</u>			

<b>Commercial Activity</b>	<b>Zone</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
	C-45, C-51, S-2.	10,000 square feet of floor area.	One space for each 1,000 square feet of floor area.
	Any other zone.	No minimum.	One space for each 1,000 square feet of floor area.
<b>I. Transport and Warehousing and Taxi and Light Fleet-Based Service.</b>	C-52, C-55.		No spaces required.
	Any other zone.	10,000 square feet of floor area and outdoor storage, processing, or sales area.	One space for each three employees.
<b>J. Scrap Operation.</b>	C-51, C-55.	-	No spaces required.
	Any other zone.	10,000 square feet of floor area and outdoor storage, processing or sales area.	One space for each 2,000 square feet of floor area, or for each three employees, whichever requires more spaces; provided that in the case of Scrap Operation Commercial Activities whenever storage and sale, from the premises, or dismantling or other processing of used or waste materials which are not intended for reuse and their original form, when the foregoing are not a part of a manufacturing operation, occupy less than 50 percent of the floor and open area of the firm on a single lot, the parking requirement shall be as prescribed for the other activities engaged in by the same firm on the same lot.
<b>K. Fast-Food Restaurant.</b>	C-55, S-15.	-	No spaces required.
	C-45, C-51.	10,000 square feet of floor area.	One space for each 450 square feet of floor area.
	C-28, C-31, C-35, S-2.	2,000 square feet of floor area.	One space for each 300 square feet of floor area.
	Any other zone.	3,000 square feet of floor area.	One space for each 200 square feet of floor area.

(Ord. 12289 § 4 (part), 2000; Ord. 11892 § 14, 1996: prior planning code § 7513)

**17.116.140 Off-street loading--Commercial Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones except C-52 for the specified Commercial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

<b>Commercial Activity and Total Size of Facilities Occupied</b>	<b>Requirement</b>
<p><b>A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, Convenience Market, Fast-Food Restaurant, Alcoholic Beverage Sales, <del>Convenience Sales and Consumer Service</del>, General Retail Sales, Consumer <del>Laundry</del>Cleaning and Repair Service, <del>Consumer Dry Cleaning Plant</del>, Group Assembly, <del>Personal Instruction and Improvement and Small Scale Entertainment Business and Communication Service</del>Business, Communication, and Media Service, Broadcasting and Recording Service, <del>Retail Business Supply</del>, Research Service, General Wholesale Sales, <del>Construction Sales and Service</del>Wholesale Professional Building Material Sales, <del>Automotive Sales, Rental, and Delivery</del>Automobile and Other Light Vehicle Sales and Rental, <del>Automotive Servicing</del>Automobile and Other Light Vehicle Gas Station and Servicing, <del>Automotive Repair and Cleaning</del>Automotive and Other Light Vehicle Repair and Cleaning, Transport and Warehousing, <del>Taxi and Light Fleet-Based Service</del>, <del>or</del>Animal Care, <del>or</del> Animal Boarding occupying facilities with the following floor area:</b></p>	
Less than 10,000 square feet.	No berths required.
10,000--24,999 square feet.	One berth.
25,000--49,999 square feet.	Two berths.
50,000--99,999 square feet.	Three berths.
Each additional 120,000 square feet or fraction of one-half or more thereof.	One additional berth.
<p><b>B. Mechanical or Electronic Games, Medical Service, <del>General personal</del>Consumer Service, Consultative and Financial Service, Administrative, or Transient Habitation, occupying facilities with the following floor area:</b></p>	
Less than 50,000 square feet.	No berths required.
50,000--149,999 square feet.	One additional berth.
150,000--299,999 square feet.	One berth.
Each additional 300,000 square feet or fraction of one-half or more thereof.	Two berths. One additional berth.
<p><b>C. Undertaking Service, occupying facilities with the following floor area:</b></p>	
Less than 2,500 square feet.	No berths required.
2,500--24,999 square feet.	One berth.
25,000--49,999 square feet.	Two berths.
50,000--99,999 square feet.	Three berths.
Each additional 120,000 square feet or fraction of one-half or more thereof.	One additional berth.

<b>Commercial Activity and Total Size of Facilities Occupied</b>	<b>Requirement</b>
<b>D. Scrap Operation, occupying facilities with the following amounts of floor area and outdoor storage, processing, or sales area:</b>	
Less than 25,000 square feet.	One berth.
25,000--49,999 square feet.	Two berths.
50,000--99,999 square feet.	Three berths.
Each additional 120,000 square feet or fraction of one-half or more thereof.	One additional berth.
<b>E. All other Commercial Activities.</b>	No berths required.

Off-street loading is not required in the C-52 zone. (Prior planning code § 7523)

**17.116.150 Off-street loading-- Industrial Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones except C-52 for all Industrial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this chapter: (See illustration I-18.)

<b>Total Floor Area of Facilities Occupied</b>	<b>Requirement</b>
Less than 10,000 square feet.	No berths required.
10,000--24,999 square feet.	One berth.
25,000--49,999 square feet.	Two berths.
50,000--99,999 square feet.	Three berths.
Each additional 170,000 square feet or fraction of one-half or more thereof.	One additional berth.

\*Off-street loading is not required in the C-52 zone. (Prior planning code § 7524)

**17.116.220 Loading berth dimensions.**

All required loading berths shall have the minimum dimensions set forth below when serving the indicated activities; provided that where one or both of the long sides of a berth which is at an angle of ninety (90) degrees or less, but more than sixty (60) degrees, to a maneuvering aisle abuts a wall or other similar obstruction, each of the widths specified below shall be increased by three feet. However, the minimum height or length of a required berth may in any case be reduced upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that such smaller dimensions are ample for the size and type of trucks or goods which foreseeably will be involved in the loading operations of the activity served.

A. For all Industrial Activities and for ~~Retail Business Supply, General Wholesale Sales, Construction Sales and Service Wholesale Professional Building Material Sales, Automotive Sales, Rental, and Delivery~~ Automobile and Other Light Vehicle Sales and Rental, Automotive Servicing Automobile and Other Light Vehicle Gas Station and Servicing, forty-five (45) feet long, twelve (12) feet wide, and fourteen (14) feet high;

B. For Undertaking Service Commercial Activities: twenty-five (25) feet long, ten feet wide, and eight feet high;

C. For all other activities for which loading facilities are required: thirty-three (33) feet long, twelve (12) feet wide, and fourteen (14) feet high.

(Prior planning code § 7541)

## Chapter 17.117

### BICYCLE PARKING REQUIREMENTS

#### 17.117.020 Bicycle Parking Required for New and Existing Uses.

- A. Bicycle Parking Shall be Provided for New Facilities and Additions to Existing Facilities. Bicycle parking as prescribed hereafter shall be provided for activities occupying facilities, or portions thereof, which are constructed, established, wholly reconstructed, or moved onto a new lot after the effective date of the bicycle parking requirements, or of a subsequent rezoning or other amendment thereto establishing or increasing bicycle parking for such activities, except to the extent that existing bicycle parking exceeds such requirements for any existing facilities. The required amount of new bicycle parking shall be based on the cumulative increase in floor area, or other applicable unit of measurement prescribed hereafter, after said effective date.
- B. Bicycle Parking Shall be Provided for Remodels. "Remodel" means any proposed physical improvement of an existing structure which requires a building permit but does not include New Facilities or Additions to Existing Facilities.
- A.1. Remodel projects that are over 10,000 s.f. and have an estimated construction cost, excluding seismic retrofit costs, greater than \$250,000 shall provide the number of short-term bicycle parking spaces prescribed in Sections 117.090 to 117.120. This amount shall be adjusted to account for changes in the Building Cost Index for the San Francisco Bay Region, as reported in the Engineering News Record. The adjustment shall be made annually, starting in 2009, no sooner than one year from adoption.
- B.2. Remodel projects that are over 50,000 s.f. and have an estimated construction cost, excluding seismic retrofit costs, over \$1,000,000 shall provide, in addition to short-term bicycle parking, the number of long-term bicycle parking spaces and shower and locker facilities prescribed in Sections 117.090 to 117.130. This amount shall be adjusted to account for changes in the Building Cost Index for the San Francisco Bay Region, as reported in the Engineering News Record. The adjustment shall be made annually, starting in 2009, no sooner than one year from adoption.
- C. Bicycle Parking Shall be Provided for New Living Units in Existing Facilities. If any facility, or portion thereof, which is in existence on the effective date of the bicycle parking requirements, or of a subsequent rezoning or other amendment thereto establishing or increasing bicycle parking requirements for an activity therein, is altered or changed in occupancy so as to result in an increase on the number of residential living units therein, bicycle parking as prescribed hereafter shall be provided for the new units. However, such bicycle parking need be provided only in the amount by which the requirement prescribed hereafter for the facility after said alteration or change exceeds the requirement prescribed hereafter for the facility as it existed prior to such alteration or change; and such new bicycle parking need not be provided to the extent that existing bicycle parking exceeds the latter requirement.

#### 17.117.070 Location and Design of Required Bicycle Parking.

Required bicycle parking shall be placed on site(s) as set forth below:

- A. A bicycle parking space shall be at least two and a half (2.5) feet in width by six (6) feet in length to allow sufficient space between parked bicycles.
- B. An encroachment permit may be required from the City to install bicycle parking in the public right-of-way.
- C. Bicycle parking facilities shall not impede pedestrian or vehicular circulation.



- a. Bicycle parking racks located on sidewalks should maintain a minimum of five and one half (5.5) feet of unobstructed pedestrian right-of-way outside the bicycle parking space. For sidewalks with heavy pedestrian traffic, at least seven (7) feet of unobstructed right-of-way is required.
- D. Bicycle parking facilities are subject to the following standards:
  - a. Racks shall be located with at least thirty (30) inches in all directions from any vertical obstruction, including but not limited to other racks, walls, and landscaping. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Café, and Large Scale Combined Retail and Grocery Sales Activities are encouraged to locate racks with a thirty-six (36) inch clearance in all directions from any vertical obstruction, including but not limited to other racks, walls, and landscaping.
  - b. A minimum four (4) foot wide aisle of unobstructed space behind all required bicycle parking shall be provided to allow for adequate bicycle maneuvering.
- E. Bicycle parking facilities within auto parking facilities shall be protected from damage by cars by a physical barrier such as curbs, wheel stops, poles, bollards, or other similar features capable of preventing automobiles from entering the bicycle facility.
- F. Bicycle parking facilities shall be located in highly visible well-lighted areas. In order to maximize security, whenever possible short-term bicycle parking facilities shall be located in areas highly visible from the street and from the interior of the building they serve (i.e. placed adjacent to windows).
- G. The location and design of required bicycle parking shall be of a quality, character and color that harmonize with adjoining land uses. Required bicycle parking shall be incorporated whenever possible into building design or street furniture.
- H. Long-term bicycle parking shall be covered and shall be located on site or within five hundred (500) feet of the main building entrance unless approved by the Director of City Planning with a written Discretionary Waiver. The main building entrance excludes garage entrances, trash room entrances, and other building entrances that are not publicly accessible.
- I. Discretionary Waiver. The long-term bicycle parking location requirement of five hundred (500) feet may be waived in writing by the Director of City Planning when said activities are located within one thousand (1000) feet of a proposed or existing bike station or similar high-capacity bicycle parking facility. Any determination on such waiver shall be subject to appeal pursuant to the administrative appeal procedure in Chapter 17.132.
- J. Whenever any required bicycle parking is proposed to be provided on a lot other than the lot containing the activity served, the owner or owners of both lots shall prepare and execute to the satisfaction of the City Attorney, and file with the Alameda County Recorder, an agreement guaranteeing that such facilities will be maintained and reserved for the activity served, for the duration of said activity.
- K. Short-term bicycle parking shall be placed within fifty (50) feet of the main entrance to the building or commercial use and should be in a well trafficked location visible from the entrance. When the main entrance fronts the sidewalk, the installer may obtain an encroachment permit from the City to install the bicycle parking in the public right-of-way. The main building entrance excludes garage entrances, trash room entrances, and other building entrances that are not publicly accessible.

### **Article III**

#### **Minimum Number of Required Bicycle Parking Spaces**

##### **17.117.080 Calculation Rules.**

- A. If after calculating the number of required bicycle parking spaces a quotient is obtained containing a fraction of one-half or more, an additional space shall be required; if such fraction is less than one-half it may be disregarded.
- B. When the bicycle parking requirement is based on number of employees, the number of spaces shall be based on the number of working persons on the lot during the largest shift of the peak season. If the Director of City Planning determines that this number is difficult to verify for a specific facility, then the number of required long-term bicycle parking spaces shall be a minimum of two spaces or five percent of the amount of required automobile spaces for the proposed facility, whichever is greater.
- C. When the bicycle parking requirement is based on number of seats, in the case of pews or similar facilities each twenty (20) inches shall be counted as one seat.
- D. The calculation of short-term bicycle parking may include existing racks that are in the public right-of-way and are within 50 feet of the main entrance.

**17.117.100 Required Bicycle Parking – Civic Activities.**

Subject to the calculation rules set forth in Section 17.117.080, the following minimum amounts of bicycle parking are required for the specified Civic Activities and shall be developed and maintained pursuant to the provisions of Article II of this chapter:

<b>Civic Activity</b>	<b>Long-term Bicycle Parking Requirement</b>	<b>Short-term Bicycle Parking Requirement</b>
1) Essential Service. 2) Limited Childcare.	Number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.117.040.	Number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.117.040.
3) Community Assembly.		
a) Churches, temples, and synagogues.	1 space for each 40 fixed seats, or one space for each 4,000 s.f. of floor area, whichever is greater. Minimum requirement is 2 spaces.	1 space for each 40 fixed seats, or one space for each 2,000 s.f. of floor area, whichever is greater. Minimum requirement is 2 spaces.
b) Other.	Number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.117.040.	Number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.117.040.
4) Non-Assembly Cultural.	1 space for each 20 employees. Minimum requirement is 2 spaces.	Spaces for 2% of maximum expected daily attendance.
5) Administrative.	1 space for each 20 employees. Minimum requirement is 2 spaces.	1 space for each 20,000 s.f. of floor area. Minimum requirement is 2 spaces.
6) Health Care. 7) Special Health Care.	1 space for each 20 employees; or one space for each 70,000 s.f. of floor area, whichever is greater. Minimum requirement is 2 spaces.	1 space for each 40,000 s.f. of floor area. Minimum requirement is 2 spaces.
8) Utility and Vehicular.		
a) Communications equipment installations and exchanges, electrical substations, emergency hospitals operated by a public agency, gas substations, neighborhood newscarrrier distribution centers.	No spaces required.	No spaces required.

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b) Fire Stations and Police Stations.	1 space for each 10 employees. Minimum requirement is 2 spaces	6 spaces.
c) Post offices, excluding major mail-processing centers.		
d) Publicly operated off-street parking lots and garages available to the general public either without charge or on a fee basis.	No spaces required.	Minimum of 6 spaces or 1 per 20 auto spaces (parking lots excepted).
9) Community Education.		
a) Public, parochial, and private day-care centers for fifteen (15) or more children.	1 space for each 10 employees. Minimum requirement is 2 spaces.	1 space per each 20 students of planned capacity. Minimum requirement is 2 spaces.
b) Public, parochial, and private nursery schools, and kindergartens.	1 space for each 10 employees. Minimum requirement is 2 spaces.	1 space per each 20 students of planned capacity. Minimum requirement is 2 spaces.
<b>Civic Activity</b>	<b>Long-term Bicycle Parking Requirement</b>	<b>Short-term Bicycle Parking Requirement</b>
c) Public parochial and private elementary, junior high and high schools.	1 space for each 10 employees plus 1 space for each 20 students of planned capacity. Minimum requirement is 2 spaces.	1 space per each 20 students of planned capacity. Minimum requirement is 2 spaces.
10) Extensive impact		
a) Colleges and universities.	1 space for each 10 employees plus 1 space for each 10 students of planned capacity; or 1 space for each 20,000 s.f. of floor area, whichever is greater.	1 space for each 10 students of planned capacity.
b) Railroad and bus terminals.	Spaces for 3.5% of projected maximum daily ridership.	Spaces for 1.5% of projected maximum daily ridership.
c) Other.	Number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.117.040.	Number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.117.040.

**17.117.110 Required Bicycle Parking – Commercial Activities**

Subject to the calculation rules set forth in Section 17.117.080, the following amounts of bicycle parking are required for the specified Commercial Activities and shall be developed and maintained pursuant to the provisions of Article II of this chapter:

<b>Commercial Activity</b>	<b>Long-term Bicycle Parking Requirement</b>	<b>Short-term Bicycle Parking Requirement</b>
<b>Retail</b>		
1. General Food Sales.	1 space for each 12,000 s.f. of floor area. Minimum requirement is 2 spaces.	1 space for each 2,000 s.f. of floor area. Minimum requirement is 2 spaces.
2. <u>Full Service Restaurant</u>		
3. <u>Limited Service Restaurant and Café</u>		

<p><del>2.4.</del> Convenience Market.  <del>3.5.</del> Fast-Food Restaurant.  <del>4.6.</del> Alcoholic Beverage Sales.  <del>6.</del> Convenience Sales and Service.  <del>6.7.</del> Mechanical or Electronic Games.  <del>7.8.</del> General Retail Sales.  <del>8.9.</del> Large-scale combined retail and grocery sales.  <del>9.10.</del> General Personal Consumer Service.  <del>10.11.</del> Consumer Laundry Cleaning and Repair Service.  <del>12.</del> Consumer Dry Cleaning Plant  <del>11.13.</del> Check Cashier and Check Cashing.</p>	<p>1 space for each 12,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	<p>1 space for each 5,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	
<p><del>12.</del> Retail Business Supply.  <del>13.14.</del> General Wholesale Sales.  <del>14.15.</del> Construction Sales and Service Wholesale Professional Building Material Sales.</p>	<p>1 space for each 12,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	<p>1 space for each 20,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	
<p><b>Office</b></p>			
<p>1. Consultative and Financial Service.                  2. Administrative Commercial.  <del>3. Business and Communication Service Business, Communication, and Media Service.</del>                  4. Broadcasting and Recording Service</p>	<p>1 space for each 10,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	<p>1 space for each 20,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	
<p><b>Medical</b></p>			
<p>1. Medical Service.                  2. Animal Care.</p>	<p>1 space for each 12,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	<p>1 space for each 5,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	
<p><b>Commercial Activity</b></p>			
		<p><b>Long-term Bicycle Parking Requirement</b></p>	<p><b>Short-term Bicycle Parking Requirement</b></p>
<p><b>Auto Related</b></p>			
<p>1. <del>Automotive Sales, Rental, and Delivery Automobile and Other Light Vehicle Sales and Rental.</del>                  2. <del>Automotive Servicing Automobile and Other Light Vehicle Gas Station and Servicing.</del>                  3. Automotive Repair and Cleaning.</p>	<p>1 space for each 12,000 s.f. of floor area. Minimum requirement is 2 spaces.</p> <p>1 space for each 20 employees. Minimum requirement is 2 spaces.</p>	<p>1 space for each 20,000 s.f. of floor area. Minimum requirement is 2 spaces.</p> <p>No spaces required.</p>	
<p><b>Other Commercial</b></p>			
<p>1. Group Assembly.                  2. <del>Personal Instruction and Improvement and Small Scale Entertainment</del></p>	<p>Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.117.040.</p> <p>Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.117.040.</p>	<p>Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.117.040.</p> <p>Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.117.040.</p>	
<p><del>2.3.</del> Research Service.</p>	<p>1 space for each 10,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	<p>1 space for each 40,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	
<p><del>3.4.</del> Transient Habitation.</p>	<p>1 space for each 20 rentable rooms. Minimum requirement is 2 spaces.</p>	<p>1 space for each 20 rentable rooms. Minimum requirement is 2 spaces.</p>	

4.5. Automotive Fee Parking.	1 space for each 20 automobile spaces. Minimum requirement is 2 spaces.	Minimum of 6 spaces or 1 per 20 auto spaces (parking lots excepted)
5.6. Undertaking Service.	1 space for each 12,000 s.f. of floor area. Minimum requirement is 2 spaces.	2 spaces.
7. Animal Boarding.		

**17.117.120 Required Bicycle Parking – Manufacturing and Other Activities**

Subject to the calculation rules set forth in Section 17.117.080, the following minimum amounts of bicycle parking are required for the specified Manufacturing, Agricultural and Extractive Activities and All Other Activities and shall be developed and maintained pursuant to the provisions of Article II of this chapter:

Type of Activity	Long-term Bicycle Parking Requirement	Short-term Bicycle Parking Requirement
<b>Industrial</b>		
1. Custom Manufacturing.	1 space for each 15,000 s.f. of floor area. Minimum requirement is 2 spaces.	No spaces required.
2. Light Manufacturing.		
3. General Manufacturing.		
4. Heavy High/Impact Manufacturing.		
5. Research and Development	1 space for each 10,000 s.f. of floor area. Minimum requirement is 2 spaces.	1 space for each 20,000 s.f. of floor area. Minimum requirement is 2 spaces.
6. Construction Operations	1 space for each 15,000 s.f. of floor area. Minimum requirement is 2 spaces.	No spaces required.

Type of Activity	Long-term Bicycle Parking Requirement	Short-term Bicycle Parking Requirement
<p>7. Warehousing, Storage and Distribution.</p> <p>A. General Warehousing, Storage and Distribution</p> <p>B. General Outdoor Storage</p> <p>C. Self or Mini-Storage</p> <p>D. Container Storage</p> <p>E. Automobile Salvage/Junk Yards</p> <p>8. Regional Freight Transportation.</p> <p>A. Seaport</p> <p>B. Rail yard</p> <p>9. Trucking and Truck-Related.</p> <p>A. Freight/Truck Terminal</p> <p>B. Truck Yard</p> <p>C. Truck Weigh Stations</p> <p>D. Truck and Other Heavy Vehicle Sales, Rental and Leasing</p> <p>E. Truck and Other Heavy Vehicle Service, Repair and Refueling</p>	<p>1 space for each 40,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	<p>No spaces required.</p>
<p>10. Recycling and Waste Related.</p> <p>A. Satellite Recycling Collection Centers</p> <p>B. Primary Recycling Collection Centers</p> <p>C. Intermediate Recycling Processing Facility</p>	<p>1 space for each 15,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	<p>No spaces required.</p>
<p>11. Hazardous Material Production, Storage and Waste Management.</p> <p>A. Small Scale Transfer and Storage Hazardous Waste Management</p> <p>B. Industrial Transfer/Storage Hazardous Waste Management</p> <p>C. Residual Repositories Hazardous Waste Management</p> <p>D. Oil and Gas Storage</p>	<p>1 space for each 15,000 s.f. of floor area. Minimum requirement is 2 spaces.</p>	<p>No spaces required.</p>
<p><b>Agricultural and Extractive</b></p>		
<p>1. Plant Nursery Agricultural.</p>	<p>Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.117.040.</p>	<p>Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.117.040.</p>
<p>2. Crop and Animal Raising Agricultural</p>	<p>No spaces required.</p>	<p>No spaces required.</p>
<p>3. Mining and Quarrying Extractive.</p>		

**17.117.140 Additional Considerations for Variance Determination**

A variance may be granted if the applicant can make the variance findings contained in Section 17.148.050. In making a variance determination, the following additional considerations should be taken into account:

|        —1. The variance, if granted, will not be contrary to the policies included in the Bicycle Master Plan.

|        —2. Consideration can be afforded to a proposal if incorporation of the bicycle parking would be detrimental to other bicycle or pedestrian facilities.

|        —3. Consideration can be afforded to a proposal with a site access that is in excess of the street grade criteria established by the Bicycle Master Plan.

| **E.4.** In consideration of what is physically feasible, the proposal meets as many of the bicycle parking requirements as possible to provide a form of storing bicycles in a safe, secure and accessible manner.

## Chapter 17.142

### PLANNED UNIT DEVELOPMENT REGULATIONS

#### 17.142.100 Bonuses.

For planned unit developments qualifying under Sections 17.142.080 and 17.142.090, the following exceptions to otherwise applicable regulations may be permitted upon the granting of a planned unit development permit pursuant to the planned unit development procedure in Chapter 17.140:

A. Additional Permitted Activities Where Increase in Overall Density or Floor-Area Ratio Is Proposed. Except in the R-1, R-10, R-20, and R-30 zones, the following activities, as described in the use classifications in Chapter 17.10, may be permitted in a planned unit development incorporating an increase in overall density or floor-area ratio pursuant to subsection E of this section, in addition to the activities generally permitted in the zone where the development is located:

1. Residential Activities:

Permanent

2. Civic Activities:

Limited Child-Care

Community Education

3. Commercial Activities, provided that such activities shall not occupy in the aggregate more than four (4) percent of the total floor area in such development, provided that the maximum floor area devoted to such activities by any single establishment shall be three hundred (3,000) square feet, and further provided that such activities shall not be permitted at all in any such development which has an overall density in Residential Facilities of less than forty (40) living units per net residential acre (excluding streets and other rights-of-way):

General Food Sales

Full Service Restaurant

Limited Service Restaurant and Café

Convenience Market

Fast-Food Restaurant

Alcoholic Beverage Sales

~~Convenience Sales and~~ Consumer Service

Medical Service

B. Further Additional Permitted Activities Where No Increase in Overall Density or Floor-Area Ratio Is Proposed. Except in the R-1, R-10, R-20, and R-30 zones, the following activities, as described in the use classifications, may be permitted in a planned unit development for which no increase in overall density or floor-area ratio is proposed pursuant to subsection E of this section, in addition to the activities listed in subsection A of this section and in addition to the activities generally permitted in the zone in which the development is located. The special limitations prescribed in subsection (A)(3) of this section with respect to location and amount of floor area devoted to Commercial Activities shall not apply in such a development.

1. Residential Activities:

Semi-Transient

2. Civic Activities:

Nursing Home

Community Assembly

Recreational Assembly

Nonassembly Cultural

Administrative

Utility and Vehicular

3. Commercial Activities:



- Mechanical or Electronic Games
- General Retail Sales
- ~~General Personal Consumer Service~~
- Consultative and Financial Service
- Consumer ~~Laundry Cleaning~~ and Repair Service
- ~~Consumer Dry Cleaning Plant~~
- Group Assembly
- Personal Instruction and Improvement and Small Scale Entertainment
- Administrative
- ~~Business and Communication Service~~Business, Communication, and Media
- Service
- Broadcasting and Recording Service
- ~~Retail Business Supply~~
- Research Service
- General Wholesale Sales
- ~~Automotive Servicing~~Automobile and Other Light Vehicle Gas Station and
- Servicing
- Automotive Fee Parking
- Animal Care
- Animal Boarding

- 4. Manufacturing Activities:
  - Custom

C. Additional Permitted Facilities in R-30 Zone. In the R-30 zone the following facilities, as described in the use classifications, may be permitted in addition to the facilities otherwise permitted in said zone, provided that at least fifty (50) percent of the dwelling units in the total development shall be One-Family Dwellings:

- 1. Residential Facilities:
  - One-Family Dwelling with Secondary Unit
  - Two-Family Dwelling
  - Multifamily Dwelling

D. Additional Permitted Facilities in Other Zones. Except in the R-1, R-10, R-20, and R-30 zones, the following facilities, as described in the use classifications, may be permitted in addition to the facilities otherwise permitted in the zone in which the development is located:

- 1. Residential Facilities:
  - One-Family Dwelling
  - One-Family Dwelling with Secondary Unit
  - Two-Family Dwelling
  - Multifamily Dwelling
  - Rooming House
- 2. Nonresidential Facilities:
  - Open
  - Drive-In
- 3. Signs:
  - Residential
  - Business

E. Increase in Overall Density or Floor-Area Ratio.

1. Except in the R-1, R-10, R-20, and R-30 zones and except in a development incorporating the bonuses specified in subsection B of this section, the maximum overall number of living units in Residential Facilities and the maximum overall floor-area ratio, if any, otherwise permitted or conditionally permitted in the zone in which the development is located may be increased by up to thirty-three (33) percent if the development contains a combination of two (2) or more of the following dwelling

types and if not more than two-thirds (2/3) of the total number of living units are included in any one of such types:

- a. Detached buildings each containing only one living unit;
  - b. Town house or similar one-family semi-detached or attached buildings each containing only one living unit;
  - c. Buildings each containing two living units;
  - d. Buildings each containing more than two living units.
2. Except in the R-1, R-10, R-20, and R-30 zones and except in a development incorporating the bonuses specified in subsection B of this section, the maximum overall number of living units in Residential Facilities and the maximum overall floor-area ratio, if any, otherwise permitted or conditionally permitted in the zone in which the development is located may be increased by up to twenty-five (25) percent in a development other than one described in subsection (E)(1) of this section.

F. Distribution of Facilities without Reference to Lot or Block Line. The overall number of living units and amount of floor area, off-street parking and loading facilities, usable open space, and landscaping and screening may be located within the development without reference to lot lines or blocks, except as otherwise provided in Section 17.142.110(I) and except that required parking spaces serving Residential Activities shall be located within two hundred (200) feet of the building containing the living units served.

G. Waiver or Reduction of Yard and Other Dimensional Requirements. Except as otherwise provided in Section 17.142.110(E), the minimum lot area, width, and frontage; height; and yard requirements otherwise applying may be waived or modified for the purpose of promoting an integrated site plan.

H. Limitations on Signs. Except in the R-1, R-10, R-20, and R-30 zones and except in a development incorporating an increase in density or floor-area ratio pursuant to subsection E of this section, Signs may be developed subject to the limitations prescribed therefor in the C-20 zone rather than those in the zone in which the development is located. (Ord. 12272 § 4 (part), 2000; prior planning code § 7812)

Additions are shown as underline and omissions are shown as ~~strike through~~. Additional changes made by the City Council at their June 2, 2009 meeting are shown in **grey**.



## **Guidelines for Determining Project Conformity With the General Plan and Zoning Regulations**

Adopted by the  
City of Oakland  
City Planning Commission

May 6, 1998

Amended November 3, 1999 (100-31)  
Amended August 8, 2001  
Amended December 5, 2001  
Amended July 15, 2003  
(Minor typographical changes May 28, 2004)  
Amended October 31, 2006  
Amended June 16, 2009

**CHARTS, TABLES AND CHECKLISTS**

<b>TABLE 2: LAND USE</b>	<b>GENERAL PLAN LAND USE CLASSIFICATIONS</b>														
<b>ZONING ACTIVITY AND FACILITY TYPES</b> ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix***	Gen. Industrial***	Institutional	Central Business District	Mixed-Use Water f (Sec Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
<b>Residential Activities:</b>															
Permanent	✓	✓	✓	✓	✓	✓	✓	NA	NA	✓	✓		NA		
Semi-Transient	X	X	X				X	NA	NA				NA	X	X
<b>Civic Activities:</b>															
Essential Service								NA	NA				NA		
Limited Child-Care								NA	NA				NA		
Nursing Home								NA	NA	✓			NA	X	X
Community Assembly	✓	✓	✓	✓	✓	✓	✓	NA	NA	✓	✓		NA		
Recreational Assembly	✓	✓	✓	✓	✓	✓	✓	NA	NA	✓	✓		NA		
Community Education	✓	✓	✓	✓	✓	✓		NA	NA	✓	✓		NA		
Non-Assembly Cult.	✓	✓	✓	✓	✓	✓	✓	NA	NA	✓	✓		NA		
Administrative					✓	✓	✓	NA	NA	✓	✓		NA		
Residential Care								NA	NA	✓			NA	X	X
Health Care						✓		NA	NA	✓			NA	X	X
Utility and Vehicular								NA	NA				NA		
Extensive Impact								NA	NA				NA		
<b>Commercial Activities:</b>															
General Food Sales	✓	✓	✓	✓	✓	✓	✓	NA	NA		✓		NA		
Full Service Restaurant	✓	✓	✓	✓	✓	✓	✓	NA	NA		✓		NA		
Limited Service Restaurant	✓	✓	✓	✓	✓	✓	✓	NA	NA		✓		NA		
Convenience Market						✓		NA	NA				NA	X	X
Fast-Food Restaurant	X	X	X					NA	NA				NA	X	X
Alcohol Bev. Sales								NA	NA				NA		
Convenience Sale/Sv.				✓	✓	✓		NA	NA		✓		NA	X	X
Consumer Service				✓	✓	✓	✓	NA	NA		✓		NA	X	X
Mech. or Elect. Games								NA	NA				NA	X	X
Medical Service						✓		NA	NA	✓			NA	X	X
General Retail Sales	✓	✓	✓	✓	✓	✓	✓	NA	NA		✓		NA	X	X
General Personal Svc.					✓	✓	✓	NA	NA				NA	X	X
Consult. Finan Svc.	X	X				✓	✓	NA	NA		✓		NA	X	X

TABLE 2: LAND USE  ZONING ACTIVITY AND FACILITY TYPES ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform	GENERAL PLAN LAND USE CLASSIFICATIONS													Mixed-Use Water f (See Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix***	Gen. Industrial***	Institutional	Central Business District						
Consmr <u>Laundry/Cleaning/Rep.</u>	X	X				✓	✓	NA	NA						NA	X	X
<u>Dry Cleaning Plant</u>	X	X				✓	✓	NA	NA						NA	X	X
Group Assembly	X	X				✓	✓	NA	NA		✓				NA	X	X
<u>Personal Instruction/Imprv</u>	X	X				✓	✓	NA	NA		✓				NA	X	X
Administrative	X	X			✓	✓	✓	NA	NA		✓				NA	X	X
Business/Communic.	X	X			✓	✓	✓	NA	NA						NA	X	X
<u>Broadcasting &amp; Recording</u>	X	X			✓	✓	✓	NA	NA						NA	X	X
<u>Retail Business-Sup.</u>	X	X				✓	✓	NA	NA						NA	X	X
Research Service	X	X						NA	NA						NA	X	X
Gen. Wholesale Sales	X	X	X	X	X			NA	NA						NA	X	X
Trans Habitation/B&B							✓	NA	NA		✓				NA	X	X
Construct <u>Sale/Serv-Building</u> <u>Material Sales</u>	X	X	X	X	X			NA	NA	X					NA	X	X
Auto Sale/Rent/Deliv.	X	X	X	X		✓	✓	NA	NA						NA	X	X
Automotive/ <u>Gas/Service</u>	X	X	X			✓	✓	NA	NA						NA	X	X
Automobile <u>Repair/Cleaning</u>	X	X	X	X	X	✓		NA	NA		X				NA	X	X
Auto Fee Parking	X	X	X					NA	NA		✓				NA	X	X
<u>Taxi &amp; Light Fleet</u>	X	X	X	X	X			NA	NA		X				NA	X	X
Transport/Warehouse	X	X	X	X	X			NA	NA		X				NA	X	X
<u>Animal Boarding</u>								NA	NA								
Animal Care								NA	NA						NA		
Undertaking Service	X	X	X					NA	NA						NA	X	X
Scrap Operation	X	X	X	X	X	X	X	NA	NA	X	X				NA	X	X
<b>Manufacturing Activ.:</b>																	
Custom	X	X	X	X	X			NA	NA	X					NA	X	X
Light	X	X	X	X	X			NA	NA	X					NA	X	X
General	X	X	X	X	X	X	X	NA	NA	X	X				NA	X	X
Heavy	X	X	X	X	X	X	X	NA	NA	X	X				NA	X	X
<b>Agricultural/Extract.:</b>																	
Plant Nursery								NA	NA						NA	X	X
Crop/Animal Raising								NA	NA						NA		

<b>TABLE 2: LAND USE</b>	<b>GENERAL PLAN LAND USE CLASSIFICATIONS</b>														
<b>ZONING ACTIVITY AND FACILITY TYPES</b> ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix***	Gen. Industrial***	Institutional	Central Business District	Mixed-Use Water f (See Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
Mining and Quarrying								NA	NA				NA	X	X
<b>Residential Facilities:</b>															
One-Family Dwelling	✓	✓	✓					NA	NA				NA		
One-Fam. /Secondary	✓	✓	✓					NA	NA				NA	X	X
One-Fam. w/ Second	✓	✓	✓					NA	NA				NA	X	X
Two-Family Dwelling	X	X	✓					NA	NA				NA	X	X
Multi-Family Dwelling	X	X	✓	✓	✓	✓	✓	NA	NA	✓	✓		NA	X	X
Rooming House								NA	NA				NA	X	X
Mobile Home								NA	NA				NA	X	X
Downtown Live Work *	X	X	X	✓	✓	✓	X	NA	NA	✓	✓		NA	X	X
<b>Nonresidential Facil.:</b>															
Enclosed				✓	✓			NA	NA				NA		
Open								NA	NA				NA		
Drive-In	X	X	X					NA	NA				NA	X	X
Sidewalk Cafe				✓	✓	✓	✓	NA	NA		✓		NA	X	X
Shopping Center**	X	X	X	X		✓	✓	NA	NA				NA	X	X
Drive-Through	X	X	X		X	✓	✓	NA	NA				NA	X	X
<b>Signs:</b>															
Residential								NA	NA				NA	X	X
Special								NA	NA				NA		
Development								NA	NA				NA	X	X
Realty								NA	NA				NA	X	X
Civic								NA	NA				NA		
Business								NA	NA				NA		
Advertising								NA	NA				NA	X	X
<b>Telecommunications</b>															
Micro								NA	NA				NA		
Mini								NA	NA				NA		
Macro								NA	NA				NA		
Monopole								NA	NA				NA		
Tower								NA	NA				NA	X	X
<b>Accessory Activ./Facil.</b>															
Live/work			✓					NA	NA	X	✓*		NA	X	X

\* Downtown building conversions to Live/Work are governed by a June 1999 ordinance which regulates and designates a specific downtown area for this type of conversion, regardless of General Plan Land Use Classification. See "Residentially-Oriented Live Work" regulations.

\*\* "Shopping Center" is defined as a Non-residential facility type, but is not listed as permitted or conditionally permitted in any zone. This definition is used in conjunction with 1000' foot rule for Fast-Food Restaurants (Section 17.102.210(E)(1)).

\*\*\*The permitted, conditionally permitted, and prohibited activities for the Housing and Business Mix, Business Mix, General Industrial and Transportation, and Business Mix General Plan classifications are always determined by the underlying zoning designation. Zoning designations have been adopted by the City Council to implement these General Plan classifications.

The Mixed Use Waterfront Classification is superceded by the Estuary Policy Plan Land Use Classifications. See Table 2A.

**TABLE 2A: ESTUARY POLICY PLAN LAND USE CLASSIFICATIONS**

TABLE 2A: ESTUARY LAND USE ZONING REGULATIONS ACTIVITY AND FACILITY TYPES*	Jack London District									O-9	San Antonio/Fruitvale									
	Light Indust. 1	Off Price Retail 1	Ret. Dine, Entert 1	Ret. Dine, Entert 2	Produce Market	W. Commrc. Rec. 1	Mixed Use Dist.	W. Mixed U. Dist.	W. Warehouse Dist.	Plan. W. Devel. -1	W. Commrc. Rec. 2	Light Indust 2	Plan. W. Devel. 2	Resid. Mixed U.	Heavy Ind.	Gen. Commerce. 1	Plan. W. Dist. 3	Gen. Commerce. 2	Light Indust. 3	
<b>Residential Activity</b>																				
<b>Permanent</b>		✓	X	✓	✓	X	✓	✓	✓	✓	X		✓	NA	X	X	X	X	X	X
<b>Semi-Transient</b>		✓	X	✓	✓	X	✓	✓	✓	✓	X		✓	NA	X	X	X	X	X	X
<b>All Residential Care categories</b>		✓	X	✓	✓	X	✓	✓	✓	✓	X		✓	NA	X	X	X	X	X	X
<b>Civic Activities:</b>																				
<b>Essential Service</b>														NA						
<b>Limited Child Care</b>											X		X	NA	X		X		X	X
<b>Community Assembly</b>						✓				✓			X	NA	X		X		X	X
<b>Recreational Assembly</b>						✓				✓			X	NA	X		X		X	X
<b>Community Education</b>			X	X	X					✓	X		X	NA	X	X	X	X	X	X
<b>Non-Assembly Cultural</b>			✓	✓	✓	✓				✓				NA						
<b>Administrative</b>														NA						
<b>Health Care</b>	X	X	X	X	X	X	X	X	X	X	X	X	X	NA	X	X	X	X	X	X
<b>Utility and Vehicular</b>			X	X	X	X		X	X	X	X		✓	NA	✓		✓		✓	✓
<b>Extensive Impact</b>														NA						
<b>Telecommunications</b>														NA						
<b>Commercial Activities:</b>																				
<b>General Food Sales</b>		✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	NA		✓		✓		
<b>Full Service Restaurant</b>		✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	NA		✓		✓		
<b>Limited Service Restaurant</b>		✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	NA		✓		✓		
<b>Convenience Market</b>													✓	NA						
<b>Fast-Food Restaurant</b>			*	*										NA						
<b>Alcoholic Beverage Sales</b>														NA						

TABLE 2A: ESTUARY LAND USE ZONING REGULATIONS ACTIVITY AND FACILITY TYPES*	Jack London District										O-9	San Antonio/Fruitvale							
	Light Indust.1	Off Price Retail 1	Ret. Dine, Entert 1	Ret. Dine, Entert 2	Produce Market	W. Commrc. Rec. 1	Mixed Use Dist.	W. Mixed U. Dist.	W. Warehouse Dist.	Plan. W. Devel. -1	W. Commrc. Rec. 2	Light Indust 2	Plan. W. Devel. 2	Resid. Mixed U.	Heavy Ind.	Gen. Commerce. 1	Plan. W. Dist. 3	Gen. Commerce. 2	Light Indust. 3
<u>Convenience Sales and Service</u>														NA					
<u>Consumer Service</u>														NA					
<u>Mechanical or Electronic Games</u>														NA					
<u>Medical Service</u>												X	NA	X	X	X	X	X	X
<u>Gen. Retail Sales</u>		✓	✓	✓	✓	✓	✓	✓	✓	✓				NA		✓		✓	
<u>Gen. Personal Service</u>		✓	✓	✓	✓	✓	✓	✓	✓	✓				NA		✓		✓	
<u>Consult./Financial Service</u>				✓		✓								NA		✓	✓	✓	
<u>Consumer Laundry Cleaning/Repair Svc.</u>												✓	NA						✓
<u>Dry Cleaning Plant</u>																			
<u>Group Assembly</u>			✓	✓		✓			✓					NA		✓		✓	
<u>Personal Instruction/Imprv</u>			✓	✓		✓			✓					NA		✓		✓	
<u>Administrative</u>			✓	✓	✓	✓		✓	✓					NA		✓	✓	✓	
<u>Business/Communications Svc.</u>												✓		NA		✓	✓	✓	✓
<u>Broadcasting &amp; Recording</u>												✓		NA		✓	✓	✓	✓
<u>Retail Bus. Supply</u>												✓		NA		✓	✓	✓	✓
<u>Research Service</u>														NA			✓		✓
<u>Gen. Wholesale Sales</u>		✓	X	X	✓	X	✓	X	✓			✓	✓	NA	✓	✓	✓	✓	✓
<u>Transient Habitation/B&amp;B</u>		✓	✓		✓				✓	✓		X	NA	X	✓				
<u>Construction Sales/Service Building Material Sales</u>			X	X		X		X				✓	NA	✓	✓	✓	✓	✓	✓
<u>Auto (Boat) Sales/Rental/Delivery</u>				X		X		X		✓		✓		NA		✓		✓	✓
<u>Automobile (Boat) Gas/Serviceing</u>				X		X		X			✓	✓		NA	✓	✓		✓	✓
<u>Automobile (Boat) Repair/Cleaning</u>						X	X	X	X		✓	✓		NA	✓	✓	X	✓	✓
<u>Auto (Boat) Parking – Fee</u>						X		X				✓		NA		✓		✓	✓
<u>Taxi &amp; Light Fleet</u>	✓		X	X	✓	X		X			✓	✓		NA	✓	✓	✓	✓	✓
<u>Transport/Warehousing</u>	✓		X	X	✓	X		X			✓	✓		NA	✓	✓	✓	✓	✓
<u>Animal Boarding</u>														NA					
<u>Animal Care</u>														NA					
<u>Undertaking Service</u>														NA					
<u>Scrap Operation</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	NA		X	X	X	X
<u>Manufacturing Activ.:</u>																			



TABLE 2A: ESTUARY LAND USE ZONING REGULATIONS ACTIVITY AND FACILITY TYPES*	Jack London District									O-9	San Antonio/Fruitvale									
	Light Indust.1	Off Price Retail 1	Ret. Dine, Entert 1	Ret. Dine, Entert 2	Produce Market	W. Commrc. Rec. 1	Mixed Use Dist.	W. Mixed U. Dist.	W. Warehouse Dist.	Plan. W. Devel. -1	W. Commrc. Rec. 2	Light Indust 2	Plan. W. Devel. 2	Resid. Mixed U.	Heavy Ind.	Gen. Commerce. 1	Plan. W. Dist. 3	Gen. Commerce. 2	Light Indust. 3	
✓ = Clearly conforms = is silent or not clear X = Clearly does not conform																				
<b>Custom Manufacturing</b>	✓				✓		✓		✓			✓	✓	NA	✓	✓	✓	✓	✓	✓
<b>Light Manufacturing</b>	✓		X	X	✓	X	✓	X	✓			✓	✓	NA	✓	✓	✓	✓	✓	✓
<b>General Manufacturing</b>		X	X	X	X	X	X	X	X		X		✓	NA	✓					
<b>Heavy Manufacturing</b>	X	X	X	X	X	X	X	X	X	X	X	X	✓	NA	✓	X	X	X	X	X
<b>Agricultural/Extract.:</b>																				
<b>Plant Nursery</b>														NA						
<b>Crop and Animal Raising</b>	X	X	X	X	X	X	X	X	X	X	X	X	X	NA	X	X	X	X	X	X
<b>Mining/Quarrying</b>	X	X	X	X	X	X	X	X	X	X	X	X		NA		X	X	X	X	X
<b>Residential Facilities:</b>																				
<b>One Family Dwelling</b>	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	NA	X	X	X	X	X	X
<b>One Family Dwelling/Secondary</b>	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	NA	X	X	X	X	X	X
<b>One Family Dwelling/Second</b>	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	NA	X	X	X	X	X	X
<b>Two Family Dwelling</b>	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	NA	X	X	X	X	X	X
<b>Multi-Family Dwelling</b>	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	NA	X	X	X	X	X	X
<b>Rooming House</b>											X		X	NA	X	X	X	X	X	X
<b>Downtown Live/Work*</b>	✓	✓	X	✓	✓	X	✓	X	✓	X	X	X	X	NA	X	X	X	X	X	X
<b>Mobile Home</b>	X	X	X	X	X	X	X	X	X	X	X	X	X	NA	X	X	X	X	X	X
<b>NON-RESIDENTIAL FACILITIES</b>																				
<b>Enclosed</b>														NA						
<b>Open</b>			✓	✓		✓			✓					NA						
<b>Drive-in</b>					X		X		X					NA						
<b>Sidewalk Café</b>		✓	✓	✓	✓	✓	✓	✓	✓	✓		X		NA	X					
<b>Shopping Center/Fast Food</b>					X		X							NA						
<b>Drive Through</b>					X		X		X					NA						
<b>SIGNS</b>																				
<b>Residential</b>			X			X					X			NA	X	X	X	X	X	X
<b>Special</b>														NA						
<b>Development</b>														NA						
<b>Realty</b>														NA						
<b>Civic</b>														NA						
<b>Business</b>														NA						
<b>Advertising</b>														NA						
<b>TELECOMMUNICATIONS FAC.</b>																				

TABLE 2A: ESTUARY LAND USE ZONING REGULATIONS ACTIVITY AND FACILITY TYPES*	Jack London District									O-9	San Antonio/Fruitvale								
	Light Indust.1	Off Price Retail 1	Ret. Dine, Entert 1	Ret. Dine, Entert 2	Produce Market	W. Commrc. Rec. 1	Mixed Use Dist.	W. Mixed U. Dist.	W. Warehouse Dist.	Plan. W. Devel. -1	W. Commrc. Rec. 2	Light Indust 2	Plan. W. Devel. 2	Resid. Mixed U.	Heavy Ind.	Gen. Commerce. 1	Plan. W. Dist. 3	Gen. Commerce. 2	Light Indust. 3
Micro														NA					
Mini														NA					
Macro														NA					
Monopole														NA					
Tower														NA					
ACCESSORY ACTIV./FACILITY																			
Live/Work		✓	X	✓	✓	X	✓		✓	✓	X	✓		NA	X	X	X	X	X

\* See Estuary Policy Plan: Policy JL 1.2 for a description of allowable uses.

\*\*The permitted, conditionally permitted, and prohibited activities for the Residential Mixed Use classification are always determined by the underlying zoning designation. The HBX-3 zoning designation has been adopted by the City Council to implement the Residential Mixed Use Estuary Policy Plan classification.

NA = Not Applicable