

ATTACHMENT D

Exhibit 3:

Industrial Zones Package

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

Chapter 17.72 M-20, M-30, AND M-40 INDUSTRIAL ZONES REGULATIONS

17.72.030 Permitted and conditionally permitted activities.

Table 17.72.01: Permitted and Conditionally Permitted Activities

Activities	Zones			Additional Regulations
	M-20	M-30	M-40	
Residential Activities				
Emergency Shelter	—	P(L1)	—	17.103.015
Civic Activities				
Limited Child-Care Activities	P <u>C(L17)</u>	P <u>C(L17)</u>	P <u>C(L17)</u>	
Community Education	<u>C(L17)</u>	<u>C(L17)</u>	<u>C(L17)</u>	
Nonassembly Cultural	P	<u>P</u>	P	
Utility and Vehicular	C	P(L4) <u>C</u>	P(L4)	
Extensive Impact	C	C	C	<u>17.102.440</u>
Commercial Activities				
Convenience Market	C	P <u>C</u>	P <u>C</u>	17.103.030
Medical Service	P(L2)	<u>P(L2)</u>	<u>P(L2)</u>	

Activities	Zones			Additional Regulations
	M-20	M-30	M-40	
Group Assembly	<u>P(L7)</u>	<u>G(L7)</u> <u>P(L7)</u>	<u>G(L7)</u> <u>P(L7)</u>	
Personal Instruction and Improvement Services	<u>P(L7)</u>	<u>G(L7)</u> <u>P(L7)</u>	<u>G(L7)</u> <u>P(L7)</u>	
Building Material Sales	<u>C(L20)</u>	<u>P(L9)</u>	<u>P(L9)</u>	
Automobile and Other Light Vehicle Sales and Rental	<u>P(L9)</u>	C	<u>P(L9)</u>	
Automobile and Other Light Vehicle Gas Station and Servicing	C(L8)	<u>P(L8)(L9)</u>	<u>P(L8)(L9)</u>	
Automobile and Other Light Vehicle Repair and Cleaning	<u>P(L8)(L9)</u>	<u>P(L8)(L9)</u>	<u>P(L8)(L9)</u>	
Taxi and Light Fleet-Based Services	<u>C(L20)</u>	<u>P(L9)</u>	<u>P(L9)</u>	
Industrial Activities				
Custom Manufacturing	<u>P(L9)</u>	P	P	
Light Manufacturing	<u>P(L9)(L10)</u>	<u>P(L9)</u>	<u>P(L9)</u>	
General Manufacturing	C(L10) <u>(L20)</u>	C(L10) <u>(L20)</u>	C(L10) <u>(L20)</u>	<u>17.103.065</u>
Heavy/High Impact	—	—	<u>G</u> <u>=</u>	
Research and Development	<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	P	
Construction Operations	<u>C(L20)</u>	<u>P(L9)</u>	<u>P(L9)</u>	<u>17.103.065</u>
Warehousing, Storage, and Distribution-Related				
A. General Warehousing, Storage and Distribution	<u>C(L20)</u>	<u>P(L9)(L19)</u>	<u>P(L9)(L19)</u>	<u>17.103.065</u>

Activities	Zones			Additional Regulations
	M-20	M-30	M-40	
B. General Outdoor Storage	C	P(L9)	P(L9)	
C. Self- or Mini-Storage	P C(L17)	P C(L17)	P C(L17)	
D. Container Storage	C	P	P	
E. Salvage/Junk Yards	C	C	P(L11)	
Regional Freight Transportation	C(L20)	C(L20)	C(L20)	17.103.065
Trucking and Truck-Related				
A. Freight/Truck Terminal	C(L20)	P(L8)(L9)(L12)	P(L8)(L9)(L12)	17.103.065
B. Truck Yard	C(L20)	P(L8)(L9)(L12)	P(L8)(L9)(L12)	17.103.065
C. Truck Weigh Stations	C(L20)	P(L8)(L9)(L12)	P(L8)(L9)(L12)	17.103.065
D. Truck and Other Heavy Vehicle Sales, Rental and Leasing	C(L20)	P(L9)(L13)	P(L9)(L13)	17.103.065
E. Truck and Other Heavy Vehicle Service, Repair and Refueling	C(L20)	P(L8)(L9)(L12)	P(L8)(L9)(L12)	17.103.065
Recycling and Waste-Related				
A. Satellite Recycling Collection Centers	C	C	C	
B. Primary Recycling Collection Centers	—	C(L20)	PC(L20)	17.103.060 17.103.065
Agriculture and Extractive Activities				
Mining and Quarrying	C(L18)	C(L18)	C(L18)	

Limitations on Table 17.72.01:

L1. Emergency Shelters are permitted by-right on properties owned by churches, temples, synagogues, and other similar places of worship approved for Community Assembly Civic Activities; and within the portion of the Third Street corridor area described in Section 17.103.015(A)(5) and subject to the development standards in Section 17.103.015(B); permitted upon the granting of a Conditional Use Permit elsewhere in the zone **subject to the standards in Section 17.103.010. following:**

a. ~~No Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such Activity or Facility.~~

L2. The total floor area devoted to these activities on any single lot may only exceed fifteen thousand (15,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

L3. No new or expanded Special Health Care Civic Activity shall be located closer than two thousand five hundred (2,500) feet from any other such activity, or five hundred (500) feet from any K-12 school or Licensed Emergency Shelters. See Section 17.103.020 for further regulations regarding Special Health Care Civic Activities.

L4. Communications equipment installation and exchanges are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

L5. The total floor area devoted to these activities on any single lot may only exceed ~~three thousand (3,000)~~ five thousand (5,000) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

L6. See Section 17.102.170 for special regulations relating to massage services and Section 17.102.450 for special regulations relating to laundromats. ~~Also, no new or expanded laundromat shall be located closer than five hundred (500) feet from any existing laundromat. See Section 17.102.450 for further regulations regarding laundromats.~~

L7. A Conditional Use Permit is required for entertainment, educational and athletic uses (see Chapter 17.134 for the CUP procedure). Also, ~~n~~No new or expanded Adult Entertainment Activity shall be located closer than one thousand (1,000) feet to the boundary of any Residential Zone or three hundred (300) feet from any other Adult Entertainment Activity. See Section 17.102.160 for further regulations regarding Adult Entertainment Activities.

L8. No facility accommodating these activities that is located within ~~one hundred fifty (150)~~ **six hundred (600) feet** of any Residential Zone boundary shall be constructed, established, or altered in exterior appearance, unless the proposal ~~have~~has been approved pursuant to the Design Review Procedure (see Chapter 17.136 for the Design Review Procedure).

L9. These activities are only permitted upon the granting of a Conditional Use Permit if located within ~~one hundred fifty (150)~~ **six hundred (600) feet** of a Residential Zone (see Chapter 17.134 for the CUP procedure, and Section 17.103.065 for special findings and additional regulations for Truck-Intensive Industrial Activities in the M, CIX, IG, IO, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones).

L10. Electroplating Activities are prohibited.

L11. Salvage/Junk Yards Industrial Activities in the M-40 Zone are only permitted upon the granting of a Conditional Use Permit if located within ~~four hundred (400)~~ **six hundred (600) feet**

of any Residential zone boundary ~~except the M-30 Zone~~ (see Chapter 17.134 for the CUP procedure). The following regulations shall apply to all Salvage/Junk Yards Industrial Activities in the M-40 Zone that do not require 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 (10) 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)~~ fifteen (15) feet in height.

L12. Only permitted upon the granting of a Conditional Use Permit (see Section 17.134 for the CUP procedure) in all areas between Interstate 980 to the east, Interstate 880 to the south and west, and Interstate 580 to the north.

L13. These activities are prohibited when located within two thousand (2,000) feet ~~from a Residential Facility of a Residential Zone boundary~~. When not within two thousand (2,000) feet of a ~~Residential Facility~~ Residential Zone boundary, Hazardous Materials Production, Storage, and Waste Management is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

a1. That the project is not detrimental to the public health, safety or general welfare of the community;

b2. That the project is or will be adequately served by roads and other public or private service facilities;

c3. That the project is consistent with the regional fair-share facility needs assessment and siting criteria established in the Alameda County Hazardous Waste Management Plan;

d4. That the cumulative effects of locating the project within the proposed area have been analyzed and where applicable, measures to minimize impacts have been incorporated into the project.

L14. Limited Agriculture is permitted ~~outright~~ if the activity occupies less than ~~one (1) acre~~ twenty thousand (20,000) square feet of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

L15. Extensive Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

a1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic.

L16. Community Gardens are permitted outright if they do not include ~~the livestock production or the cultivation of animals, and/or animal products by agricultural methods, and/or livestock production, except for bee keeping involving no more than three (3) hives. The cultivation of animals, animal products and/or livestock production, except for bee keeping involving no more~~

than three (3) hives, is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

L17. A Conditional Use Permit is required if located within **six hundred (600) feet** of any Residential Zone boundary (see Chapter 17.134 for the CUP procedure); prohibited if located elsewhere in the zone. See also Section 17.103.065 for special findings and additional requirements for Truck-Intensive Industrial Activities in the M, CIX, IG, IO, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones.

L18. Prohibited if located within **six hundred (600) feet** of any Residential Zone boundary. A Conditional Use Permit is required if located elsewhere throughout the zone (see Chapter 17.134 for the CUP procedure, and Section 17.103.065 for special findings and additional requirements for Truck-Intensive Industrial Activities in the M, CIX, IG, IO, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones).

L19. 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 for the CUP procedure).

L20. See Section 17.103.065 for special findings and additional requirements for Truck-Intensive Industrial Activities in the M, CIX, IG, IO, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones.

17.72.040 Permitted and conditionally permitted facilities.

Table 17.72.02: Permitted and Conditionally Permitted Facilities

Facilities	Zones			Additional Regulations
	M-20	M-30	M-40	
Residential Facilities				
One-Family Dwelling	—	—(L4)	—	17.103.015
Two- to Four-Family Dwelling	—	—(L4)	—	17.103.015
Multifamily Dwelling	—	—(L4)	—	17.103.015
Rooming House	—	—(L4)	—	17.103.015
Vehicular	—	—(L4)	—	17.103.015

17.72.050 Property development standards.

A. **Zone Specific Standards.** Table 17.72.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

Table 17.72.03: Property Development Standards

Development Standards	Zones			Additional Regulations
	M-20	M-30	M-40	
Minimum Lot Frontage	25 feet	25 feet	25 feet	1
Minimum/Maximum Setbacks				
Minimum front	5 ft.	0 ft.	0 ft.	2, 3
Minimum interior side	0 ft.	0 ft.	0 ft.	4
Minimum street side	0 ft.	0 ft.	0 ft.	5
Rear (Nonresidential Facilities)	0/10/15 ft.	0/10/15 ft.	0/10/15 ft.	6, 7

Additional Regulations for Table 17.72.03:

4. Wherever an interior side lot line abuts an interior side lot line of any lot located in an RH or RD Zone, ~~the setback of the abutting portion of its side lot line is ten (10) feet~~ a side setback of six (6) feet is required. In the case where an interior side lot line abuts an interior side lot line in an RM Zone, the setback of the abutting portion of its side lot line is five (5) feet. In the case where an interior side lot line abuts ~~a side yard of~~ an interior side lot line of any lot located in an RU-1 or RU-2 ~~lot Zone,~~ a side setback of four (4) feet is required (see Illustration for Table ~~17.68.03-17.72.03~~ 17.72.03 [Additional Regulation 4], below). Also, see Section 17.108.130 for allowed projections into setbacks.

5. When the rear yard of a reversed corner lot abuts a key lot that is in an RH, RD, or RM Zone, the required street side yard setback in the rear ~~twenty (20) ten (10)~~ feet of the reversed corner lot is one-half (½) of the minimum front yard required on the key lot, but shall not be required to exceed four (4) feet in width if it would reduce to less than twenty-five (25) feet the buildable width of any corner lot (see Illustration for Table ~~17.33.03-17.72.03~~ 17.72.03 [Additional Regulation 5], below). Also, see Section 17.108.130 for allowed projections into the setbacks.

7. When a rear lot line is adjacent to an RH, RD, or RM Zone, the required rear setback for both Residential and Nonresidential Facilities is ten (10) feet ~~if the lot depth is one hundred (100) feet or less and fifteen (15) feet if the lot depth is more than one hundred (100) feet.~~ When a rear lot line is not adjacent to an RH, RD, or RM Zone, the required rear setback is ten (10) feet for Residential Facilities and there is no required setback for Nonresidential Facilities.

8. Buildings shall have a thirty (30) foot maximum height at the setback line associated with any rear or interior side lot line that abut a lot in an RH, RD, or RM Zone; if the principal building on the abutting lot has a height of thirty (30) feet or less, this maximum height shall increase one (1) foot for every foot of distance away from this setback line. If the principal building on the abutting lot has a height of greater than thirty (30) feet, the maximum height shall increase two (2) feet for every foot away from the applicable setback line (see Illustration for Table ~~17.35.04-17.72.03~~ 17.72.03 [Additional Regulation 8], below). Also, see Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.

17.72.060 Special Regulations for Planned Unit Developments.

~~A. **Mini-lot Planned Unit Developments.** In Mini-Lot Planned Unit Developments (Mini-Lot PUDs), certain regulations that apply to individual lots in the M-20, M-30, and M-40 Zones may be waived or modified when and as prescribed in Chapter 17.142.~~

AB. Planned Unit Developments. Large integrated developments shall be subject to the Planned Unit Development (PUD) regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the M-20, M-30, and M-40 Zones, and certain of the other regulations applying in said zone may be waived or modified. The normally required design review process may also be waived for developments at the time of initial granting of a Planned Unit Development (PUD) permit. Unless otherwise specified in the PUD permit, any future changes within the Planned Unit Development shall be subject to applicable design review regulations.

Chapter 17.73 CIX, IG AND IO INDUSTRIAL ZONES REGULATIONS

Sections:

17.73.020 Permitted and conditionally permitted activities and facilities.

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

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

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

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

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

Table 17.73.020: Permitted and Conditionally Permitted Activities and Facilities

Activity Types	Base Zones								Combining Zone	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*	
Residential Activities										
Permanent	—	—	—	—	—	C(L1)	—	—	—	
Residential Care	—	—	—	—	—	C(L1)	—	—	—	
Supportive Housing	—	—	—	—	—	C(L1)	—	—	—	
Transitional Housing	—	—	—	—	—	C(L1)	—	—	—	
Emergency Shelter	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	17.103.015
Civic Activities										
Essential Service	P	P	P	P	P	P	P(L21)	P(L21)	P(L21)	

Activity Types	Base Zones								Combining Zone	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO		
Limited Child-Care	<u>C(L23)</u>	<u>C(L23)</u>	<u>C(L23)</u>	<u>C(L23)</u>	—	—	—	—	—	
Community Assembly	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C(L23)</u>	<u>C(L23)</u>	—	C		
Recreational Assembly	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C(L23)</u>	<u>C(L23)</u>	—	C		
Community Education	<u>C(L23)</u>	<u>C(L23)</u>	<u>C(L23)</u>	<u>C(L23)</u>	<u>P</u> <u>C(L23)</u>	<u>C(L23)</u>	—	<u>C(L23)</u>		
Nonassembly Cultural	P	P	P	P	P	C	—	C		
Administrative	P	P	P	P	P	C	—	C		
Health Care	C	C	C	C	<u>P</u> <u>—</u>	—	—	—	P	
Special Health Care	<u>C</u> <u>—</u>	—	—	—	<u>C(L22)</u>	<u>C(L22)</u>	—	—		
Utility and Vehicular	C	C	<u>P</u> <u>C</u>	C	<u>P</u> <u>C</u>	C	C	C	P	
Extensive Impact	C	C	C	C	C	C	C	C		<u>17.102.440</u>
Commercial Activities										

Activity Types	Base Zones								Combining Zone	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*	
General Food Sales	P	P	P	P	P	P(L17)	G(L2) P(L2)	P(L2)		
Full Service Restaurant	P	P	P	P	P	P(L2)(L17)	G(L2) P(L2)	P(L2)		
Limited Service Restaurant and Cafe	P	P	P	P	P	P(L2)(L17)	G(L2) P(L2)	P(L2)		
Fast Food Restaurant	C	C	C	C	C	C	—	C	C	See Section 17.103.030
Convenience Market	C	C	C	C	C	C	—	C	C	
Alcoholic Beverage Sales	C	C	C	C	P(L3) C	C	—	—		See Sections 17.103.030 and 17.114.030
Mechanical or Electronic Games	P(L4)	P(L4)	P(L4)	C	P(L4)	—	—	—		
Medical Service	P	P	P	P	P	C	—	C		
General Retail Sales	P	P	P	P	P	P(L17)	—	P(L17)		

Activity Types	Base Zones								Combining Zone	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*	
Large-Scale Combined Retail and Grocery Sales	—	—	C	C	—	—	—	—		
Consumer Service	P(L20)	P(L20)	P(L20)	P(L20)	P(L20)	P(L20)	—	C(L20)		
Consultative and Financial Service	P	P	P	P	P	C	—	—		
Check Cashier and Check Cashing	—	—	—	—	—	—	—	—		
Consumer Cleaning and Repair Service	P	P	P	P	P	C	—	—		
Consumer Dry Cleaning Plant	C	C	C	C	P C	C	—	—		
Group Assembly	P(L8) (L9)	P(L8) (L9)	P(L8) (L9)	P(L8) (L9)	P(L8) (L9)	P(L9)	P(L9)	C		
Personal Instruction and Improvement Services	P(L8) (L9)	P(L8) (L9)	P(L8) (L9)	P(L8) (L9)	P(L8) (L9)	P(L9)	P(L9)	C		

Activity Types	Base Zones								Combining Zone	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*	
Administrative	P	P	P	P	P	P	L9	P		
Business, Communication, and Media Service	P	P	P	P	P	P	P	P		
Broadcasting and Recording Service	P	P	P	P	P	P	P	P		
Research Service	P	P	P	P	P	P	CP	P		
General Wholesale Sales	P	P	P	P	P	P	P	P		
Transient Habitation	C	C	C	C	—	—	—	—		17.103.050
Building Material Sales	P(L4)(L19)	P(L4)(L19)	P(L4)(L19)	P(L4)(L19)	P(L4)	P(L4)	—	—	P(L4)	
Automobile and Other Light Vehicle Sales and Rental	C	C	P	P	P	CP(L4)	—	C	P	

Activity Types	Base Zones								Combining Zone	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*	
Light Manufacturing	P	P	P	P	P	P	P	P		
General Manufacturing	P(L4)	P(L4)	P(L4)	—	P(L4)	P(L4)	P(L4)	—	P(L4)	<u>17.103.065</u>
Heavy/High Impact Manufacturing	—	—	—	—	—	—	C(L6)	—		<u>17.103.065</u>
Research and Development	P	P	P	P	P	P	P	P		
Construction Operations	P(L4)(L19)	P(L4)(L19)	P(L4)(L19)	C	P(L4)	P(L4)	P(L4)	C	P(L4)	<u>17.103.065</u>
Warehousing, Storage and Distribution-Related:										
A. General Warehousing, Storage and Distribution	P(L4)(L18)	P(L4)(L18)	P(L4)(L18)	C	P(L4)	P(L4)	P(L4)	P(L4)	P	<u>17.103.065</u>
B. General Outdoor Storage	C(L6)	C(L6)	C(L6)	C(L6)	C(L6)	P(L4)	P(L4)	P C(L6)		

Activity Types	Base Zones								Combining Zone	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*	
C. Self-or Mini-Storage	—	—	—	—	C(L23)	C(L23)	—	C(L23)	C	
D. Container Storage	—	—	—	—	—	P(L4)	P(L4)	—		
E. Automotive Salvage and Junk Yards	—	—	—	—	—	—	P(L4)	—		
Regional Freight Transportation-Related:										
A. Seaport	—	—	—	—	—	—	P	C		<u>17.103.065</u>
B. Rail Yard	—	—	—	—	—	C	P	—		
Trucking and Truck-Related:										
A. Freight/Truck Terminal	—	—	—	—	P(L6) C(L6)	P(L4) C(L6)	P(L4)	—	P	<u>17.103.065</u>
B. Truck Yard	—	—	—	—	P(L6) C(L6)	C(L6)	P(L4)	C(L6)	P	<u>17.103.065</u>
C. Truck Weigh Stations	—	—	—	—	—	P(L4)	P(L4)	—		<u>17.103.065</u>

Activity Types	Base Zones								Combining Zone	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*	
D. Truck and Other Heavy Vehicle Sales, Rental and Leasing	—	—	—	—	P(L7)	P(L7)	P(L4)	P(L4)	P	17.103.065
E. Truck and Other Heavy Vehicle Service, Repair, and Refueling	—	—	—	—	P(L6) C(L6)	P(L6) C(L6)	P(L4)	—	P	17.103.065
Recycling and Waste-Related:										
A. Satellite Recycling Collection Centers	C	C	C	C	C	C	C	C		
B. Primary Recycling Collection Centers	—	—	—	—	P(L1) C(L1)	P(L1) C(L1)	P(L12)	—	—	See Sections 17.73.035 and 17.103.065
Hazardous Materials Production, Storage & and Waste Management-Related:										
A. Small Scale Transfer and Storage	—	—	—	—	—	C(L6)	C(L6)	—		L12 - See also Health and

Activity Types	Base Zones								Combining Zone	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*	
B. Industrial Transfer/Storage	—	—	—	—	—	—	C(L6)	—		Safety Protection Zone (S-19)
C. Residuals Repositories	—	—	—	—	—	—	C(L6)	—		
D. Oil and Gas Storage	—	—	—	—	—	—	P(L3) C(L6)	—		
Agricultural and Extractive Activities										
Plant Nursery	P	P	P	C	P	P	P	—		
Limited Agriculture	P(L14)	P(L14)	P(L14)	P(L14)	P(L14)	P(L14)	C(L15)	C(L15)	C(L15)	
Extensive Agriculture	C(L16)	C(L16)	C(L16)	C(L16)	C(L16)	C(L16)	C(L16)	C(L16)		
Mining and Quarrying Extractive	—	—	—	—	—	—	C(L6)	—		See Chapter 17.155
Accessory off-street parking serving prohibited activities	C	C	C	C	P	P	P	P	P	17.116.075

Activity Types	<u>Base Zones</u>								<u>Combining Zone</u>	Additional Regulations	
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*		
Additional activities that are permitted or conditionally permitted in an adjacent zone, on lots near the boundary thereof	C	C	C	C	C	C	C	C			17.102.110

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

Facility Types	<u>Base Zones</u>								<u>Combining Zone</u>	Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	<u>T*</u>	
Residential Facilities	All Residential Facilities are prohibited in the CIX, IG and IO Zones, except for those approved in conjunction with a permitted Emergency Shelter Activity; or a conditionally permitted conversion of an existing Transient Habitation Commercial Activity in any portion of the CIX-2 Zone not located within one thousand five hundred (1,500) feet of Hegenberger Road, as indicated in Limitation L1 below.									
Nonresidential Facilities										

Enclosed Nonresidential	P	P	P	P	P	P	P	P	<u>P</u>	
Open Nonresidential	P	P	P	P	P	P	P(L21)	P(L21)	<u>P(L21)</u>	
Sidewalk Cafe	P	<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	P	<u>G</u> <u>P</u>	<u>G</u> <u>P</u>	—	—	<u>=</u>	See Section 17.103.090
Drive-In Nonresidential	—	—	—	—	—	—	—	—	<u>=</u>	
Drive-Through Nonresidential	C	C	C	C	C	C	C	C	<u>C</u>	See Section 17.103.100

Telecommunications Facilities

Micro Telecommunications	P	P	P	P	P	P	P	P	<u>P</u>	See Chapter 17.128
Mini Telecommunications	P	P	P	P	P	P	P	P	<u>P</u>	
Macro Telecommunications	C	C	C	C	C	C	P	P	<u>P</u>	
Monopole Telecommunications	C	C	C	C	C	C	P	P	<u>P</u>	
Tower Telecommunications	—	—	—	—	—	—	P	P	<u>P</u>	

Sign Facilities

Residential Signs	—	—	—	—	—	—	—	—	—	See Chapter 17.104
Special Signs	P	P	P	P	P	P	P	P	P	
Development Signs	P	P	P	P	P	P	—	—	—	
Realty Signs	P	P	P	P	P	P	P	P	P	
Civic Signs	P	P	P	P	P	P	P	P	P	
Business Signs	P	P	P	P	P	P	P	P	P	
Advertising Signs	—	—	—	—	—	—	—	—	—	

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

Limitations on Table 17.73.020:

L1. All new Residential Activities are prohibited in the CIX, IG, and IO Zones, except that Emergency Shelters are permitted by-right on properties owned by churches, temples, synagogues, and other similar places of worship approved for Community Assembly Civic Activities; and within those portions of the 3rd Street corridor, East 12th Street corridor and Coliseum Way area described in Section 17.103.015(A)(5)(6)(8) respectively and subject to the development standards in Section 17.103.015(B); and conversion of an existing Transient Habitation Commercial Activity in the CIX-2 Zone into a Permanent Residential, Residential Care, Supportive Housing, or Transitional Housing Residential Activity may be permitted through a Conditional Use Permit in any portion of the CIX-2 Zone not located within one thousand five hundred (1,500) feet of Hegenberger Road. A Conditional Use Permit for such residential conversion of an existing Transient Habitation Commercial Activity in the CIX-2 Zone may only be granted upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit procedure in Chapter 17.134 and to the following additional criteria:

a1. That the proposal involves housing that is only for one or more underserved populations, including but not limited to, ~~low income~~ low-income households, seniors, or veterans.

L2. Limited to location on a ground floor in the CIX-2, IG and IO Zones. Over five thousand (5,000) sf. floor area requires a **Ceonditional Uuse Ppermit** in the CIX-2, IG, and IO Zones.

L3. Prohibited if located within ~~three hundred (300)~~ **six hundred (600)** feet of a Residential Zone and requires a **Ceonditional Uuse Ppermit** elsewhere throughout the zone. ~~Conditional use permit is required in the CIX-2 Zone.~~

L4. A **Ceonditional Uuse Ppermit** is required if located within ~~three hundred (300)~~ **six hundred (600) feet** of any Residential Zone boundary or one-half (1/2) mile of a BART Station (see Chapter 17.134 for the CUP procedure, and Section 17.103.065 for special findings and additional requirements for Truck-Intensive Industrial Activities in the M, CIX, IG, IO, D-CE-5, D-CE-6, D-CO-5, and D-CO-6 Zones). ~~Residential Zone. Permitted if located beyond three hundred (300)~~ **six hundred (600) feet** of a Residential Zone or one-half (1/2) mile of a BART Station.

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

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

L7. A **Ceonditional Uuse Ppermit** is required: a) if located within ~~three hundred (300)~~ **six hundred (600) feet** of a Residential Zone, and b) if located anywhere in the district when outdoor repair and service activity exceeds fifty percent (50%) of site area.

L8. A **Ceonditional Uuse Ppermit** is required for entertainment uses. Also, no new or expanded Adult Entertainment Activity shall be located closer than one thousand (1,000) feet to the boundary of any Residential Zone or three hundred (300) feet from any other Adult Entertainment Activity. See Section 17.102.160 for further regulations regarding Adult Entertainment Activities.

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

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

L11. Prohibited if located within ~~three hundred (300)~~ **six hundred (600) feet** of a Residential Zone; a **Ceonditional Uuse Ppermit** containing requirements no less stringent than the performance standards set out in Section 17.73.035 is required if located beyond ~~three hundred (300)~~ **six hundred (600) feet** of a Residential Zone boundary.

L12. Prohibited if located within ~~three hundred (300)~~ **six hundred (600) feet** of a Residential Zone, permitted **outright** beyond ~~three hundred (300)~~ **six hundred (600) feet** with a standard set of performance standards that would apply to existing, new or expanded uses, as detailed in Section 17.73.035.

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

L14. Limited Agriculture is permitted ~~outright~~ if the activity occupies less than ~~one (1) acre~~ twenty thousand (20,000) square feet of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

L15. Limited Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

a1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;

b2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and

c3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

L16. Extensive Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

a4. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic.

L17. Permitted ~~outright~~ if located within one thousand (1,000) feet of Highway 880, International Boulevard, Hegenberger Road, or 66th Avenue; conditionally permitted if located elsewhere throughout the zone (see Chapter 17.134 for the CUP procedure).

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

L19. A **Conditional Use Permit** is required if the use involves any outdoor activities within three hundred (300) feet of a Residential Zone. Outdoor activities are permitted if the use is located greater than three hundred (300) feet from a Residential Zone.

L20. See Section 17.102.170 for special regulations relating to massage services and Section 17.102.450 for special regulations related to Laundromats.

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

L22. No new or expanded Special Health Care Civic Activity shall be located closer than two thousand five hundred (2,500) feet from any other such activity, or five hundred (500) feet from any K-12 school or Licensed Emergency Shelters. See Section 17.103.020 for further regulations regarding Special Health Care Civic Activities.

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

L24. Permitted if located within **six hundred (600) feet** of a Residential Zone; prohibited if located beyond **six hundred (600) feet**.

17.73.030 Property Development Standards.

Table 17.73.030 contains the property development standards for all zones within this Chapter.

Table 17.73.030: Property Development Standards

Development Standards	Zones								Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	
Maximum Height	85 ft. <u>95 ft.</u>	85 ft. <u>95 ft.</u>	85 ft. <u>95 ft.</u>	85 ft. <u>95 ft.</u>	None	55 ft. <u>65 ft.</u>	None	55 ft. <u>65 ft.</u>	3, 4
Maximum Fence Height in Yards adjacent to Residential or Open Space Zones	12 ft.	12 ft.	12 ft.	12 ft.	15 ft.	15 ft.	15 ft.	15 ft.	14, 15
Maximum Fence Height in Yards adjacent to Residential or Open Space Zones	See Section 17.108.140 for maximum fence height adjacent to Residential or Open Space Zones								14, 15

Additional Regulations Noted in Table 17.73.030

7. In the IO district, the minimum front yard setback area required shall, except for driveways, walkways, and allowable Signs, be developed as open landscaped areas, with a combination of lawn; or other ground cover, shrubs, trees, and ~~or~~ decorative and permeable paving materials, subject to the standards for required landscaping and screening in Chapter 17.124.

14. Applies to all property lines in CIX, IG and IO Industrial Zones, except those fronting a public street, which directly abut a Residential or Open Space Zone. All buffering requirements apply to: a) new development; or expansion of an industrial or commercial building by more than twenty percent (20%) floor area, or b) addition or expansion of an existing building so that the building to land ratio exceeds thirty-five percent (35%), whichever is greater. See Section 17.108.140 for additional standards applicable to fences, barriers and similar freestanding walls.

15. A reduced buffer requirement may be permitted if appropriate and approved by the Planning Director with the provision of a solid wall of at least eight (8) feet in height in combination with ~~a reduced buffer width as well as fewer trees and shrubs~~ at a standard appropriate for minimizing the incompatibility between uses. The wall and landscape design shall be approved by the Planning Director, or his or her designee.

**17.73.035 Special regulations for Recycling and Waste-Related Industrial Activities—
Primary Recycling Collection Centers in the CIX, IG, and IO Industrial Zones.**

B. Performance Standards. In addition to the performance standards set forth in Chapter 17.120, the following minimum performance standards shall be uniformly applied, as applicable, to all Primary Recycling Collection Centers.

2. Signage. For existing, new or expanded uses: identification, directional and informational signs shall be provided on site in conformance with Chapter 17.104 General Limitation on Signs and with the ~~small project design review~~ procedure in Chapter 17.136. At a minimum, the following information shall be posted near the entrance(s) and/or perimeter of the facility:

17.73.040 Special regulations for Work/Live units in the CIX, IG, and IO Industrial Zones.

A. Applicability. A Work/Live unit in the CIX, IG, and IO Industrial Zones must meet all applicable regulations contained in this Section. The CIX, IG, and IO Zones regulations contained 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 (JLWQs).

B. Definition. The following definition applies to this Chapter only: 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 **U**se **P**ermit required.

1. Establishment of a Work/Live unit 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 and to one or both of the following additional use permit criteria:

a. ~~The project is in the CIX Zones, and involves new construction or conversion of an existing building originally designed for Commercial or Industrial Activities~~ **located**: ~~(1) within three hundred (300) feet of a Residential Zone; or (2) on an irregular shaped parcel that is adjacent to Mandela Parkway and in existence prior to the effective date of this amended Code section.~~

b. The project is in the CIX, IG, or IO Zones, and involves conversion of an existing building originally designed for Commercial or Industrial Activities and 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 if Regular Design Review is applicable, to all of the following additional criteria:

1. That the exterior of a new building containing primarily Work/Live units in the CIX, IG, or IO 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	Note
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 (1) parking space per unit. See Chapter 17.116 for other off-street parking standards.	1, 3
Required loading	Square feet of facility	3
	Less than 50,000 <u>25,000</u> square feet	

Standard	Requirement	Note
	50,000—199,999 square feet	One (1) berth
	200,000—70,000—129,999-square feet or more	Two (2) berths
	130,000-square feet or more	Three (3) berths
Required usable open space	Seventy-five (75) square feet of usable open space per unit	<u>3</u>
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 for Work/Live units may be provided above ground. Further, each one (1) square foot of private usable open space equals two (2) square feet towards the total usable open space requirement.
 3. Parking, loading, and open space standards shall apply to new construction and additions only. No additional parking, loading or open space is required for Work/Live units within an existing building. For conversion of existing buildings, maintaining the amount of existing parking, loading, and open space is required to at least these minimum standards. If there is more parking, loading, and open space on the lot than required, then each can be reduced to the minimum required.
- F. A Work/Live unit shall consist of a maximum of one-third (1/3) residential floor area with the remaining floor area to be used for the primary Nonresidential 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 units 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 Commercial/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 CIX, IG, and IO Industrial Zones.

Chapter 17.101F D-GI GATEWAY DISTRICT INDUSTRIAL ZONE REGULATIONS

17.101F.040 Permitted and conditionally permitted facilities.

Table 17.101F.02: Permitted and Conditionally Permitted Facilities

Facilities	Zone	Additional Regulations
	D-GI	
Residential Facilities		
One-Family Dwelling	—	
Two- <u>to Four</u> -Family Dwelling	—	
Multifamily Dwelling	—	
Rooming House	—	
Vehicular	—	

17.101F.050 Property development standards.

Table 17.101F.03 below prescribes development standards specific to the D-GI Zone. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

Table 17.101F.03: Property Development Standards

Development Standards	D-GI Zone	Additional Regulations
Maximum Building Height	<u>95 ft.</u> 65 ft.	2, 3
Minimum Required Parking	See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking <u>requirements</u>	