



North Fair Oaks Community Council
San Mateo County Coordinated
Departmental Response



DATE: March 31, 2023
NFOCC MEETING DATE: April 27, 2023
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Members, North Fair Oaks Community Council

FROM: Planning Staff

SUBJECT: North Fair Oaks Rezoning and General Plan Amendment Project

PROPOSAL

North Fair Oaks Community Council review and recommendation regarding the North Fair Oaks Rezoning and General Plan Amendment Project, which proposes amending and streamlining various standards in the existing mixed-use zoning districts in North Fair Oaks, amending various policies in the North Fair Oaks Community Plan, and rezoning several areas adjacent to Middlefield Road and El Camino Real from R-3 and R-1 zoning designations to CMU-1 or CMU-3 zoning designations.

RECOMMENDATION

That the North Fair Oaks Community Council recommend that the County Planning Commission recommend that the Board of Supervisors adopt the proposed zoning map and text amendments and General Plan map and text amendments proposed by the North Fair Oaks Rezoning and General Plan Amendment Project.

BACKGROUND

Report Prepared By: Will Gibson, wgibson@smcgov.org

Owner/Applicant: N/A

Location: Unincorporated North Fair Oaks

APN: Various

Existing Zoning: Various

General Plan Designation: Various

Existing Land Use: Varies

Environmental Evaluation: A Draft Environmental Impact Report (DEIR) has been prepared for this project and has been released for public review. The comment period for the DEIR will close on June 13, 2023.

DISCUSSION

A. BACKGROUND

In 2011, San Mateo County adopted an updated North Fair Oaks Community Plan, based on extensive community input and assessment of community needs and goals. The Community Plan establishes goals and policies for the development of North Fair Oaks over the next 25 to 30 years. Subsequently, the County adopted new zoning regulations for various areas of North Fair Oaks, implementing the broader land use and development goals and policies in the Community Plan through more refined and specific development regulations. These new zoning districts included higher density commercial-residential mixed-use districts along El Camino Real (CMU-1, NMU-ECR), 5th Avenue (CMU-1, CMU-2) Middlefield Road (NMU, CMU-3), and the areas around the crossing of Middlefield Road and the Dumbarton Rail line (CMU-3).

Since adoption of these districts, implementation of the regulations has revealed areas that could be improved for clarity and ease of implementation, and to address various inconsistencies and minor errors in the zoning text. In addition, a number of new state laws regarding housing production, including Density Bonus law, the Housing Accountability Act, and others have made some provisions of the zoning regulations inapplicable to many or most projects in these zoning districts. The County, like most jurisdictions, is also experiencing housing shortages, and foresees the eventual inability to provide sufficient housing to meet its share of regional need without identifying additional areas for higher density housing production.

To address these issues, the North Fair Oaks Rezoning and General Plan Amendment Project was initiated in January 2022, with the following interrelated components:

1. Amendments to the existing commercial mixed-use and neighborhood mixed-use zoning districts along Middlefield Road, El Camino Real, and 5th Avenue (NMU, NMU-ECR, CMU-1, CMU-2 and CMU-3 zoning districts, Chapters 21C, 29.1, 29.2, 29.3 and 29.4 of the County Zoning Regulations; see Attachment A), the Design Review and Site Development zoning regulations (Chapter 29) and Middlefield Road Design Review Regulations (Chapter 28.1, Section 6565.18) to ensure that the zoning regulations are consistent with recent changes to State law, to improve clarity and usability

of the regulations, and to ensure the zoning regulations are implementing the goals of the North Fair Oaks Community Plan.

2. Amendments to the North Fair Oaks Community Plan for clarity, elimination of redundancy, consistency with the amended zoning regulations, and compliance with state law.
3. Rezoning and related amendments to General Plan Land Use Designations of several residentially-zoned areas adjacent to El Camino Real and Middlefield Road (see Attachment A) from, variously, the existing R-1 One-Family Residential and R-3 Multiple-Family Residential zoning designations to either CMU-1, CMU-3, or NMU, to allow more multifamily and commercial-residential mixed-use development. The rezoning portion of the project would result in increased heights and densities in these areas. No changes to the allowed heights, densities, or intensities of allowed development are proposed for the existing CMU-1, CMU-2, CMU-3, NMU or NMU-ECR zoning districts.

B. PROJECT TEAM, COMPONENTS, TIMELINE, AND PUBLIC OUTREACH

Project Team. To undertake the project, the County obtained the services of a consultant team, comprised of:

- Wallace, Roberts, and Todd, LLC (lead)
- Rincon Consulting (environmental analysis)
- W-Trans (transportation and environmental analysis)
- Nuestra Casa (community outreach)
- Peninsula Conflict Resolution Center (community outreach)
- Martha Miller Associates (planning/policy)

Technical Advisory Committee. The County also convened a technical advisory committee, to provide input on existing conditions and community needs, technical expertise, and policy guidance. The TAC was comprised of multiple members of the North Fair Oaks Community Council, representatives from the Department of Housing, Public Works Department, Office of Sustainability, County Executive's Office, Office of Community Affairs, District 4 Supervisor's Office, and Caltrans. The TAC met seven times throughout the process, helping draft and review the proposed amendments.

Community Outreach. The project included extensive outreach to notify the community of the details of the project, solicit input on community goals and

needs, assess opinion on various project components, and ensure community members were aware of opportunities for participation in the project. Outreach included:

- Stakeholder Focus Groups. Peninsula Conflict Resolution Center (PCRC) and Nuestra Casa engaged multiple stakeholder groups, including various community members, business owners, developers, and relevant agency and department staff, to solicit input on current zoning and land use regulations, current community conditions and needs, and potential changes to policies and regulations.
- Pop-ups and other Public Engagement. The project team held X pop-ups at various locations in the community, to distribute project information, publicize the community survey, and directly gather input. The project team also had a booth at the North Fair Oaks Festival, for the same purpose.
- Door-to-Door Outreach. Nuestra Casa distributed information door-to-door on multiple occasions, to all household within the project areas.
- Project Website. Information on the project, various outreach efforts and presentations, the community survey, project analysis, and other information was made available on the project website:
<https://www.rezoningnorthfairoaks.org/>
- Community Survey. The project team distributed a community survey to gather input on community priorities and opinions on potential policy changes, and solicited survey participation through door hangers, flyers, pop-up booths, the North Fair Oaks festival, the project website, the North Fair Oaks Council, and other channels. Survey results are available on the project website.

North Fair Oaks Community Council. The North Fair Oaks Community Council reviewed the project and offered input at various stages, at five hearings over the course of 2022 and 2023.

Project Timeline. The basic project stages are as follows:

- *Project Initiation* (February-March 2022)
- *Community Outreach Kickoff, Existing Conditions Analysis, Environmental Analysis Scoping* (April-June 2022)
- *Development of Zoning and General Plan Draft Alternatives* (July-November 2022)
- *Draft Zoning Regulation Amendments with Draft Environmental Report* (December 2022–February 2023)

- *Final Draft Zoning and General Plan Amendments with Final EIR* (March-July 2023)
- *Community Council, Planning Commission and Board of Supervisors Hearings* (April-August 2023)

The proposed amendments shown in Attachments B and C and described below reflect the analysis and assessment completed throughout the project, community, stakeholder, and technical advisory committee input, contemporary best practices, and compliance with state law.

C. PROPOSED AMENDMENTS

The project is a zoning text and map amendment, and a General Plan text and map amendment, to amend both the County Zoning Regulations and the North Fair Oaks Community Plan. The proposed amendments are summarized below, by category. The full proposed draft zoning regulations are included as Attachment B. The proposed amendments to the Community Plan are described in Attachment C.

1. ZONING CHANGES

Residential uses allowed by right. Entirely residential uses would be allowed by right (i.e., without a requirement for any conditional approvals) in the CMU-3 areas along southern Middlefield, and the CMU-1 areas along El Camino Real. Ground floor commercial uses would continue to be required in the NMU areas on southern Middlefield, in the NMU-ECR district, and in the CMU-1 and CMU-2 areas on 5th Avenue, with the intent of preserving these as key commercial areas serving the community.

Rezoning to higher densities. Multiple parcels along El Camino Real, adjacent to Blenheim Avenue, would be rezoned from R-3 to CMU-1. Multiple parcels along Middlefield Road adjacent to Huntington Avenue would be rezoned from R-3 to CMU-3. Several parcels currently designated R-1, northeast of Middlefield and adjacent to the NMU zoning district, would also be rezoned to NMU. The General Plan Land Use Designation for all parcels rezoned to CMU would also be amended to Commercial Mixed Use, and the Land Use Designation for the parcels rezoned to NMU would be amended to Neighborhood Mixed Use. Like the adjacent districts, these areas would allow higher density residential and/or residential mixed-use development. The areas proposed for rezoning to residential/commercial-residential mixed-use are shown in Attachment A.

Parking Requirements. The amendments would standardize parking requirements across project types and zoning districts, and amends

standards for consistency with state law. The current standards have some unintended variance in requirements across project types in different zoning districts, and also in some cases require more parking than is now allowed by state law. The amendments address these changes. It should be noted however that while the zoning regulations still impose minimum parking standards, new state laws have removed the County's ability to impose *any* parking requirements for many projects in North Fair Oaks. In these scenarios, the County will default to state law. The full changes to the parking regulations are shown in Attachment D.

Electric vehicle charging station requirements would also be removed from the parking standards, as these requirements have been superseded by similar requirements in state law.

Design Regulations. The proposed amendments would:

- 1) Eliminate Section 6565.18 of the Zoning Regulations, which consists of design regulations previously in effect for commercial structures on Middlefield Road. These regulations were already superseded by the later-adopted Chapter 29, Design Review and Site Development Permit, but the superseded regulations, although no longer in effect, were not removed from the zoning code.
- 2) For consistency with state law, replace all subjective design standards with objectively applicable standards intended to as nearly achieve the same intent and outcome as possible. In addition, design consistency would be reviewed at the staff level, without hearings. State law now largely prohibits the imposition of most subjective standards and most other discretionary approval processes, including discretionary hearings.
- 3) Eliminate the need for hearing for minor permits (grading, tree permits, and others) for projects that otherwise require no hearings. Per state law, these approvals are also largely required to be objectively applied, precluding discretionary hearing-level approvals.
- 4) Eliminate a number of energy efficiency and green building standards that have, subsequent to their adoption, been superseded and exceeded by state building code, and similarly eliminate several standards related to water-efficient landscaping, low-impact design, and stormwater treatment that are covered by other County ordinances, including the Water Efficient Landscaping Ordinance, stormwater treatment regulations, and others which are more frequently updated to comply with state and regional regulations.
- 5) Modify or eliminate some architectural standards that are no longer best practices.

Setbacks and Stepbacks. The proposed amendments standardize rear setbacks and setbacks across areas and development types in the CMU-1, CMU-2, CMU-3, and NMU-ECR zoning regulations. A 10-foot rear setback and an additional 10-foot stepback at or below 20 feet of building height would be required. Rear setbacks and setbacks in the NMU district would not be modified.

To address concerns with the potential height and bulk of structures in the area to be rezoned from R-3 to CMU-3 between Middlefield Road and Huntington Avenue, which are directly across Huntington from an area that, while zoned for multifamily residential development, has a number of lower-density single-family residences, an additional 5-foot front stepback would also be required for development fronting on Huntington, minimizing impact single-family residences.

Map Amendments. The County's zoning maps would be amended to reflect the areas rezoned from "R" zoning districts to CMU or NMU.

2. COMMUNITY PLAN AMENDMENTS

Land Use Standards. The land use standards in Table 2.1: Neighborhood Mixed-Use, Table 2.2: Commercial Mixed-Use, and Table 2.3: Commercial Mixed-Use (within 1/4 mile of Potential Multi-Modal Transit Hub) would be clarified to indicate that floor area ratio (FAR) limits apply only to non-residential portions of development projects. Residential size and intensity would continue to be limited by maximum density. This amendment is solely for clarity and does not alter the existing standards.

Elimination of Community Benefits Section. The Community Plan contains a general policy goal of creating a community benefits program, which would offer projects additional density or easing of various development standards (such as setbacks, parking, height, or others) in exchange for the provision of community benefits, potentially including affordable housing, public recreational space, or other benefits. However, since adoption of the Community Plan, the state Density Bonus Law has superseded this program, and all residential projects receive significantly greater density and guaranteed reductions in development standards by default. As the community benefits program is no longer able to be implemented, it would be eliminated from the Community Plan.

Elimination of duplicative standards. The Community Plan and the zoning regulations contain various identical standards, including those governing parking, setbacks and setbacks. Typically, General Plan/Community Plan standards include base density, allowed uses, and various other more general standards, goals and policies, but not exact development standards, which are incorporated in the zoning regulations. The amendments would retain maximum density, FAR, and height in the

Community Plan, but eliminate the other standards from Tables 2.1, .2.2 and 2.3, incorporating them exclusively in the zoning regulations, for consistency with County practice. Various design standards included in Chapter 7 of the Community Plan are also replicated in the revised Chapter 29 and would be deleted from the Plan. The full proposed amendments to the Community Plan are shown in Attachment C.

Map Amendments for Consistency Between Community Plan and Zoning.

The maps in the North Fair Oaks Community Plan, and in the County's Geographic Information System, would be amended to change the R-3 zoned areas along Middlefield and El Camino Real, proposed for rezoning to CMU-1 or CMU-3, currently designated Medium High Density Residential, to the Commercial Mixed Use land use designation. The areas currently zoned R-1, proposed for rezoning to NMU, would be changed from Medium Density Residential to the Neighborhood Mixed Use designation.

D. ENVIRONMENTAL IMPACT REPORT

A Draft Environmental Impact Report (DEIR) has been prepared for the project, identifying all potential environmental impacts as required by the California Environmental Quality Act (CEQA), and identifying available mitigations to lessen or eliminate these impacts. The DEIR was released in April, and the comment period will close on June 13, 2023. The DEIR is available at:

<https://www.smcgov.org/planning/major-projects>

E. NEXT STEPS

The zoning and General Plan map and text amendments must be reviewed by the County Planning Commission, which will make a recommendation to the County Board of Supervisors. The zoning changes must be adopted by the Board by ordinance, and the General Plan amendments by resolution. The Planning Commission is scheduled to consider the project on June 7, 2023. Board of Supervisors hearings are not yet scheduled.

After close of the review and comment period for the DEIR on June 13, 2023, all comments will be considered, and any necessary changes to the DEIR will be incorporated into a Final EIR for presentation to the Board, which must certify the EIR prior to adoption of the project.

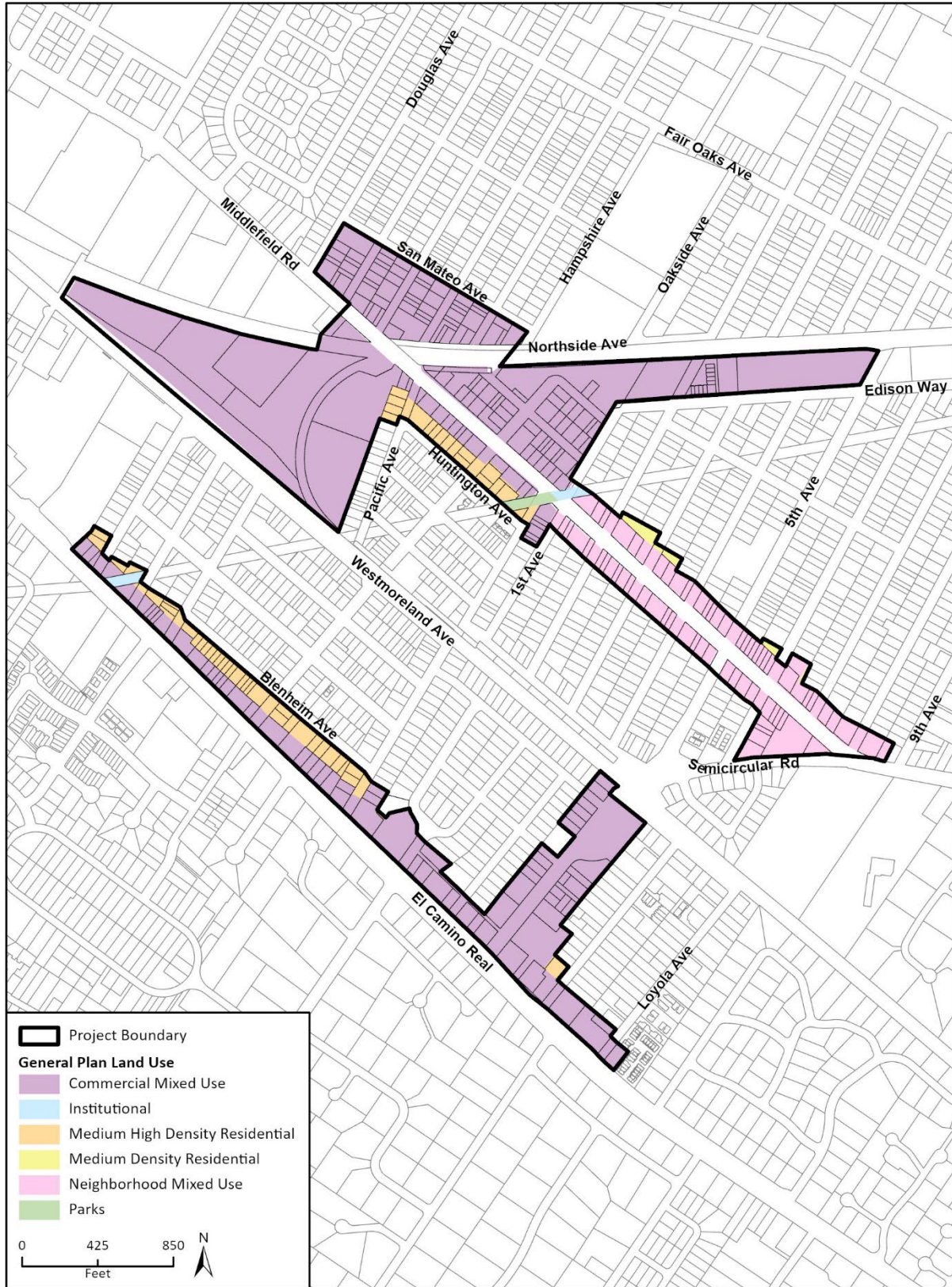
ATTACHMENTS

- A. Current Zoning and Land Use Maps, Proposed Zoning and Land Use Change Maps
- B. Draft Zoning Amendments
- C. Proposed North Fair Oaks Community Plan Amendments

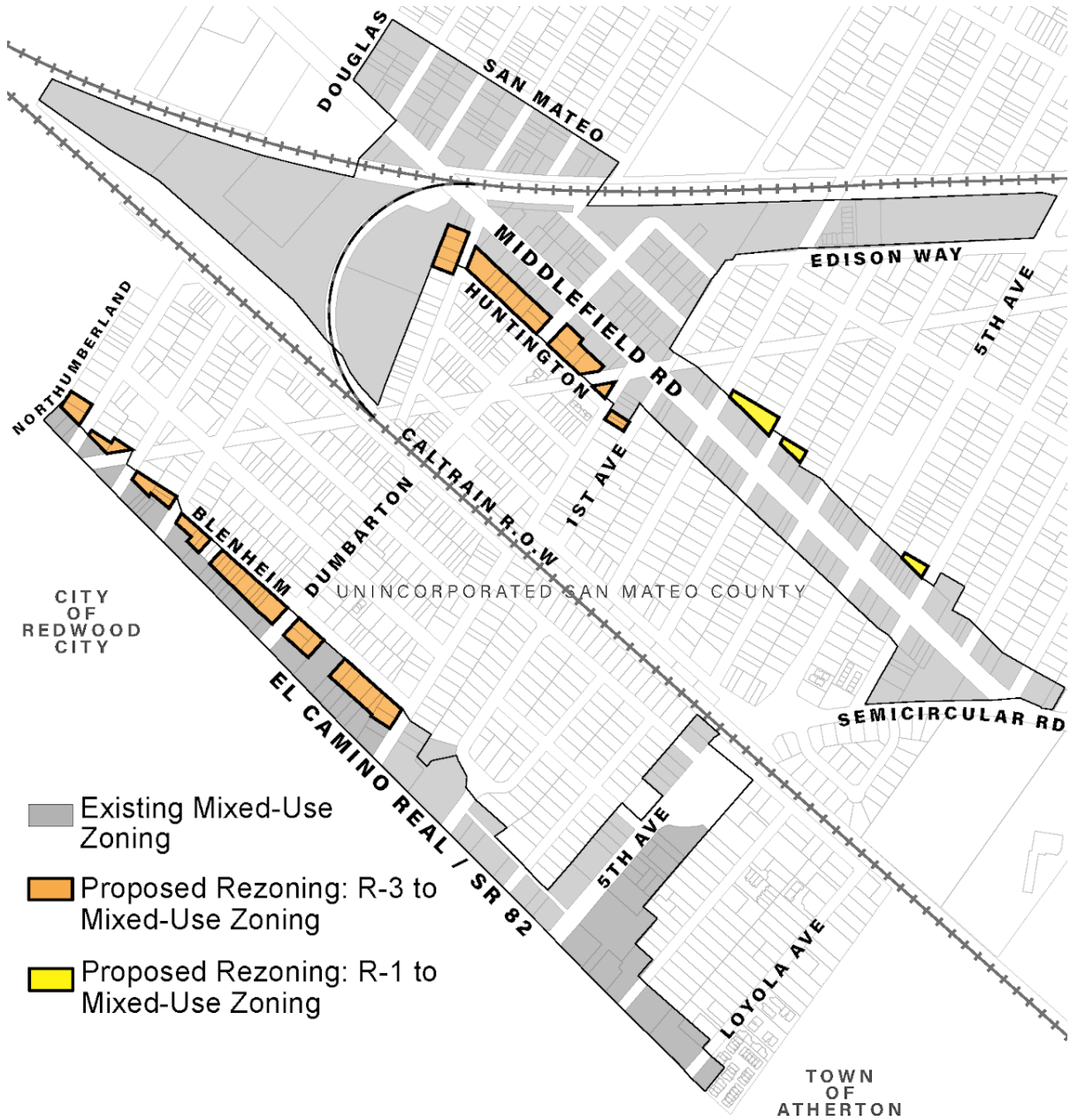
D. Summary of Parking Changes

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Existing Land Use Designations

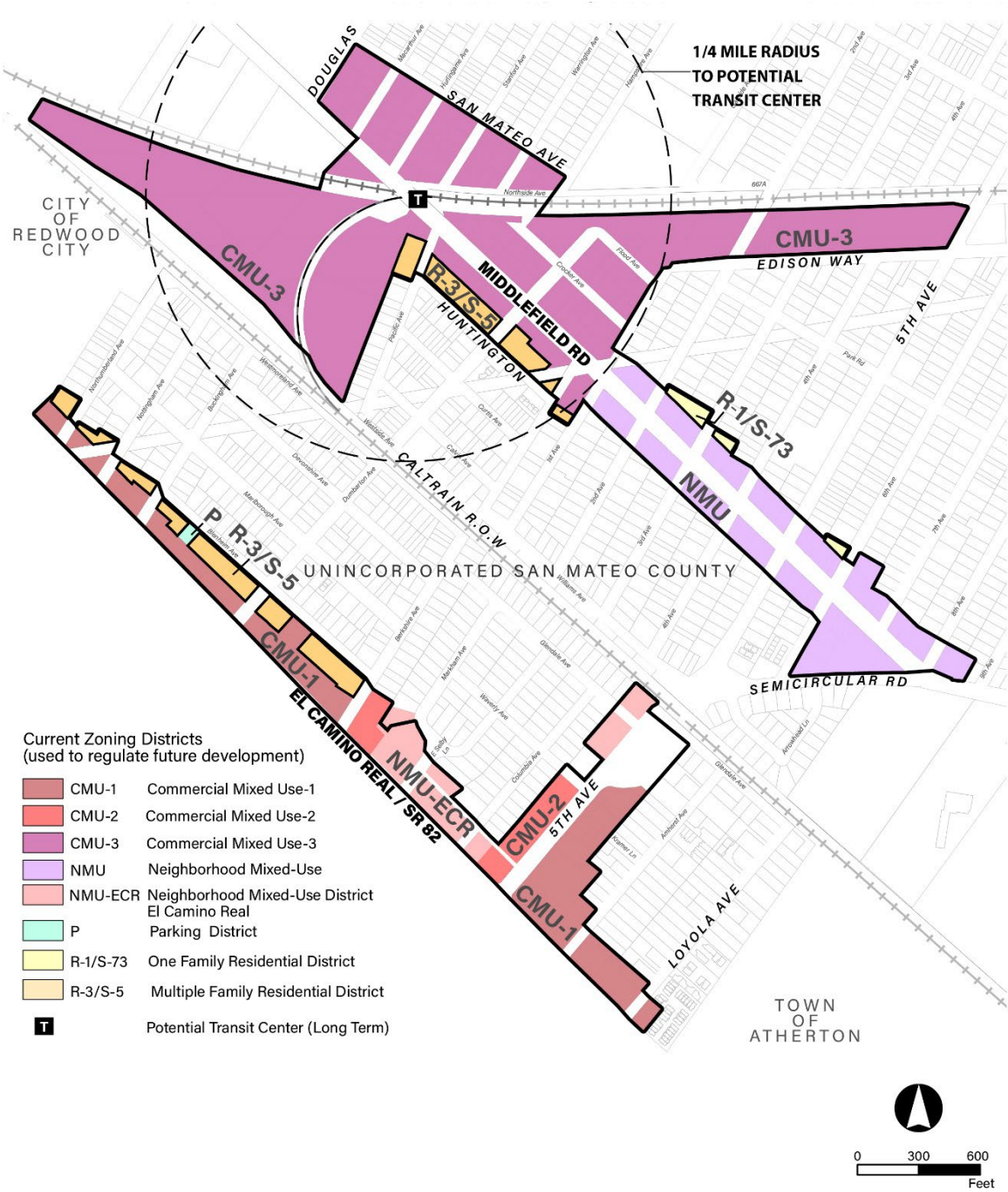


Map of Proposed Rezoning Parcels



Source: WRT 2023

Existing Zoning Designations



**DRAFT NORTH FAIR OAKS ZONING FOR
NMU, CMU-1, CMU-2, NMU-ECR, CMU-3 DISTRICTS**

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DRAFT AMENDMENTS TO NORTH FAIR OAKS COMMUNITY PLAN

The following Community Plan amendments are proposed for the following reasons:

- to maintain consistency between proposed zoning regulations and the Community Plan, and/or
- to amend provisions that conflict County regulations and/or state laws,
- to improve clarity and facilitate implementation of the Community Plan.

Key to Text

- *Italics* provide background and rationale.
- Underline describes recommended action(s).
- Regular black text (not italic) is text to remain.
- **Red text and strikethroughs** indicate edits.

CHAPTER 2: LAND USE DESIGNATIONS

SECTION 2.3, POLICY 1E (COMMUNITY FACILITIES)

The County's ability to require community facilities is limited by state Density Bonus Law and other laws requiring streamlined ministerial approval and limited objective standards applicable to residential development.

Revise Policy 1E to say:

~~Ensure that~~ **Encourage** all new commercial, institutional, industrial, and mixed-use development **to** provides space for or contributes to the creation of community-oriented facilities (i.e., pocket parks, community gardens, plazas, gathering spaces, and other facilities).

TABLES 2.1, 2.2, & 2.3 (SETBACKS, STEPBACKS, PARKING RATES, FLOOR AREA RATIOS)

"Table 2.1: Neighborhood Mixed-Use," "Table 2.2: Commercial Mixed-Use," and "Table 2.3: Commercial Mixed-Use (within ¼ mile of Potential Multi-Modal Transit Hub)" contain building setback, stepback, and on-site parking requirements. Typically, these standards are contained only in the County's zoning regulations, not in the General Plan or Specific/Community Plans, and these standards in the Community Plan are duplicative of and superseded by those in the zoning regulations. . Additionally, these amendments clarify that the floor area ratio (FAR) standards in the Community Plan apply only to the non-residential portions of mixed-use projects; the residential portions are regulated by the applicable density limits.

Revise Table 2.1: Neighborhood Mixed-Use.

Delete rows named "Front Setbacks," "Stepback," and "Parking."

Delete footnote 4, as this pertains to building setbacks.

Add a new footnote number 4 clarifying the applicability of FAR to non-residential development: "For Mixed-Use projects, FAR applies only to the non-residential portions of the project."

Revise Table 2.2: Commercial Mixed-Use and Table 2.3: Commercial Mixed-Use (within ¼ mile of Potential Multi-Modal Transit Hub).

Delete rows named "Front Setbacks," "Stepback," and "Parking."

Delete footnote 6 and footnote 7, as these pertain to building setbacks and stepbacks, respectively.

Add a new footnote number 6 clarifying the applicability of FAR to non-residential development: "For Mixed-Use projects, FAR applies only to the non-residential portions of the project."

GOAL 2.6, POLICY 6A & SECTION 2.5
(INCENTIVES & EXCEPTIONS FOR COMMUNITY BENEFITS)

The Community Plan initially proposed crafting a program providing additional development incentives in exchange for provision of various community benefits. The Plan proposed three types of potential incentives:

- 1. density bonuses for residential development, granting additional density beyond that normally allowed by regulations*
- 2. additional height incentives, allowing greater height than allowed by regulations, and*
- 3. reduced parking requirements, allowing parking in amounts less than the minimum required by regulations.*

Because multifamily development in the County is required to provide 20% of units as affordable, every multifamily project is eligible for the state Density Bonus, which already provides the listed incentives, as well as other waivers and exceptions, in exchange for the provision of affordable housing. The County's intended community benefits program has been superseded by state law, and is no longer applicable. This section will be entirely deleted.

Delete Goal 2.6, Policy 6A, and Section 2.5

~~**Goal 2.6:** Adopt a development incentive and exception program to encourage the creation of community benefits as part of private development projects, in exchange for specified exceptions to development standards.~~

~~**Policy 6A:** [C]reate a development incentive and exception program, as described in more detail in Section [on Community Benefits], which specifies the amount and type of contribution to the creation of community benefits required in order to be eligible for specified exceptions to normal development standards and restrictions.~~

~~**Section 2.5 Community Benefits—Development Incentives**~~

Community-oriented facilities, such as community gardens, parks, plazas, and open space, provide significant benefit to the community, and North Fair Oaks is underserved by such facilities. One way to support the provision of publicly owned or publicly accessible community facilities is to incentivize developers of new projects to contribute to the creation of such facilities, in whole or in part, in exchange for certain specified exceptions from normal development regulations. In this way, developers are encouraged to provide community-oriented facilities while the community gains valuable assets that mitigate the impacts of new development, and benefit the community as a whole. For example, incentive-based tools of the kind described below permit developers to increase the building square footage or number of dwelling units on a property (through a density bonus) to a specified extent beyond the normal maximum, allow developers to build a taller building than what is allowed by right, or provide less parking than otherwise required, in exchange for provision of community-oriented facilities beyond those normally required. Such incentives are designed to encourage the collaboration of public and private interests to develop innovative solutions for achieving community goals. As part of implementation of the Community Plan, the County will create and adopt a program specifying the amounts and types of community benefit contribution required to receive specific exceptions from development regulations.

The development incentives incorporated in this program will include the three types of exception described below, and will support the development of community-oriented spaces or community benefits in North Fair Oaks, including park and open space improvements, community gathering spaces, plazas, public art, community gardens, and pedestrian and bicycle pathways. These incentives are consistent with the goals and policies described in Chapter 5: Health and Wellness.

The community benefits program may include other types of community benefits. The specific types of community benefits that may be required in exchange for specific development incentives and exceptions will be determined through further study as part of Plan implementation. Specific benefits may be required to be provided by all developments of certain types, or above certain density and intensity thresholds, regardless of development incentives or exceptions. Determination of whether development incentives or exceptions will be allowed in exchange for provision of community benefits will be at County discretion, unless otherwise specified in the final community benefits program.

a. Density Bonus. A density bonus for residential development allows an increase in the number of allowed dwelling units in exchange for provision of community benefits. This density bonus would be in addition to any bonuses already allowed under the County's existing density bonus ordinance, which is specific to affordable housing. All applications for a density bonus will be reviewed by County staff to determine if the proposal meets minimum qualifications and County Standards. County staff will review development applications before approving the project for a density bonus to ensure that the granting of the bonus does not have an adverse

affect on adjacent properties in the area and that utilities are available to serve the additional units. The maximum additional density bonus will be a 20% increase in project density above the maximum allowed under all other applicable regulations and bonuses.

b. Height Incentives. Additional building heights may be allowed above the designated height limits for residential and non-residential uses, in exchange for integrating significant community-oriented spaces into new development. Buildings heights will be allowed to go beyond the approved heights within a particular land use designation, to allow for the portion of a building that is being displaced by open space to be relocated on upper floors of the structure. The proposed building height exception will provide opportunities to locate community-oriented space on a lot while maintaining much of the development potential otherwise allowed. The maximum increase in allowed height for non-residential uses would be 30% in the Neighborhood Mixed-Use designation, and 25% in all other areas, allowing approximately one additional story. The maximum increase in allowed height for residential uses would be approximately 25% in the Neighborhood Mixed-Use designation, and 20% in all other areas), again allowing approximately one additional story. These bonuses would only be granted in cases where zoning for a particular area allow maximum heights that are below the maximums allowed by the General Plan Land Use designations for North Fair Oaks. In this case, height incentives would allow heights greater than allowed by zoning, but maximum heights beyond the outside limits described in the Land Use standards would not be allowed. Granting of incentives in exchange for community benefits will be at County discretion. Prior to approval of any height exceptions, County staff will review development applications to ensure that increased heights do not adversely impact adjacent properties.

c. Reduced Parking Requirements. The Community Plan encourages a balanced mix of land uses, to provide a range of residential types within close proximity of daily needs (places of employment, shopping destinations, transit opportunities, and open space and recreation). One desired outcome of mixed-use development is to reduce automobile dependence, and ultimately reduce the need for parking. The focus of the highest-allowed density of transit-oriented, mixed-use development in North Fair Oaks is around the future potential multi-modal transit hub on Middlefield, making this area an ideal location to allow reduced parking requirements in exchange for additional community-oriented facilities. The amount of parking reduction allowed in exchange for provision of community benefit will be determined during creation of the program, and will be consistent with the policies incorporated in Chapter 3: Circulation.

CHAPTER 6: HOUSING

POLICY 2A.3

(INCENTIVES & EXCEPTIONS FOR AFFORDABLE HOUSING)

Incentives and exceptions for community benefits, such as affordable housing, have been superseded by State Density Bonus law as discussed above regarding Goal 2.6, Policy 6A & Section 2.5.

Remove Policy 2A.3:

~~In designated areas, as described in the Chapter 2: Land Use Designations, offer development incentives, bonuses and/or exemptions such as building height in excess of maximum baseline permitted height, allowed density in excess of maximum baseline density, and other exemptions in exchange for provision of community benefits such as provision of affordable units in excess of units required by the Inclusionary Ordinance, provision of large family units, public amenities such as recreational and open space, or other community benefits.~~

CHAPTER 7: DESIGN STANDARDS AND GUIDELINES

INTRODUCTION LAST PARAGRAPH

(RELATIONSHIP TO ZONING REGULATIONS)

Replace the last paragraph in Chapter 7's introduction to accurately describe how Community Plan and zoning regulations relate.

Revise the last paragraph of Chapter 7's introduction to say:

The standards and guidelines in this chapter ~~complement and build on the zoning regulations describe intended outcomes for development and serve as guidance for San Mateo County, particularly Section 6565.1, San Mateo County Zoning Regulations: Design Review (DR) Districts, which include design standards for the design of commercial structures on Middlefield Road in North Fair Oaks. The standards and guidelines are designed to supplement and support existing County design standards.~~

STANDARD/GUIDELINE D1-7
(GREEN BUILDING PROVISIONS)

Green building design provisions in the Community Plan have been superseded by California CALGreen requirements, which are performance based and regularly updated. Prescriptive guidelines/standards in Community Plan are duplicative with and/or conflict with CALGreen.

Remove Standard/Guideline D1-7:

~~Orient new development to minimize exposure to the southwest and west sun, thereby minimizing heat gain of buildings.~~

Remove Standard/Guideline D6-5

~~When windows face southwest and west, frame them with protruding vertical and horizontal shading elements such as lintels, sills, and awnings to provide adequate protection from glare.~~

STANDARD/GUIDELINE D5-3
(SIDE SETBACK AT STREET CORNERS)

Street activity and spatial framing of public space are enhanced with buildings that line sidewalks with entrances, and unnecessary setbacks can reduce the financial feasibility of development. The current additional setback for corner buildings is unnecessary, and conflicts with current design best practices.

Remove Standard/Guideline D5-3

~~Ensure a minimum 10-foot side setback from the property line for corner buildings.~~

SECTION D10
(PASSIVE COOLING)

Many Section 10 provisions are overly prescriptive if interpreted as being requirements, and may be inapplicable or inappropriate for various types of development. At the beginning of Section D10, clarify that provisions are guidelines.

Insert between D10 Passive Cooling (heading) and D10-1 (standards/guideline):

The following guidance is offered to encourage buildings that are energy efficient and offer occupants protection from heat extremes.

ZONING CHAPTERS & THEIR ORGANIZATION

The County of San Mateo is proposing amendments to five existing mixed-use zoning districts in North Fair Oaks (NFO):

- Commercial Mixed Use 1 (CMU-1),
- Commercial Mixed Use 2 (CMU-2),
- Commercial Mixed Use 3 (CMU-3),
- Neighborhood Mixed Use (NMU), and
- Neighborhood Mixed Use - El Camino Real (NMU-ECR).

The geographic extent of the existing mixed-use districts is shown in the Project Area Zoning map on page 4. Parcels that are proposed to be rezoned are also shown and are presently zoned for Multiple Family Residential (R-3) and One Family Residential (R-1). The parcels that would be rezoned would be given the same zoning designation as the mixed-use district they abut.

At present, zoning provisions that apply to these mixed-use districts are contained in five zoning chapters and two chapters of design standards within San Mateo County's Zoning Regulations. Reorganization of NFO zoning regulations will consolidate development and design standards entirely within each of the five district-specific chapters (noted above), thereby simplifying use of the zoning code by County staff and decision makers, architects and developers, and members of the public.

Chapter 21C. "NMU" District (Neighborhood Mixed-Use District, North Fair Oaks)

One of five district-specific chapters, NMU provisions include purposes, definitions, permitted uses, building height and setbacks, non-residential intensity, performance standards, farmers market standards, parking, and alternative parking approaches. Chapter 21C (and other district-specific chapters) will be amended but not removed from the zoning regulations.

As discussed below, building and site design standards will be added to each district-specific chapter and supersede two existing chapters that focus on building and site design (see below).

Chapter 28.1, Section 6565.18, Standards for the Design of Commercial Structures on Middlefield Road in North Fair Oaks

Chapter 28.1, Section 6565.18, contains building and site design provisions that apply to the commercial buildings along Middlefield Road. Topics covered by this chapter would be covered by objective development standards contained in each district-specific chapter (i.e. the chapters for CMU-1, CMU-2, CMU-3, NMU, and NMU-ECR), and Chapter 28.1, Section 6565.18, would be eliminated.

Chapter 29, Design Review and Site Development Permit

Chapter 29 contains building and site design provisions that apply to CMU-1, CMU-2, CMU-3, NMU, and NMU-ECR, and also parcels zoned M-1/NFO (Mixed-Use Industrial/North Fair Oaks) and M-1/NFO/Edison (Mixed-Use Industrial/Edison/North Fair Oaks). The chapter addresses building design as it relates to streets, building elements and materials, site features, and landscaping.

Chapter 29 would continue to apply to the M-1/NFO and M-1/NFO/Edison districts. For the mixed-use zoning districts proposed for amendment, topics covered in Chapter 29 would be replaced by design standards in each district-specific chapter.

Chapter 29 provisions that would not be incorporated in district-specific chapters include discretionary review procedures, to ensure consistency with recent State laws that require ministerial review of qualifying multifamily projects.

Chapter 29.1. CMU-1 District (Commercial Mixed Use 1 District)

Chapter 29.1 is another district-specific chapter that addresses permitted uses, building height and setbacks, non-residential intensity, performance standards, farmers market standards, parking, and alternative parking approaches. The CMU-1 section (and other district-specific sections) would remain. As noted above, building and site design standards would be added to Chapter 29.1 and each of the other district-specific chapters.

Chapter 29.2. CMU-2 District (Commercial Mixed Use 2 District)

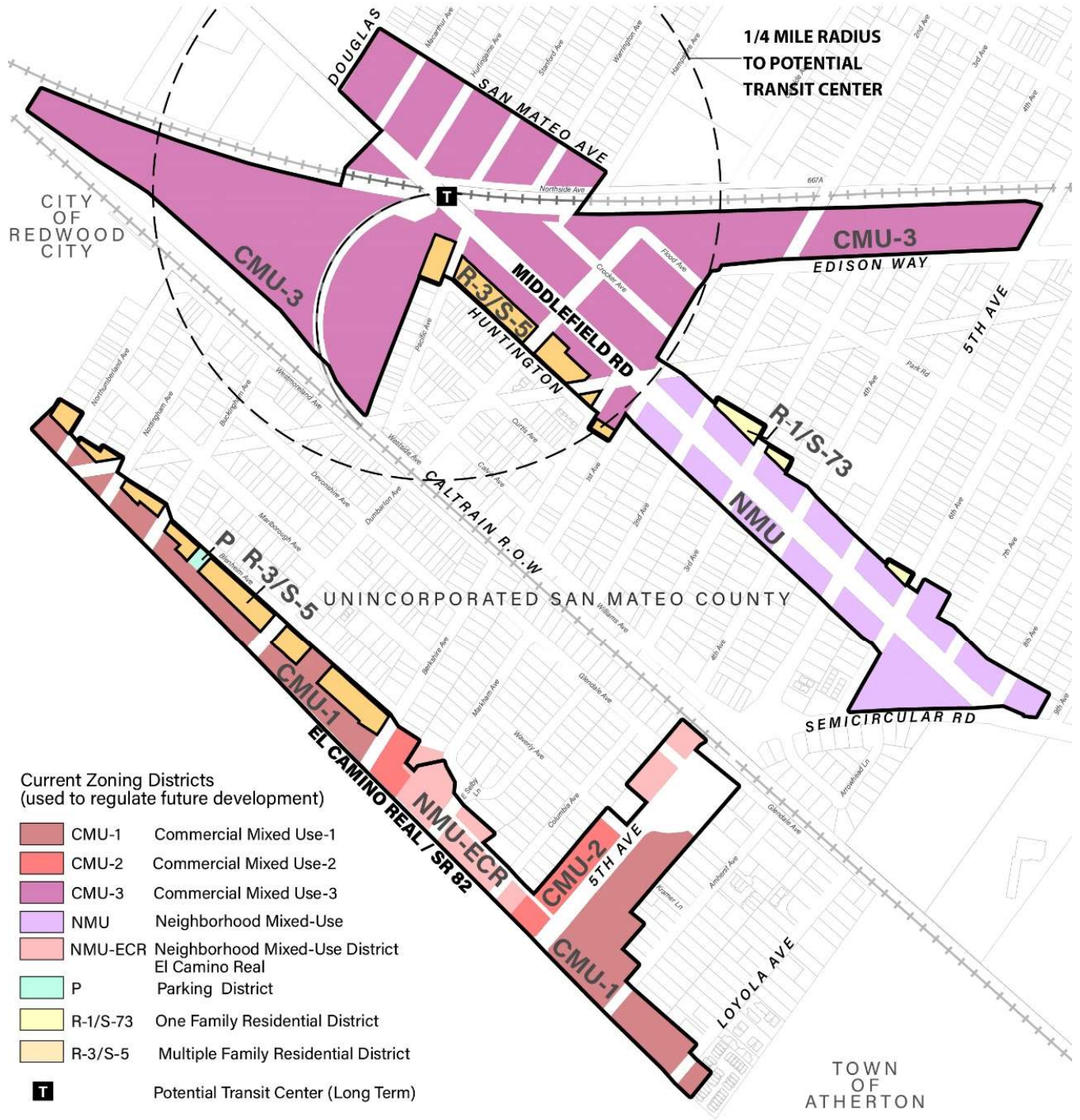
Comments for Chapter 29.1 pertain to Chapter 29.2 also.

Chapter 29.3. NMU-ECR (Neighborhood Mixed Use District, El Camino Real–5th Ave)

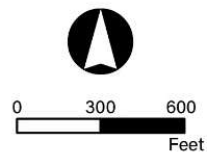
Comments for Chapter 29.1 pertain to Chapter 29.3 also.

Chapter 29.4. CMU-3 District (Commercial Mixed Use 1 District, North Fair Oaks)

Comments for Chapter 29.1 pertain to Chapter 29.4 also.



PROJECT AREA ZONING



CHAPTER 21C. “NMU” DISTRICT
(NEIGHBORHOOD MIXED-USE DISTRICT,
NORTH FAIR OAKS)

SECTION 6390. REGULATIONS FOR “NMU” DISTRICT. The following regulations shall apply within those areas in North Fair Oaks which are zoned NMU.

SECTION 6391. PURPOSES.

1. Provide commercial areas intended primarily for the location of neighborhood-serving trades and services to meet the needs of surrounding residential areas, as well as higher-density living options for residents.
2. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts, and by requiring that commercial development meet minimum design standards.
3. Promote and enhance the creation of an attractive neighborhood mixed-use district accessible by a variety of transportation modes, including private vehicles, transit, bicycling and walking.
4. Protect the functional and economic viability of commercial mixed-use areas by restricting incompatible land uses.
5. Support and strengthen the local economy by providing trade and employment opportunities.
6. Implement the policies of the North Fair Oaks Community Plan and the San Mateo County General Plan.

SECTION 6392. DEFINITIONS.

1. Administrative, Professional and Business Offices. Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other business offices.
2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.
4. Appurtenance. Structural and utility apparatus(es) associated with a principal

feature or function.

5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical supports that may be columns or pilasters.
8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building envelope is the theoretical maximum volume allowed.
10. Building Opening. Any aperture within of a solid wall, which may be used to provide a window, a group of windows, a door, or garage door.
11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.
12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Façade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).
16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.
17. Control Joints. A deep narrow recess provided within ridged materials to direct the location of cracking as thermal expansion and contraction occurs.

18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.
23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.
25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.
26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.
32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.
33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the

floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.

34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
 - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
 - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
 - c. Value-Added Farm Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.
36. Finished Grade. The elevation of the finished surface of the ground.
37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.
41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.

42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.
45. Garage Opening. A form of building opening that provides access to motorized vehicles.
46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.
47. Ground-Floor Façade. That part of the façade (exterior wall with associated elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.
48. Interior Corner. A concave corner that projects inward toward the building volume to which it is associated.
49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade, Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit,

or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.

53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.
57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating, compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.
58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.
59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.
62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.
63. Mullion. A narrow length of wood or other material located between window lites, and including a narrow length of material applied to a single pane of glass to

simulate individual window lites.

64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution.”
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.
66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.
68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.
69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with two or more stories.
72. Parking Lots and Parking Garages. Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.
73. Personal Convenience Service Establishments. Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.

74. Pet Sales and/or Grooming Establishments. Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.
75. Pilaster. A vertical pier that is integrated with, and projects slightly forward from, a wall.
76. Porch. An outside landing immediately adjacent to a building entrance and sheltered by a roof.
77. Religious Facilities. Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and temples.
78. Restaurants. Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.
79. Retail Cleaning Establishments. Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry-cleaning pick-up stores with limited equipment and laundromats where coin-operated washers and dryers are provided for self-service to the public.
80. Screened. To conceal, partly conceal, and/or separate an object to eliminate or reduce its visual prominence.
81. Service Area. An open or enclosed area principally used for refuse/recycling service and may also contain mechanical equipment and access by trucks for loading, maintenance, and building operations.
82. Shingle. A thin piece of material laid in overlapping rows to cover the roofs and walls of buildings.
83. Sloped roof. A roof that is not flat, and typically hipped or gabled.
84. Small Collection Facilities for Recyclable Materials. A small collection facility occupies an area of not more than 500 sq. ft., is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers or bulk reverse

vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.

85. Spandrel Glass. Opaque glass that conceals what is behind it, often used to hide structural building components and utilities.
86. Standing Seam. A manner of joining flat panels with an interlocking edge that stands forward of the principal surface.
87. Stoop. An outside landing immediately adjacent to a building entrance but not sheltered by a roof.
88. Surface parking. Parking that is not enclosed at finished grade.
89. Theaters. Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.
90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto property from a public right-of-way.
92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.
95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

SECTION 6393. USES PERMITTED.

1. Permitted development types and uses, and permit requirements for each type and use, are presented in the following table and as follows:
 - a. Nonresidential Development. All types of entirely non-residential development shall be allowed only upon approval of a Use Permit.
 - b. Residential Development. All types of entirely residential development shall be allowed only upon approval of a Use Permit.
 - c. Mixed-Use Development. Mixed-Use Development with ground floor non-residential and residential above the ground floor is subject to the highest planning permit required for the specific non-residential uses in the development. If none of the discrete uses in the project require a planning permit, no permit shall be required.
2. For projects requiring no use permit, decisions on all associated approvals, including grading and land clearing permits, tree removal permits, and others shall be made at the staff level, based on the criteria established in the relevant regulations, and no hearings shall be required.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
1. RESIDENTIAL USE CLASSIFICATION	
A. DWELLINGS <ol style="list-style-type: none"> 1. Dwelling, Multiple <ol style="list-style-type: none"> a. Above the ground floor b. Ground floor 	None Use Permit
2. COMMERCIAL AND OFFICE USE CLASSIFICATION	
A. SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES <ol style="list-style-type: none"> 1. Personal Convenience Service Establishments 2. Retail Cleaning Establishments 3. Pet Sales and/or Grooming Establishments 4. Veterinary Hospitals for Small Animals 5. Massage Businesses 	None None Use Permit Use Permit Use Permit
B. REGIONAL AND VISITOR SERVING TRADES AND SERVICES <ol style="list-style-type: none"> 1. Hotels 2. Theaters 	Use Permit Use Permit
C. RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS <ol style="list-style-type: none"> 1. Food and Beverage Stores 2. Liquor Stores 3. Indoor Retail Sales, Rental or Repair Establishments 4. Outdoor Retail Sales, Rental or Repair Establishments 5. Mobile Vending and Food Trucks 	None Use Permit None Use Permit Use Permit

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
D. FOOD SERVICES <ol style="list-style-type: none"> 1. Bars 2. Restaurants 3. Food Establishments Specializing in Take-Out Service 4. Farmers Markets 	Use Permit None None Farmers Market Permit ¹
E. OFFICES, PROFESSIONAL SERVICES <ol style="list-style-type: none"> 1. Administrative, Professional and Business Offices 2. Medical and Dental Offices 3. Financial Institutions 4. Non-Chartered Financial Institution 	None None None Use Permit ²
F. INDOOR RECREATION FACILITIES <ol style="list-style-type: none"> 1. Indoor Exercise and Leisure Facilities: Small 2. Indoor Exercise and Leisure Facilities: Large 	None Use Permit
3. INSTITUTIONAL USE CLASSIFICATION	
A. NEIGHBORHOOD INSTITUTIONAL FACILITIES <ol style="list-style-type: none"> 1. Community Centers 2. Child Care Centers 3. Religious Facilities 4. Educational Facilities 	Use Permit None Use Permit Use Permit
4. ACCESSORY USE CLASSIFICATION	
A. RESIDENTIAL ACCESSORY USES Home Occupations	Home Occupation Certificate ³
B. LIMITED KEEPING OF PETS Limited Keeping of Pets	None

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
5. SMALL COLLECTION FACILITIES FOR RECYCLABLE MATERIALS	None
6. OTHER USE CLASSIFICATION	
A. Community Gardens	None
B. PARKING Parking Lots and Parking Garages	Use Permit
C. OTHER COMPATIBLE USES Other Compatible Uses	To Be Determined by Community Development Director
¹ Subject to additional performance requirements including, but not limited to, those contained in Section 6397 of these Zoning Regulations.	
² Subject to additional performance requirements including, but not limited to, those contained in Section 6251(f)(8) of these Zoning Regulations.	
³ Subject to additional performance requirements including, but not limited to, those contained in Section 6102.46 of these Zoning Regulations.	

SECTION 6394. DEVELOPMENT STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area and Width. The minimum parcel area shall be 5,000 sq. ft. and the minimum parcel width shall be 50 feet, except for multi-family attached residential ownership development, which shall have no minimum required parcel area or width.
2. Maximum Residential Density. The maximum density of residential uses shall be governed by the standards in the North Fair Oaks Community Plan Chapter 2 - Land Use.
3. Maximum Nonresidential Building Floor Area. The maximum building floor area of nonresidential uses shall be 150 percent of the total parcel area. Maximum nonresidential building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel dedicated to nonresidential uses, excluding non-habitable space, as measured from the outside face of all exterior walls. Parking areas, including fully or partially enclosed areas dedicated to parking, shall be excluded from maximum nonresidential building floor area.

4. Building Setbacks and Stepbacks.

a. The minimum building setbacks shall be:

<u>Front and Street Side Setbacks</u>	<u>Interior Side Setback</u>	<u>Rear Setback</u>
Facing Middlefield Road: 0 feet	5 feet adjacent to R-1 District, otherwise 0	10 feet

All other streets: A minimum setback to provide an 8-foot-wide sidewalk measured from back of curb

- (1) Parcels facing Middlefield Road must be developed with Middlefield Road frontage, with front and rear required setback and stepback determined by this orientation.
- (2) Signage and awnings may extend up to five (5) feet into setbacks.
- (3) Balconies, eaves, building bays, and bay windows may project up to 3 feet into the required front setback of residential and mixed-use buildings above 15 feet in building height, but may not obstruct the public right-of-way.

b. Rear Stepback. A minimum stepback shall be provided at or below 20 feet in building height that in combination with the ground floor setback measures at least 20 feet from the rear property line. The stepback may be used for residential balcony space adjacent to the building.

c. Setback and Stepback Exceptions.

- (1) At the Community Development Director’s discretion, minor exceptions to the required setbacks and stepbacks described above may be granted, on the Director’s finding that the combined setbacks and stepbacks proposed meet, in aggregate, the intent and purpose of the setback and stepback requirements, and the purpose of the North Fair Oaks Community Plan.
- (2) At the Community Development Director’s discretion, building elements intended to meet the façade articulation design intent of the North Fair Oaks Community Plan may be allowed to encroach into setbacks at and above the ground floor, if the Director finds that such encroachment is

minor, and will not diminish the purpose of providing continuous public-rights-of-way.

5. Building Height. The maximum building height shall be 40 feet. The minimum number of stories for new development shall be two, except in the case that a Use Permit is secured.

Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above. Chimneys, pipes, elevator shafts, mechanical equipment and screening, antennae, and other similar structures may extend beyond the normal maximum height by up to 10 feet as required for safety or efficient operation. Architectural features on buildings located on corner parcels, such as cupolas and turrets, which have a width and depth not greater than 20 feet, may extend up to 10 feet beyond the normal maximum height.

6. Signs

- a. Prohibited Signs. The following signs shall be prohibited:
- (1) Any sign that, because of its location, construction, colors, or operating characteristics, can be confused with or obscure a traffic control device or emergency vehicle.
 - (2) Signs having animated, moving, rotating, inflatable, or flashing parts.
 - (3) Signs emitting intense and focused beams of light, including beacons.
 - (4) Off-premises signs.
 - (5) Abandoned signs.
 - (6) Billboards.
 - (7) Any sign that because of its location, construction or other characteristics will impede pedestrian movement or safety or will limit transparency of ground floor non-residential use.
- b. Maximum Number of Signs. The maximum number of signs allowed on a parcel is one sign per parcel, or one sign per each 200 feet of parcel street frontage, or one sign per use, whichever is greatest.
- c. Maximum Total Sign Display Area. The maximum total display area for all signs on a parcel is three-quarters square foot per foot of parcel street frontage.
- d. Maximum Window Sign Area. Signs located within windows and visible to the

public shall not exceed 25 percent of the area of the window within which the sign is located.

- e. Maximum Sign Height. The maximum height of signs on a parcel is as follows:
 - (1) Attached signs shall not exceed the height of the building or structure to which the sign is attached and shall not extend above the roofline.
 - (2) Freestanding signs shall not exceed fifteen (15) feet.
- f. Sign Projection. Attached signs shall not project more than five (5) feet from the building or structure to which the sign is attached. Attached or freestanding signs shall not project beyond any parcel boundary except signs may project into the public right-of-way subject to the approval of the Director of Public Works.
- g. Sign Design. The design of signs on the parcel shall reflect the architectural design of the building or structure with which the sign is associated, and incorporate unifying colors, materials, and features.

SECTION 6395 BUILDING AND SITE DESIGN STANDARDS. Development shall comply with the building and site design standards described in this section.

1. Minor Design Exceptions. A minor design exception from the standards in this section may be granted by the Director of Planning and Building upon a finding by the Director that the exception 1) is necessary for compliance with the building and site design requirements; 2) will not jeopardize public safety; 3) promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.15 will be compatible with the neighborhood surrounding the parcel, and 4) will not be detrimental to the public welfare. The Director may require modifications to the proposed exception, including design, location, materials, colors, and landscaping requirements. The Director's decision on an exception authorized by this Section shall not require a public hearing. The Director's decision may be appealed to the Planning Commission.
2. Major Design Exception. The Planning Commission, at a public hearing, may grant a Use Permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.
3. Public Right-of-Way Improvements Required of Private Development
 - a. Sidewalks
 - (1) Create continuous accessible public sidewalks consistent with the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations). A 5-foot wide

uninterrupted path of travel shall be provided, which is free from fixed obstructions, including street trees, bike racks, trash receptacles, poles, and above-grade utilities.

- (2) Provide a minimum 8-foot-wide sidewalk measured from back of curb.
- (3) Sidewalks shall be constructed according to specifications that can be obtained from the San Mateo County Department of Planning & Building.

b. Street Trees

- (1) Development shall provide street trees along public sidewalks that abut the project, except to provide the following setbacks: at least 20 feet from a street intersection, as measured from the corner of a property and parallel with the property line); at least 10 feet from poles, driveways, or utilities (above- and below-grade); and at least 20 feet from an existing street tree.
- (2) Where street trees are required, street trees shall be planted not more than 35 feet on-center, as measured parallel to the curb, except where precluded by required setbacks.
- (3) Street trees shall be planted not less than 24 inches from face of curb to center of tree.
- (4) Street trees shall be centered within tree wells that have minimum clear dimension of 4 feet.
- (5) The surface adjacent to street trees shall be flush with the sidewalk by providing a metal tree grate, compacted decomposed granite, or sand-set paving stones.
- (6) Tree size at planting shall have a caliper of at least 1 inch and be accompanied by a 15-gallon or larger container.
- (7) Street tree species shall be selected from a street tree list that can be obtained from the Department of Planning & Building.
- (8) Street tree installation shall conform to San Mateo County standards.
- (9) Installed trees shall be watered for at least 3 years.

c. Curb Cuts and Driveways

- (1) Development sites with street frontage along Middlefield Road shall not provide vehicular access from these streets if vehicular access can be

provided via another public street or a public alley.

- (2) Curb cuts and driveways shall have a width of at least: 20 feet if used for commercial loading; 20 feet if the project has 11 or more on-site parking spaces; and 15 feet if not used for loading and the project has 10 or less on-site parking spaces.
- (3) The minimum distance between a driveway to a pole, utility box, or other vertical obstruction, shall be at least 2 feet.

d. Bike Racks and Refuse Receptacles

- (1) Bike racks shall be oriented so bikes will be parked parallel with the curb.
- (2) For projects with over 50 feet of street frontage on Middlefield Road, shall provide at least one metal refuse receptacle along the street frontage.

e. Utilities

- (1) Install any new distribution lines underground, including connections between buildings and utilities and modifications to existing utilities.
- (2) Utility trenches shall be located at least ten feet from trees.

f. Alleys

- (1) Projects that rely on vehicular access from a public alley, shall be responsible for making pavement repairs from between the point of site access to the street(s) to which the alley connects.
- (2) Stop signs shall be installed at alley-street intersections in the direction of alley egress.

4. Building and Site Design Standards for Private Development

a. Building Design and Orientation

- (1) All Front and Street Side Facades. For all facades that face a front or street side property line with no intervening building, the following standards shall apply.
 - (a) For each front and street side property line, one or more ground-floor building facades shall be built to within fifteen (15) feet of the front and street side property line for a distance not less than sixty-five percent (65%) of the property line's length, except where to do so would preclude: utilities, required building setbacks and/or

- allowable vehicle access.
- (b) Ground-floor walls shall not extend for a width of more than 40 feet without being interrupted by a window, door, or garage opening.
 - (c) Windows with unobscured glass shall comprise not less than twenty-five percent (25%) of the upper-floor façade area.
 - (d) That part of bay windows (and associated walls) and/or balconies (and associated railings) that extend eighteen (18) inches or more from the facade shall comprise not less than ten percent (10%) of the upper-floor façade area.
 - (e) A horizontal cornice shall be constructed at a level that is above the floor of the uppermost level. The cornice shall extend beyond the façade by not less than three (3) inches for a height not less than eleven (11) inches.
- (2) Ground-Floor Commercial and Office Front Facades. For ground-floor facades that face a front property line with no intervening building, the following standards shall apply.
- (a) Entrances to a ground-floor commercial or office space shall have uninterrupted pedestrian access from a public sidewalk.
 - (b) An entrance to a ground-floor commercial or office space shall occur every 100 feet or less.
 - (c) Doors to a ground-floor commercial or office space shall be recessed at least 3 feet from the front façade.
 - (d) Not less than sixty percent (60%) of each ground-floor commercial or office façade shall be comprised of windows with clear glass and/or doors, within the façade area between 2.5 and 8 feet above grade. Ground-floor windows that count toward this requirement shall have clear glass and accompanied by: adjacent interior space that is unobstructed by walls or cabinets for a depth of at least 10 feet; and/or a display window case having a depth of at least three (3) feet, and with recessed ceiling lights or ceiling-mounted lights.
 - (e) Ground-floor entrances and windows shall be framed by columns and/or pilasters that are spaced not more than 25 feet apart.
 - (f) Ground-floor windows shall be set above a wall that is at least 18 inches in height.

- (g) Ground-floor windows shall be sheltered from above by an exterior awning and/or rigid canopy, which extends horizontally at least three (3) feet from the front façade. The bottom of awnings and canopies shall be at least 8 feet above finished grade.
 - (h) A ground-floor commercial or office space shall have a depth of not less than twenty (20) feet as measured from front façade and have a minimum height of 15 feet measured from floor to ceiling.
 - (i) The top of a ground-floor commercial or office façade shall be accompanied by a horizontal cornice located between fifteen (15) feet and twenty-five (25) feet of finished grade. To comply with this requirement, the cornice shall extend vertically beyond the façade by not less than three (3) inches and have a height of not less than eleven (11) inches.
 - (j) A ground-floor commercial or office space shall include connections for water, wastewater and electricity, as well a vent for food service preparation.
- (3) Residential Front Facades. For residential facades that face a front property line with no intervening building, the following standards shall apply.
- (a) Residential entrances shall have uninterrupted access from a public sidewalk.
 - (b) Residential entrances shall be accompanied by one of the following: a porch covered entirely by a roof; a stoop with a doorway that is recessed by at least two (2) feet; or an interior lobby. The landing or floor for these features shall have an unobstructed (clear) width of not less than four (4) feet.
 - (c) The elevation of the lowest residential floor shall be raised above finished grade by at least two (2) feet if within 5 feet of a front property line, and at least one (1) foot if within 10 feet of a front property line.
 - (d) At least twenty-five percent (25%) of each residential ground-floor façade shall be comprised of clear windows and/or doors with windows. Ground-floor windows that count toward this requirement shall be clear.
 - (e) Windows for residential ground-floor living space shall have a sill height of at least 3 feet above floor level.

b. Building Elements & Materials

(1) Windows

- (a) Exterior windows for inhabited space shall use clear glass having at least 90 percent light transmission within the visible spectrum, and shall not be mirrored or frosted, except for bathroom and utility room windows.
- (b) Window glass shall be recessed at least 2 inches from the adjacent trim or from the façade if no trim is used.
- (c) Window mullions shall not be behind glass when viewed from the outside.
- (d) Rooms with exterior windows shall include at least one operable window, except where fixed windows are required to mitigate noise or air quality impacts.

(2) Exterior Finishes

- (a) Where visible, the same exterior material shall be used around outer/convex corners in both horizontal directions for at least four (4) feet or until the material meets an interior/concave corner.
- (b) Where visible, corner boards, corner panels, L-channel metalwork, or other concealment shall be used at outer/convex corners where board ends or veneer edges would otherwise be revealed.
- (c) Prohibited exterior finishes include: unfinished cinder block; unfinished cement block; corrugated metal siding; and mirrored glass.
- (d) An anti-graffiti coating shall be applied to the portions of ground floor walls within 15 feet of public sidewalks.

(3) Roofs.

- (a) Sloped roofs shall be accompanied by an eave that extends beyond the façade by not less than eighteen (18) inches.

(4) Roof-Mounted Mechanical Equipment

- (a) Mechanical equipment located on a roof, shall be: entirely

recessed within a sloped roof, and/or surrounded on all sides by an opaque parapet with a top edge as high as topmost point of the equipment.

- (b) The following are exempt: solar panels, wireless communications equipment, window cleaning systems, equipment required by fire departments and other public agencies, and appurtenances associated with the above.

c. Site Features

(1) Walls & Fences

- (a) Walls along interior property lines. A masonry wall that is 6 to 8 feet in height shall be erected along any interior side and rear property lines, except within fifteen (15) feet of the street-facing property line.
- (b) Where visible and within 15 feet of street-facing property lines, fences shall not exceed 4 feet in height, masonry walls are not permitted, and chain link and corrugated fences are not permitted.
- (c) Where visible and within 15 feet of street, chain link and corrugated metal fences are prohibited.

(2) Mechanical Equipment

- (a) Mechanical equipment located in a street-facing building setback shall comply with utility provider standards and shall be: in a vault that is entirely below finished grade; or surrounded on sides facing and perpendicular to the street by an opaque fence or gate, which have a height not less than 6 inches above topmost point of the equipment.
- (b) If utility provider requirement conflict with design standards, then utility provider requirements shall take precedence.

(3) Vehicle Access and Parking

- (a) Development sites with street frontage along El Camino Real or on Middlefield Road shall not provide a driveway from these streets if vehicle access can be provided by way of another public street or a public alley.
- (b) Driveways and garage entrances shall not exceed a width of 25 feet.

- (c) Surface parking spaces shall be set back at least 15 feet from a street right-of-way and shall be screened by a fence or wall that is at 3-4 feet in height, and/or shrubs expected to grow to a height of at least 3 feet at maturity.

(4) Refuse and Recycling Collection Areas

- (a) Every project shall have not less than one (1) refuse and recycling collection area.
- (b) Refuse and recycling collection areas shall not be less than ten (10) feet wide and ten (10) feet deep.
- (c) Refuse and recycling collection area shall be accompanied by a direct unobstructed access by collection crews along a paved path that is not less than five feet in width.
- (d) Refuse and recycling collection areas shall not be located within 20 feet of a street right-of-way, unless entirely enclosed within a building and where building openings for access are accompanied by a gate or doors.
- (e) Refuse and recycling collection areas that are not within a building shall be fully enclosed by a solid wall or opaque fence between six (6) feet and eight (8) feet in height, except to provide access on one side. Openings for access shall be accompanied by a gate not less than 4 feet in height.

(5) Loading Areas

- (a) One (1) on-site loading space is required for new retail sale, hotel, and/or theater space with a combined net floor area exceeding 10,000 square feet. For each additional 40,000 above 10,000 square feet, one additional loading space shall be provided.
- (b) Loading areas shall not extend into street rights-of-way, nor shall associated truck parking aprons.
- (c) Each required loading space shall be at least 10 feet wide and 25 feet long, exclusive of driveways, aiseways, or turnaround areas. Loading space access shall provide not be less than fifteen (15) of vertical clearance.

d. Utilities

- (1) All projects shall install any required new distribution lines underground, including connections between buildings and utilities or modifications to existing utilities. Utility trenches shall be located not less than five (5) feet from trees being preserved.

e. Landscaping

- (1) Not less than 90% of those portions of site area that are within fifteen (15) feet of a street-facing property line and are not occupied by a building, vehicle access, utilities, play areas, dining area, seating area, or required site feature, shall be landscaped.
- (2) Projects with a combined landscaped area exceeding 500 square feet shall be consistent with the County's Water Efficient Landscape Ordinance.

SECTION 6396. PERFORMANCE STANDARDS. No use may be conducted in a manner which, in the determination of the Community Development Director, does not meet the performance standards below. Measurement, observation, or other means of determination shall be made at the limits of the property, unless otherwise specified.

1. Noise. No use will be permitted which generates noise levels that exceed County Noise Ordinance standards.
2. Lighting. All exterior and interior lighting shall be designed and located so that direct rays and glare are confined to the premises, with the exception of lighting on the front building facade facing the public sidewalk.
3. Trash and Debris. All trash, boxes, or similar debris shall be picked up on a regular basis and stored in refuse containers that are screened from public view.
4. Hazardous Materials. Storage of hazardous materials is prohibited.
5. Stormwater Management. Projects shall conform to San Mateo County Stormwater Pollution Prevention Program's C.3 Technical Guidance in the design and location of buildings and other site features.
6. Transportation. Development projects that generate at least 100 average daily trips (ADT) shall adhere to the City/County Association of Governments of San Mateo County (C/CAG) TDM Policy, which requires applicants to submit a TDM Checklist with their development application that lists measures to be implemented to mitigate traffic impacts at desired trip reduction target thresholds. San Mateo County staff will notify C/CAG of any new development project within its purview that is estimated to generate at least 100 ADT within ten days of receipt of an application.

7. Mitigation Measures. Projects shall implement all applicable mitigation measures contained in the North Fair Oaks Rezoning and General Plan Amendment Project Final EIR (2023).

SECTION 6397. FARMERS MARKET STANDARDS. Farmers Markets are allowed in the NMU Zoning District subject to a Farmers Market Permit and must meet the following standards:

1. All markets must be California Certified Farmers Markets. All markets must comply with the definitions and standards included in this Chapter.
2. No market may operate continuously for more than six (6) hours.
3. Markets may locate on side streets, public spaces, plazas, or private open spaces such as parking lots or similar areas.
4. Markets must be open to the general public during all hours of operation.
5. All Farmers Markets and their vendors must obtain all required operating and health permits, licenses, and certificates of insurance, and these documents (or copies) shall be in the possession of the Farmers Market Manager or the vendor, as applicable, on the site of the Farmers Market during all hours of operation.
6. All Farmers Markets must provide for composting, recycling, and waste removal in accordance with all applicable Federal, State and local laws, including but not limited to the San Mateo County Ordinance Code. The Farmers Market management is responsible for ensuring that the site is restored to a neat condition by no later than the end of the Farmers Market day.

SECTION 6398. PARKING. Parking shall comply with all of the provisions of Chapter 3 of the Zoning Regulations, except for:

1. Section 6119, Parking Spaces Required, which shall be governed by the following Table 1, which sets forth the minimum number of off-street parking spaces required. Parking spaces required by Table 1 may also be modified by the amounts set forth in the Shared Parking and Off-Site Parking regulations in this Chapter. For uses not listed in Table 1, the provisions of Section 6119 shall apply.
2. Section 6118(a), Size and Access. Notwithstanding Section 6118(a), in the NMU District, a maximum of 25 percent of the parking spaces required by Table 1 may be compact parking spaces with an area of 128 sq. ft. and minimum dimensions of 8 feet in width by 16 feet in length. Parking stall height shall be no less than 7 ft. and 2 in. from the parking surface to ceiling fixtures, pipes, or structural elements. Accessible parking stalls shall have a height of no less than 8 feet and 4 inches to ceiling fixtures, pipes, or structural elements. The Community Development

Director shall approve the heights for all parking stalls with mechanical lifts.

- 3. The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted within enclosed parking areas. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and drive aisles ensures adequate provision for ingress and egress to all parking spaces in the platform system. The lift equipment or computerized parking structure shall meet all applicable building, mechanical, and electrical code requirements as approved by the Building Official.

TABLE 1 REQUIRED PARKING		
USE	PARKING GENERATING FACTOR	PARKING SPACES REQUIRED
1. Residential		
Townhouses Dwellings, Multiple	Dwelling Unit Parking: 0-1 bedrooms	1 covered
	2+ bedrooms	1.5 covered
	Dwelling Unit Parking in a Mixed-Use Development: Each dwelling unit	1 covered
	Affordable Housing Parking: (Developments eligible for density bonus pursuant to Section 7900)	
	0-1 bedrooms	0.5 covered or uncovered
	2 bedrooms	0.75 covered or uncovered
	3+ bedrooms	1 covered or uncovered
Bicycle Parking: Each Dwelling Unit	0.25	

2. Commercial/Office		
All uses listed under the “Offices, Professional Services” in Section 6393.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Specialized Neighborhood Trades and Services” in Section 6393.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Retail Sales, Rental or Repair Establishments” in Section 6393.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Indoor Recreation Facilities” in Section 6393.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Food Services” in Section 6393.3, Uses Permitted (Restaurants, Bars, Food Establishments Specializing in Take-Out Service)	Up to 100 sq. ft. and each 100 sq. ft. thereafter	1 covered or uncovered
Any Commercial, Office and/or Food Service Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,000 sq. ft.	1
3. Institutional and Other Compatible Uses		
All uses listed under the “Institutional Use Classification” in Section 6393.4, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
Any Institutional or Other Compatible Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,500 sq. ft.	1

SECTION 6399. ALTERNATIVE PARKING APPROACHES. The total number of parking spaces required per Section 6397 may be reduced in accordance with the following provisions.

1. Shared Parking.

- a. Applicability. Subject to this section's requirements and the securing of a Use Permit in accordance with the provisions of Section 6503 of the Zoning Regulations, an applicant may request shared parking to meet the minimum parking requirements for shared parking facilities serving more than one use on a site, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.
- b. Analysis Required. In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for shared parking shall comply with this section's standards and criteria. A parking analysis shall be submitted as part of the application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a qualified professional. A shared parking study shall, at a minimum address:
 - (1) The intensity and type of activities and the composition of uses;
 - (2) Hours of operation of the uses;
 - (3) The rate of turnover for proposed shared spaces;
 - (4) Distances of shared parking spaces from the uses they serve;
 - (5) The anticipated peak parking and traffic loads for the site;
 - (6) Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation; and

If the shared parking spaces are located on a different parcel than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.

- c. Findings Required. Issuance of a Use Permit authorizing shared parking may reduce the total number of spaces required by this Chapter, if the deciding body issuing the Use Permit makes all of the following findings, in addition to the findings required in Section 6503:
 - (1) The spaces to be provided will be kept available as long as the uses

requiring the spaces are in operation;

- (2) The peak hours of parking demand from all uses do not coincide so that peak demand is greater than the parking provided;
- (3) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if collective parking is not provided; and
- (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
 - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use or property ownership of shared parking will require immediate written notification to the County Planning and Building Department;
 - (b) A guarantee among the property owner(s) for access to and use of the shared parking facilities, including provisions for transfer of shared parking rights to new property owners if property on which shared parking is located changes ownership;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon a finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
 - (d) A provision stating that the County, acting through the Planning Commission, may, for due cause and upon notice and hearing, modify, amend, or terminate the Use Permit and/or agreement at any time.

2. Off-Site Parking.

- a. Applicability. Subject to this section's standards and requirements and securing a Use Permit in accordance with the provisions of Section 6503 of the Zoning Regulations, required parking may be located on a parcel different than the primary use for which the parking is provided ("off-site parking").
- b. Standards Required. In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for off-site parking shall comply with this section's standards and criteria.
 - (1) Parking requirements may be satisfied by the provision of parking on another parcel, if dedicated access to the off-site spaces is demonstrated

by ownership or a current lease. Changes in ownership, or termination of leases that infringe dedicated access to any of the required parking spaces, shall result in revocation of the Use Permit until the parking deficiency is remedied.

- (2) Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
 - (3) In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.
- c. Findings Required. A Use Permit for off-site parking may be approved if the following findings are made, in addition to the findings required in Section 6503 of the Zoning Regulations:
- (1) The off-site spaces to be used to satisfy the project's parking obligation will be available as long as the uses requiring the spaces are in operation;
 - (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
 - (3) The quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
 - (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
 - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand of the revised project and any necessary updates to the written agreement;
 - (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon a finding by the Planning Commission that adequate parking to serve the use(s) has not been

provided; and

- (d) A provision stating that the County, acting through the Planning Commission, may, for due cause and upon notice and hearing, modify, amend, or terminate the Use Permit and/or agreement at any time.
- d. Exceptions. In addition to the ability to obtain a Use Permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number of spaces, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6398. The Community Development Director may grant an exception to modify the number of bicycle parking spaces required, the location of bicycle parking requirements, and/or the design of bicycle parking, if the applicant demonstrates that at least one of the following conditions exist:
- (1) The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.
 - (2) Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6398.

CHAPTER 29.1. CMU-1 DISTRICT (COMMERCIAL MIXED USE-1 DISTRICT, NORTH FAIR OAKS)

SECTION 6567. REGULATIONS FOR “COMMERCIAL MIXED USE-1” DISTRICT.

The following regulations shall apply within those areas in North Fair Oaks which are zoned Commercial Mixed Use-1 (CMU-1).

SECTION 6567.1 PURPOSES.

1. Provide commercial areas intended primarily for the location of locally and regionally-oriented trades and services to meet the needs of both surrounding residential areas and the broader region, as well as higher-density living options for residents.
2. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts, and by requiring that commercial development meets minimum design standards.
3. Promote and enhance the creation of an attractive commercial mixed use district accessible by a variety of transportation modes, including private vehicles, transit, bicycling, and walking.
4. Protect the functional and economic viability of commercial mixed use areas by restricting incompatible land uses.
5. Support and strengthen the local economy by providing trade and employment opportunities.
6. Implement the policies of the North Fair Oaks Community Plan and the San Mateo County General Plan.

SECTION 6567.2 DEFINITIONS.

1. Administrative, Professional and Business Offices. Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other business offices.
2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.

4. Appurtenance. Structural and utility apparatus(es) associated with a principal feature or function.
5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical supports that may be columns or pilasters.
8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building envelope is the theoretical maximum volume allowed.
10. Building Opening. Any aperture within of a solid wall, which may be used to provide a window, a group of windows, a door, or garage door.
11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.
12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Façade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).
16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.
17. Control Joints. A deep narrow recess provided within ridged materials to direct the

location of cracking as thermal expansion and contraction occurs.

18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.
23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.
25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.
26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.
32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.

33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.
34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
 - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
 - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
 - c. Value-Added Farm Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.
36. Finished Grade. The elevation of the finished surface of the ground.
37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.
41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used,

designed, or intended to be used, let or hired out to be occupied.

42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.
45. Garage Opening. A form of building opening that provides access to motorized vehicles.
46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.
47. Ground-Floor Façade. That part of the façade (exterior wall with associated elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.
48. Interior Corner. A concave corner that projects inward toward the building volume to which it is associated.
49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade, Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any

type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.

53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.
57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating, compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.
58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.
59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.
62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.
63. Mullion. A narrow length of wood or other material located between window lites,

and including a narrow length of material applied to a single pane of glass to simulate individual window lites.

64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution.”
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.
66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.
68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.
69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with two or more stories.
72. Parking Lots and Parking Garages. Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.
73. Personal Convenience Service Establishments. Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.

74. Pet Sales and/or Grooming Establishments. Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.
75. Pilaster. A vertical pier that is integrated with, and projects slightly forward from, a wall.
76. Porch. An outside landing immediately adjacent to a building entrance and sheltered by a roof.
77. Religious Facilities. Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and temples.
78. Restaurants. Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.
79. Retail Cleaning Establishments. Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry-cleaning pick-up stores with limited equipment and laundromats where coin-operated washers and dryers are provided for self-service to the public.
80. Screened. To conceal, partly conceal, and/or separate an object to eliminate or reduce its visual prominence.
81. Service Area. An open or enclosed area principally used for refuse/recycling service and may also contain mechanical equipment and access by trucks for loading, maintenance, and building operations.
82. Shingle. A thin piece of material laid in overlapping rows to cover the roofs and walls of buildings.
83. Sloped roof. A roof that is not flat, and typically hipped or gabled.
84. Small Collection Facilities for Recyclable Materials. A small collection facility occupies an area of not more than 500 sq. ft., is intended for the collection of

recyclable materials, and may include kiosks, igloos, bins, trailers or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.

85. Spandrel Glass. Opaque glass that conceals what is behind it, often used to hide structural building components and utilities.
86. Standing Seam. A manner of joining flat panels with an interlocking edge that stands forward of the principal surface.
87. Stoop. An outside landing immediately adjacent to a building entrance but not sheltered by a roof.
88. Surface parking. Parking that is not enclosed at finished grade.
89. Theaters. Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.
90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto property from a public right-of-way.
92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.
95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

SECTION 6567.3 PERMITTED USES

1. Permitted development types and uses, and permit requirements for each type and use, are presented in the following table and as follows:
 - a. Nonresidential Development. All types of entirely non-residential development shall be permitted only upon approval of a Use Permit.
 - b. Residential Development.
 - On 5th Avenue. On properties with frontage along 5th Avenue, entirely residential development shall only be granted upon approval of a Use Permit.
 - Other Street Frontages. On properties without frontage 5th Avenue, no planning permit is required for entirely residential development.
 - c. Mixed-Use Development. Mixed-Use Development with ground floor non-residential and residential above the ground floor is subject to the highest planning permit required for the specific non-residential uses in the development. If none of the discrete uses in the project require a planning permit, no such permit is required for the project.
2. For projects requiring no use permit, decisions on all associated approvals, including grading and land clearing permits, tree removal permits, and others shall be made at the staff level, based on the criteria established in the relevant regulations, and no hearings shall be required.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
1. RESIDENTIAL USE CLASSIFICATION	
<p>A. DWELLINGS</p> <p>1. Dwelling, Multiple</p> <p style="padding-left: 40px;">a. Above the ground floor</p> <p style="padding-left: 40px;">b. Ground floor, on parcels with frontage along 5th Avenue</p> <p style="padding-left: 40px;">c. Ground floor, parcels without 5th Avenue frontage</p>	<p>None</p> <p>Use Permit</p> <p>None</p>
2. COMMERCIAL AND OFFICE USE CLASSIFICATION	
<p>A. SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES</p> <p>1. Personal Convenience Service Establishments</p> <p>2. Retail Cleaning Establishments</p> <p>3. Pet Sales and/or Grooming Establishments</p> <p>4. Veterinary Hospitals for Small Animals</p> <p>5. Massage Businesses</p>	<p>None</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p>
<p>B. REGIONAL AND VISITOR SERVING TRADES AND SERVICES</p> <p>1. Hotels</p> <p>2. Theaters</p>	<p>Use Permit</p> <p>Use Permit</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
<p>C. RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS</p> <ol style="list-style-type: none"> 1. Food and Beverage Stores 2. Liquor Stores 3. Indoor Retail Sales, Rental or Repair Establishments 4. Mobile Vending and Food Trucks 	<p>None Use Permit None Use Permit</p>
<p>D. FOOD SERVICES</p> <ol style="list-style-type: none"> 1. Bars 2. Restaurants 3. Food Establishments Specializing in Take-Out Service 4. Farmers Markets 	<p>Use Permit None None Farmers Market Permit¹</p>
<p>E. OFFICES, PROFESSIONAL SERVICES</p> <ol style="list-style-type: none"> 1. Administrative, Professional and Business Offices 2. Medical and Dental Offices 3. Financial Institutions 4. Non-Chartered Financial Institutions 	<p>None None None Use Permit²</p>
<p>F. INDOOR RECREATION FACILITIES</p> <ol style="list-style-type: none"> 1. Indoor Exercise and Leisure Facilities: Small 2. Indoor Exercise and Leisure Facilities: Large 	<p>None Use Permit</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
3. INSTITUTIONAL USE CLASSIFICATION	
A. NEIGHBORHOOD INSTITUTIONAL FACILITIES <ol style="list-style-type: none"> 1. Community Centers 2. Child Care Centers 3. Religious Facilities 4. Educational Facilities 	Use Permit None Use Permit Use Permit
4. ACCESSORY USE CLASSIFICATION	
A. RESIDENTIAL ACCESSORY USES Home Occupations	Home Occupation Certificate ³
B. LIMITED KEEPING OF PETS Limited Keeping of Pets	None
5. SMALL COLLECTION FACILITIES FOR RECYCLABLE MATERIALS	None
7. OTHER USE CLASSIFICATION	
A. Community Gardens	None
B. PARKING Parking Lots and Parking Garages	Use Permit
C. OTHER COMPATIBLE USES	
Other Compatible Uses	To Be Determined by Community Development Director
¹ Subject to additional performance requirements including, but not limited to, those contained in Section 6567.7 of these Zoning Regulations.	
² Subject to additional performance requirements including, but not limited to, those contained in Section 6251(f)(8) of these Zoning Regulations.	
³ Subject to additional performance requirements including, but not limited to, those contained in Section 6102.46 of these Zoning Regulations.	

SECTION 6567.4 DEVELOPMENT STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area and Width. The minimum parcel area shall be 5,000 sq. ft. and the minimum parcel width shall be 50 feet, except for multi-family attached residential ownership development, which shall have no minimum required parcel area or width.
2. Maximum Residential Density. The maximum density of residential uses shall be governed by the standards in the North Fair Oaks Community Plan Chapter 2 - Land Use.
3. Maximum Nonresidential Building Floor Area. The maximum building floor area of nonresidential uses shall be 150 percent of the total parcel area. Maximum nonresidential building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel dedicated to nonresidential uses, excluding non-habitable space, as measured from the outside face of all exterior walls. Parking areas, including fully or partially enclosed areas dedicated to parking, shall be excluded from maximum nonresidential building floor area.
4. Building Setbacks and Stepbacks.
 - a. The minimum building setbacks shall be:

<u>Front and Street Side Setbacks</u>	<u>Interior Side Setback</u>	<u>Rear Setback</u>
A minimum setback to provide a 10-foot-wide sidewalk measured from back of curb	5 feet adjacent to R-1 District, otherwise 0	10 feet

- (1) Parcels facing El Camino Real, including corner parcels, must be developed with an El Camino Real frontage, with front and rear required setbacks and stepbacks determined by this orientation.
 - (2) Parcels facing 5th Avenue must be developed with a 5th Avenue frontage, with front and rear required setbacks and stepbacks determined by this orientation.
 - (3) Signage and awnings may extend up to 5 feet into setbacks.
 - (4) Balconies, eaves, building bays, and bay windows may project up to 3 feet into the required front setback of residential and mixed-use buildings above 15 feet in building height, but may not obstruct the public right-of-way.
- b. Rear Stepback. A minimum stepback shall be provided at or below 20 feet in building height that in combination with the ground floor setback measures at least 20 feet from the rear property line. The stepback may be used for residential balcony space adjacent to the building.

c. Setback and Stepback Exceptions.

- (1) At the Community Development Director's discretion, minor exceptions to the required setbacks and stepbacks described above may be granted, on the Director's finding that the combined setbacks and stepbacks proposed meet, in aggregate, the intent and purpose of the setback and stepback requirements, and purposes of the North Fair Oaks Community Plan.
- (2) At the Community Development Director's discretion, building elements intended to meet the façade articulation design intent of the North Fair Oaks Community Plan may be allowed to encroach into setbacks at and above the ground floor, if the Director finds that such encroachment is minor, and will not diminish the purpose of providing continuous public-rights-of-way.

5. Building Height. The maximum building height shall be 50 feet for residential development, 60 feet for commercial development, 60 feet for institutional development, and 60 feet for mixed use development. The minimum building height is three stories, except in the case that a Use Permit is secured.

Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above. Chimneys, pipes, elevator shafts, mechanical equipment and screening, antennae, and other similar structures may extend beyond the normal maximum height by up to 10 feet as required for safety or efficient operation. Architectural features on buildings located on corner parcels, such as cupolas and turrets, which have a width and depth not greater than 20 feet, may extend up to 10 feet beyond the normal maximum height.

6. Signs

- a. Prohibited Signs. The following signs shall be prohibited:

- (1) Any sign that, because of its location, construction, colors, or operating characteristics, can be confused with or obscure a traffic control device or emergency vehicle.
- (2) Signs having animated, moving, rotating, inflatable, or flashing parts.
- (3) Signs emitting intense and focused beams of light, including beacons.
- (4) Off-premises signs.
- (5) Abandoned signs.
- (6) Billboards.
- (7) Any sign that because of its location, construction or other characteristics

will impede pedestrian movement or safety or will limit transparency of ground floor non-residential use.

- b. Maximum Number of Signs. The maximum number of signs allowed on a parcel is one sign per parcel, or one sign per each 200 feet of parcel street frontage, or one sign per use, whichever is greatest.
- c. Maximum Total Sign Display Area. The maximum total display area for all signs on a parcel is three-quarters square foot per foot of parcel street frontage.
- d. Maximum Window Sign Area. Signs located within windows and visible to the public shall not exceed 25% of the area of the window within which the sign is located. Window sign area does not count towards Maximum Total Sign Display Area.
- e. Maximum Sign Height. The maximum height of signs on a parcel is as follows:
 - (1) Attached signs shall not exceed the height of the building or structure to which the sign is attached and shall not extend above the roofline.
 - (2) Freestanding signs shall not exceed fifteen (15) feet.
- f. Sign Projection. Attached signs shall not project more than five feet from the building or structure to which the sign is attached. Attached or freestanding signs shall not project beyond any parcel boundary except signs may project into the public right-of-way subject to the approval of the Director of Public Works, and on El Camino Real, subject to the approval of Caltrans.
- g. Sign Design. The design of signs on the parcel shall reflect the architectural design of the building or structure with which the sign is associated, and incorporate unifying colors, materials, and features.

SECTION 6567.5 DESIGN STANDARDS. Development shall comply with the building and site design standards described in this section.

- 1. Minor Design Exceptions. A minor design exception from the standards in this section may be granted by the Director of Planning and Building upon a finding by the Director that the exception 1) is necessary for compliance with the building and site design requirements; 2) will not jeopardize public safety; 3) promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.15 will be compatible with the neighborhood surrounding the parcel, and 4) will not be detrimental to the public welfare. The Director may require modifications to the proposed exception, including design, location, materials, colors, and landscaping requirements. The Director's decision on an exception authorized by this Section shall not require a public hearing. The Director's decision may be appealed to the Planning Commission.
- 2. Major Design Exception. The Planning Commission, at a public hearing, may grant

a Use Permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.

3. Public Right-of-Way Improvements Required of Private Development

a. Sidewalks

- (1) Create continuous accessible public sidewalks consistent with the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations). A 5-foot wide uninterrupted path of travel shall be provided, which is free from fixed obstructions, including street trees, bike racks, trash receptacles, poles, and above-grade utilities.
- (2) Provide a minimum 10-foot-wide sidewalk, as measured from back of curb.
- (3) Sidewalks shall be constructed according to specifications that can be obtained from the San Mateo County Department of Planning & Building.

b. Street Trees

- (1) Development shall provide street trees along public sidewalks that abut the project, except to provide the following setbacks: at least 20 feet from a street intersection, as measured from the corner of a property and parallel with the property line); at least 10 feet from poles, driveways, or utilities (above- and below-grade); and at least 20 feet from an existing street tree.
- (2) Where street trees are required, street trees shall be planted not more than 35 feet on-center, as measured parallel to the curb, except where precluded by required setbacks.
- (3) Street trees shall be planted not less than 24 inches from face of curb to center of tree.
- (4) Street trees shall be centered within tree wells that have minimum clear dimension of 4 feet.
- (5) The surface adjacent to street trees shall be flush with the sidewalk by providing a metal tree grate, compacted decomposed granite, or sand-set paving stones.
- (6) Tree size at planting shall have a caliper of at least 1 inch and be accompanied by a 15-gallon or larger container.
- (7) Street tree species shall be selected from a street tree list that can be obtained from the Department of Planning & Building.

(8) Street tree installation shall conform to San Mateo County standards.

(9) Installed trees shall be watered for at least 3 years.

c. Curb Cuts and Driveways

(1) Development sites with street frontage along El Camino Real shall not provide vehicular access from these streets if vehicular access can be provided via another public street or a public alley.

(2) Curb cuts and driveways shall have a width of at least: 20 feet if used for commercial loading; 20 feet if the project has 11 or more on-site parking spaces; and 15 feet if not used for loading and the project has 10 or less on-site parking spaces.

(3) The minimum distance between a driveway to a pole, utility box, or other vertical obstruction, shall be at least 2 feet.

d. Bike Racks and Refuse Receptacles

(1) Bike racks shall be oriented so bikes will be parked parallel with the curb.

(2) For projects with over 50 feet of street frontage on El Camino Real, shall provide at least one metal refuse receptacle along the street frontage.

e. Utilities

(1) Install any new distribution lines underground, including connections between buildings and utilities and modifications to existing utilities.

(2) Utility trenches shall be located at least ten feet from trees.

f. Alleys

(1) Projects that rely on vehicular access from a public alley, shall be responsible for making pavement repairs from between the point of site access to the street(s) to which the alley connects.

(2) Stop signs shall be installed at alley-street intersections in the direction of alley egress.

4. Building and Site Design Standards for Private Development

a. Building Design and Orientation

(1) All Front and Street Side Facades. For all facades that face a front or street side property line with no intervening building, the following standards shall apply.

- (a) For each front and street side property line, one or more ground-floor building facades shall be built to within fifteen (15) feet of the front and street side property line for a distance not less than sixty-five percent (65%) of the property line's length, except where to do so would preclude: utilities, required building setbacks and/or allowable vehicle access.
 - (b) Ground-floor walls shall not extend for a width of more than 40 feet without being interrupted by a window, door, or garage opening.
 - (c) Windows with unobscured glass shall comprise not less than twenty-five percent (25%) of the upper-floor façade area.
 - (d) That part of bay windows (and associated walls) and/or balconies (and associated railings) that extend eighteen (18) inches or more from the facade shall comprise not less than ten percent (10%) of the upper-floor façade area.
 - (e) A horizontal cornice shall be constructed at a level that is above the floor of the uppermost level. The cornice shall extend beyond the façade by not less than three (3) inches for a height not less than eleven (11) inches.
- (2) Ground-Floor Commercial and Office Front Facades. For ground-floor facades that face a front property line with no intervening building, the following standards shall apply.
- (a) Entrances to a ground-floor commercial or office space shall have uninterrupted pedestrian access from a public sidewalk.
 - (b) An entrance to a ground-floor commercial or office space shall occur every 100 feet or less.
 - (c) Doors to a ground-floor commercial or office space shall be recessed at least 3 feet from the front façade.
 - (d) Not less than sixty percent (60%) of each ground-floor commercial or office façade shall be comprised of windows with clear glass and/or doors, within the façade area between 2.5 and 8 feet above grade. Ground-floor windows that count toward this requirement shall have clear glass and accompanied by: adjacent interior space that is unobstructed by walls or cabinets for a depth of at least 10 feet; and/or a display window case having a depth of at least three (3) feet, and with recessed ceiling lights or ceiling-mounted lights.
 - (e) Ground-floor entrances and windows shall be framed by columns and/or pilasters that are spaced not more than 25 feet apart.

- (f) Ground-floor windows shall be set above a wall that is at least 18 inches in height.
 - (g) Ground-floor windows shall be sheltered from above by an exterior awning and/or rigid canopy, which extends horizontally at least three (3) feet from the front façade. The bottom of awnings and canopies shall be at least 8 feet above finished grade.
 - (h) A ground-floor commercial or office space shall have a depth of not less than twenty (20) feet as measured from front façade and have a minimum height of 15 feet measured from floor to ceiling.
 - (i) The top of a ground-floor commercial or office façade shall be accompanied by a horizontal cornice located between fifteen (15) feet and twenty-five (25) feet of finished grade. To comply with this requirement, the cornice shall extend vertically beyond the façade by not less than three (3) inches and have a height of not less than eleven (11) inches.
 - (j) A ground-floor commercial or office space shall include connections for water, wastewater and electricity, as well a vent for food service preparation.
- (3) Residential Front Facades. For residential facades that face a front property line with no intervening building, the following standards shall apply.
- (a) Residential entrances shall have uninterrupted access from a public sidewalk.
 - (b) Residential entrances shall be accompanied by one of the following: a porch covered entirely by a roof; a stoop with a doorway that is recessed by at least two (2) feet; or an interior lobby. The landing or floor for these features shall have an unobstructed (clear) width of not less than four (4) feet.
 - (c) The elevation of the lowest residential floor shall be raised above finished grade by at least two (2) feet if within 5 feet of a front property line, and at least one (1) foot if within 10 feet of a front property line.
 - (d) At least twenty-five percent (25%) of each residential ground-floor façade shall be comprised of clear windows and/or doors with windows. Ground-floor windows that count toward this requirement shall be clear.
 - (e) Windows for residential ground-floor living space shall have a sill height of at least 3 feet above floor level.

b. Building Elements & Materials

(1) Windows

- (a) Exterior windows for inhabited space shall use clear glass having at least 90 percent light transmission within the visible spectrum, and shall not be mirrored or frosted, except for bathroom and utility room windows.
- (b) Window glass shall be recessed at least 2 inches from the adjacent trim or from the façade if no trim is used.
- (c) Window mullions shall not be behind glass when viewed from the outside.
- (d) Rooms with exterior windows shall include at least one operable window, except where fixed windows are required to mitigate noise or air quality impacts.

(2) Exterior Finishes

- (a) Where visible, the same exterior material shall be used around outer/convex corners in both horizontal directions for at least four (4) feet or until the material meets an interior/concave corner.
- (b) Where visible, corner boards, corner panels, L-channel metalwork, or other concealment shall be used at outer/convex corners where board ends or veneer edges would otherwise be revealed.
- (c) Prohibited exterior finishes include: unfinished cinder block; unfinished cement block; corrugated metal siding; and mirrored glass.
- (d) An anti-graffiti coating shall be applied to the portions of ground floor walls within 15 feet of public sidewalks.

(3) Roofs.

- (a) Sloped roofs shall be accompanied by an eave that extends beyond the façade by not less than eighteen (18) inches.

(4) Roof-Mounted Mechanical Equipment

- (a) Mechanical equipment located on a roof, shall be: entirely recessed within a sloped roof, and/or surrounded on all sides by an opaque parapet with a top edge as high as topmost point of the equipment.

- (b) The following are exempt: solar panels, wireless communications equipment, window cleaning systems, equipment required by fire departments and other public agencies, and appurtenances associated with the above.

c. Site Features

(1) Walls & Fences

- (a) Walls along interior property lines. A masonry wall that is 6 to 8 feet in height shall be erected along any interior side and rear property lines, except within fifteen (15) feet of the street-facing property line.
- (b) Where visible and within 15 feet of street-facing property lines, fences shall not exceed 4 feet in height, masonry walls are not permitted, and chain link and corrugated fences are not permitted.
- (c) Where visible and within 15 feet of street, chain link and corrugated metal fences are prohibited.

(2) Mechanical Equipment

- (a) Mechanical equipment located in a street-facing building setback shall comply with utility provider standards and shall be: in a vault that is entirely below finished grade; or surrounded on sides facing and perpendicular to the street by an opaque fence or gate, which have a height not less than 6 inches above topmost point of the equipment.
- (b) If utility provider requirement conflict with design standards, then utility provider requirements shall take precedence.

(3) Vehicle Access and Parking

- (a) Development sites with street frontage along El Camino Real or on Middlefield Road shall not provide a driveway from these streets if vehicle access can be provided by way of another public street or a public alley.
- (b) Driveways and garage entrances shall not exceed a width of 25 feet.
- (c) Surface parking spaces shall be set back at least 15 feet from a street right-of-way and shall be screened by a fence or wall that is at 3-4 feet in height, and/or shrubs expected to grow to a height of at least 3 feet at maturity.

(4) Refuse and Recycling Collection Areas

- (a) Every project shall have not less than one (1) refuse and recycling collection area.
- (b) Refuse and recycling collection areas shall not be less than ten (10) feet wide and ten (10) feet deep.
- (c) Refuse and recycling collection area shall be accompanied by a direct unobstructed access by collection crews along a paved path that is not less than five feet in width.
- (d) Refuse and recycling collection areas shall not be located within 20 feet of a street right-of-way, unless entirely enclosed within a building and where building openings for access are accompanied by a gate or doors.
- (e) Refuse and recycling collection areas that are not within a building shall be fully enclosed by a solid wall or opaque fence between six (6) feet and eight (8) feet in height, except to provide access on one side. Openings for access shall be accompanied by a gate not less than 4 feet in height.

(5) Loading Areas

- (a) One (1) on-site loading space is required for new retail sale, hotel, and/or theater space with a combined net floor area exceeding 10,000 square feet. For each additional 40,000 above 10,000 square feet, one additional loading space shall be provided.
- (b) Loading areas shall not extend into street rights-of-way, nor shall associated truck parking aprons.
- (c) Each required loading space shall be at least 10 feet wide and 25 feet long, exclusive of driveways, aiseways, or turnaround areas. Loading space access shall provide not be less than fifteen (15) of vertical clearance.

d. Utilities

- (1) All projects shall install any required new distribution lines underground, including connections between buildings and utilities or modifications to existing utilities. Utility trenches shall be located not less than five (5) feet from trees being preserved.

e. Landscaping

- (1) Not less than 90% of those portions of site area that are within fifteen

(15) feet of a street-facing property line and are not occupied by a building, vehicle access, utilities, play areas, dining area, seating area, or required site feature, shall be landscaped.

- (2) Projects with a combined landscaped area exceeding 500 square feet shall be consistent with the County's Water Efficient Landscape Ordinance.

SECTION 6567.6 PERFORMANCE STANDARDS. No use may be conducted in a manner which, in the determination of the Community Development Director, does not meet the performance standards below. Measurement, observation, or other means of evaluation shall be made at the limits of the property, unless otherwise specified.

1. Noise. No use will be permitted which generates noise levels that exceed San Mateo County Ordinance Code Noise Control standards (see Ordinance Code Chapter 4.88).
2. Lighting. All exterior and interior lighting shall be dark-sky compliant and designed and located so that direct rays and glare are confined to the premises, with the exception of lighting on the front building façade which may light the public sidewalk. Flood lights shall be prohibited, unless an applicant demonstrates to the satisfaction of the Community Development Director that such additional lighting is necessary for public health and safety.
3. Trash and Debris. All trash, boxes, or similar debris shall be picked up on a regular basis and stored in refuse containers that are screened from public view.
4. Stormwater Management. Projects shall conform to San Mateo County Stormwater Pollution Prevention Program's C.3 Technical Guidance in the design and location of buildings and other site features.
5. Transportation. Development projects that generate at least 100 average daily trips (ADT) shall adhere to the City/County Association of Governments of San Mateo County (C/CAG) TDM Policy, which requires applicants to submit a TDM Checklist with their development application that lists measures to be implemented to mitigate traffic impacts at desired trip reduction target thresholds. San Mateo County staff will notify C/CAG of any new development project within its purview that is estimated to generate at least 100 ADT within ten days of receipt of an application.

6. Mitigation Measures. Projects shall implement all applicable mitigation measures contained in the North Fair Oaks Rezoning and General Plan Amendment Project Final EIR (2023).

SECTION 6567.7 FARMERS MARKET STANDARDS.

Farmers Markets are allowed in the CMU-1 Zoning District subject to a Farmers Market Permit and must meet the following standards:

1. All markets must be California Certified Farmers Markets. All markets must comply with the definitions and standards included in this Chapter.
2. No market may operate continuously for more than 6 hours.
3. Markets may locate on side streets, public spaces, plazas, or private open spaces such as parking lots or similar areas.
4. Markets must be open to the general public during all hours of operation
5. All Farmers Markets and their vendors must obtain all required operating and health permits, licenses, and certificates of insurance, and these documents (or copies) shall be in the possession of the Farmers Market manager or the vendor, as applicable, on the site of the Farmers Market during all hours of operation.
6. All Farmers Markets must provide for composting, recycling, and waste removal in accordance with all applicable federal, state and local laws, including but not limited to the San Mateo County Ordinance Code. The Farmers Market management is responsible for ensuring that the site is restored to a neat condition by no later than the end of the Farmers Market day.

SECTION 6567.8 PARKING. Parking shall comply with all of the provisions of Chapter 3 of the Zoning Regulations, except as provided below:

1. Section 6119, Parking Spaces Required. Section 6119 shall be governed by Table 1 in this Section 6567.8, which sets forth the minimum number of off-street parking spaces required. Parking spaces required by Table 1 may also be modified by the amounts set forth in the Shared Parking and Off-Site Parking regulations in this Chapter. For uses not listed in Table 1, the provisions of Section 6119 shall apply.
2. Section 6118(a), Size and Access. Notwithstanding Section 6118(a), in the CMU-1 District, a maximum of 25% of the parking spaces required by Table 1 may be compact parking spaces with an area of 128 sq. ft. and minimum dimensions of 8 ft. in width by 16 ft. in length. Parking stall height shall be no less than 7 ft. and 2 in. from the parking surface to ceiling fixtures, pipes, or structural elements. Accessible parking stalls shall have a height of no less than 8 feet and 4 inches to ceiling fixtures, pipes, or structural elements. The Community Development Director shall approve the heights for all parking stalls with mechanical lifts.
3. The stacking of two or more automobiles via a mechanical car lift or computerized

parking structure is permitted within enclosed parking areas. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and drive aisles ensures adequate provision for ingress and egress to all parking spaces in the platform system. The lift equipment or computerized parking structure shall meet all applicable building, mechanical, and electrical code requirements as approved by the Building Official.

TABLE 1 REQUIRED PARKING

USE	PARKING GENERATING FACTOR	PARKING SPACES REQUIRED
1. Residential		
Townhouses Dwellings, Multiple	Dwelling Unit Parking: 0-1 bedrooms 2+ bedrooms Dwelling Unit Parking in a Mixed-Use Development: Each dwelling unit Affordable Housing Parking: (Developments eligible for density bonus) 0-1 bedrooms 2 bedrooms 3+ bedrooms	1 covered 1.5 covered 1 covered 0.5 covered or uncovered 0.75 covered or uncovered 1 covered or uncovered
	Bicycle Parking: Each Dwelling Unit Public Bike Parking: Each 35 feet of street frontage	0.25 2

2. Commercial/Office		
All uses listed under the “Office and Professional Services” in Section 6567.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Specialized Neighborhood Trades and Services” in Section 6567.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Retail Sales, Rental or Repair Establishments,” in Section 6567.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Indoor Recreation Facilities” in Section 6567.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Food Services” in Section 6567.3, Uses Permitted (Restaurants, Bars, Food Establishments Specializing in Take- out Service)	Up to 200 sq. ft. and each 200 sq. ft. thereafter	1 covered or uncovered
Any Commercial, Office and/or Food Service Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,000 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2
3. Institutional and Other		
All uses listed under the “Institutional Use Classification” in Section 6567.3, Uses	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
Any Institutional or Other Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,500 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2

SECTION 6567.9 ALTERNATIVE PARKING APPROACHES. The total number of parking spaces required per Section 6567.8 may be reduced in accordance with the following provisions.

2. Shared Parking

- a. Applicability. Subject to this section's requirements and the securing of a Use Permit in accordance with the provisions of Section 6503, an applicant may apply for authorization for shared parking to meet the minimum parking requirements for shared parking facilities serving more than one use on a site, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.
- b. Analysis Required. In addition to the procedures established in Section 6503, requests for shared parking shall comply with this Section's standards and criteria. A parking analysis shall be submitted as part of the application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a qualified professional. A shared parking study shall, at a minimum address:
 - (1) The intensity and type of activities and the composition of uses;
 - (2) Hours of operation of each separate use;
 - (3) The rate of turnover for proposed shared spaces;
 - (4) Distances of shared parking spaces from the uses they serve; and
 - (5) The anticipated peak parking and traffic loads for the site.
 - (6) Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.

If the shared parking spaces are located on a different parcel than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.

- c. Findings Required. Issuance of a Use Permit authorizing shared parking may reduce the total number of spaces required by this Chapter, if the deciding body issuing the relevant Use Permit makes all of the following findings, in addition to the findings required in Section 6503:
 - (1) The spaces to be provided will be available as long as the uses requiring the spaces are in operation;

- (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
- (3) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if shared parking is not provided; and
- (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, is submitted, and that the agreement includes:
 - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use or property ownership of shared parking will require immediate written notification to the County Planning and Building Department;
 - (b) A guarantee among the property owner(s) for access to and use of the shared parking facilities, including provisions for transfer of shared parking rights to new property owners if property on which shared parking is located changes ownership;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
 - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or agreement at any time.

3. Off-Site Parking

- a. Applicability. Subject to the requirements of this Section 6567.9 and the securing of a Use Permit in accordance with the provisions of Section 6503, required parking may be located on a parcel different than the primary use for which the parking is provided (“off-site parking”).
- b. Standards Required. In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for off-site parking shall comply with this Section’s standards and criteria.
 - (1) Parking requirements may be satisfied by the provision of parking on another parcel, if dedicated access to the off-site spaces is demonstrated by ownership or a current lease. Changes in ownership, termination of leases that infringe dedicated access to any of the required parking spaces, shall result in revocation of the Use Permit until the parking

deficiency is remedied.

- (2) Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
 - (3) In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.
- c. Findings Required. A Use Permit for off-site parking may be approved if the following findings are made, in addition to the findings required in Section 6503:
- (1) The off-site spaces to be used to satisfy the project's parking obligation will be available as long as the uses requiring the spaces are in operation;
 - (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
 - (3) The quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
 - (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
 - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand of the revised project and any necessary updates to the written agreement;
 - (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
 - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or agreement at any time.

- d. Exceptions. In addition to the ability to obtain a Use Permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number of spaces, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6567.8. The Community Development Director may grant an exception to modify the number of bicycle parking spaces required, the location of bicycle parking requirements, and/or the design of bicycle parking, if the applicant demonstrates that at least one of the following conditions exist:
- (1) The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.
 - (2) Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6567.8.

**CHAPTER 29.2. CMU-2 DISTRICT (COMMERCIAL
MIXED USE-2 DISTRICT, EL CAMINO REAL-5TH
AVENUE, NORTH FAIR OAKS)**

SECTION 6568. REGULATIONS FOR COMMERCIAL MIXED USE-2 DISTRICT. The following regulations shall apply within those areas in North Fair Oaks which are zoned Commercial Mixed Use-2 (CMU-2).

SECTION 6568.1 PURPOSES.

1. Provide commercial areas intended primarily for the location of locally and regionally-oriented trades and services to meet the needs of both surrounding residential areas and the broader region, as well as higher-density living options for residents.
2. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts, and by requiring that commercial development meets minimum design standards.
3. Promote and enhance the creation of an attractive commercial mixed use district accessible by a variety of transportation modes, including private vehicles, transit, bicycling, and walking.
4. Protect the functional and economic viability of commercial mixed use areas by restricting incompatible land uses.
5. Support and strengthen the local economy by providing trade and employment opportunities.
6. Implement the policies of the North Fair Oaks Community Plan and the San Mateo County General Plan.

SECTION 6568.2. DEFINITIONS.

1. Administrative, Professional and Business Offices. Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other business offices.
2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.

4. Appurtenance. Structural and utility apparatus(es) associated with a principal feature or function.
5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical supports that may be columns or pilasters.
8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building envelope is the theoretical maximum volume allowed.
10. Building Opening. Any aperture within of a solid wall, which may be used to provide a window, a group of windows, a door, or garage door.
11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.
12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Façade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).
16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.

17. Control Joints. A deep narrow recess provided within ridged materials to direct the location of cracking as thermal expansion and contraction occurs.
18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.
23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.
25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.
26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.
32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.

33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.
34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
 - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
 - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
 - c. Value-Added Farm Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.
36. Finished Grade. The elevation of the finished surface of the ground.
37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.

41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.
42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.
45. Garage Opening. A form of building opening that provides access to motorized vehicles.
46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.
47. Ground-Floor Façade. That part of the façade (exterior wall with associated elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.
48. Interior Corner. A concave corner that projects inward toward the building volume to which it is associated.
49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade, Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no

more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.

53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.
57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating, compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.
58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.
59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.
62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.

63. Mullion. A narrow length of wood or other material located between window lites, and including a narrow length of material applied to a single pane of glass to simulate individual window lites.
64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution.”
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.
66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.
68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.
69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with two or more stories.
72. Parking Lots and Parking Garages. Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.
73. Personal Convenience Service Establishments. Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops,

massage establishments.

74. Pet Sales and/or Grooming Establishments. Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.
75. Pilaster. A vertical pier that is integrated with, and projects slightly forward from, a wall.
76. Porch. An outside landing immediately adjacent to a building entrance and sheltered by a roof.
77. Religious Facilities. Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and temples.
78. Restaurants. Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.
79. Retail Cleaning Establishments. Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry-cleaning pick-up stores with limited equipment and laundromats where coin-operated washers and dryers are provided for self-service to the public.
80. Screened. To conceal, partly conceal, and/or separate an object to eliminate or reduce its visual prominence.
81. Service Area. An open or enclosed area principally used for refuse/recycling service and may also contain mechanical equipment and access by trucks for loading, maintenance, and building operations.
82. Shingle. A thin piece of material laid in overlapping rows to cover the roofs and walls of buildings.
83. Sloped roof. A roof that is not flat, and typically hipped or gabled.
84. Small Collection Facilities for Recyclable Materials. A small collection facility

occupies an area of not more than 500 sq. ft., is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.

85. Spandrel Glass. Opaque glass that conceals what is behind it, often used to hide structural building components and utilities.
86. Standing Seam. A manner of joining flat panels with an interlocking edge that stands forward of the principal surface.
87. Stoop. An outside landing immediately adjacent to a building entrance but not sheltered by a roof.
88. Surface parking. Parking that is not enclosed at finished grade.
89. Theaters. Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.
90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto property from a public right-of-way.
92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.
95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

SECTION 6568.3. PERMITTED USES.

1. Permitted development types and uses, and permit requirements for each type and use, are presented in the following table and as follows:
 - a. Nonresidential Development. All types of entirely non-residential development shall be permitted only upon approval of a Use Permit.
 - b. Residential Development. All types of entirely residential development shall be allowed only upon approval of a Use Permit.
 - c. Mixed-Use Development. Mixed-Use Development with ground floor non-residential and residential above the ground floor is subject to the highest planning permit required for the specific non-residential uses in the development. If none of the discrete uses in the project require a planning permit, no such permit is required for the project.
2. For projects requiring no use permit, decisions on all associated approvals, including grading and land clearing permits, tree removal permits, and others shall be made at the staff level, based on the criteria established in the relevant regulations, and no hearings shall be required.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
1. RESIDENTIAL USE CLASSIFICATION	
B. DWELLINGS <ol style="list-style-type: none"> 1. Dwelling, Multiple <ol style="list-style-type: none"> a. Above the ground floor b. Ground floor 	None Use Permit
2. COMMERCIAL AND OFFICE USE CLASSIFICATION	
B. SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES <ol style="list-style-type: none"> 1. Personal Convenience Service Establishments 2. Retail Cleaning Establishments 3. Pet Sales and/or Grooming Establishments 4. Veterinary Hospitals for Small Animals 5. Massage Businesses 	None None Use Permit Use Permit Use Permit
G. REGIONAL AND VISITOR SERVING TRADES AND SERVICES <ol style="list-style-type: none"> 1. Hotels 2. Theaters 	Use Permit Use Permit
H. RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS <ol style="list-style-type: none"> 1. Food and Beverage Stores 2. Liquor Stores 3. Indoor Retail Sales, Rental or Repair Establishments 4. Mobile Vending and Food Trucks 	None Use Permit None Use Permit

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
<p>D. FOOD SERVICES</p> <ol style="list-style-type: none"> 1. Bars 2. Restaurants 3. Food Establishments Specializing in Take-Out Service 4. Farmers Markets 	<p>Use Permit None None Farmers Market Permit¹</p>
<p>E. OFFICES, PROFESSIONAL SERVICES</p> <ol style="list-style-type: none"> 1. Administrative, Professional and Business Offices 2. Medical and Dental Offices 3. Financial Institutions 4. Non-Chartered Financial Institution 	<p>None None None Use Permit²</p>
<p>F. INDOOR RECREATION FACILITIES</p> <ol style="list-style-type: none"> 1. Indoor Exercise and Leisure Facilities: Small 2. Indoor Exercise and Leisure Facilities: Large 	<p>None Use Permit</p>
<p>3. INSTITUTIONAL USE CLASSIFICATION</p>	
<p>B. NEIGHBORHOOD INSTITUTIONAL FACILITIES</p> <ol style="list-style-type: none"> 1. Community Centers 2. Child Care Centers 3. Religious Facilities 4. Educational Facilities 	<p>Use Permit None Use Permit Use Permit</p>
<p>4. ACCESSORY USE CLASSIFICATION</p>	
<p>A. RESIDENTIAL ACCESSORY USES</p> <p>Home Occupations</p>	<p>Home Occupation Certificate³</p>
<p>B. LIMITED KEEPING OF PETS</p> <p>Limited Keeping of Pets</p>	<p>None</p>
<p>5. SMALL COLLECTION FACILITIES FOR RECYCLABLE MATERIALS</p>	<p>None</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
6. OTHER USE CLASSIFICATION	
A. Community Gardens	None
B. PARKING Parking Lots and Parking Garages	Use Permit
C. OTHER COMPATIBLE USES Other Compatible Uses	To Be Determined by Community Development Director
¹ Subject to additional performance requirements including, but not limited to, those contained in Section 6568.7 of these Zoning Regulations.	
² Subject to additional performance requirements including, but not limited to, those contained in Section 6251(f)(8) of these Zoning Regulations.	
³ Subject to additional performance requirements including, but not limited to, those contained in Section 6102.46 of these Zoning Regulations.	

SECTION 6568.4. DEVELOPMENT STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area and Width. The minimum parcel area shall be 5,000 sq. ft. and the minimum parcel width shall be 50 feet, except for multi-family attached residential ownership development, which shall have no minimum required parcel area or width.
2. Maximum Residential Density. The maximum density of residential uses shall be governed by the standards in the North Fair Oaks Community Plan Chapter 2 - Land Use.
3. Maximum Nonresidential Building Floor Area. The maximum building floor area of nonresidential uses shall be 150 percent of the total parcel area. Maximum nonresidential building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel dedicated to nonresidential uses, excluding non-habitable space, as measured from the outside face of all exterior walls. Parking areas, including fully or partially enclosed areas dedicated to parking, shall be excluded from maximum nonresidential building floor area.

4. Building Setbacks and Stepbacks.

- a. The minimum building setbacks shall be:

<u>Front and Street Side Setbacks</u>	<u>Interior Side Setback</u>	<u>Rear Setback</u>
A minimum setback to provide a 10-foot-wide sidewalk measured from back of curb	5 feet adjacent to R-1 District, otherwise 0	10 feet

- (1) Parcels facing El Camino Real, including corner parcels, must be developed with an El Camino Real frontage, with front and rear required setbacks and stepbacks determined by this orientation.
 - (2) Parcels facing 5th Avenue must be developed with a 5th Avenue frontage, with front and rear required setbacks and stepbacks determined by this orientation.
 - (3) Parcels with yards adjoining alley rights-of-way must have minimum five-foot setback on alley-facing yards.
 - (4) Signage and awnings may extend up to five feet into setbacks.
 - (5) Balconies, eaves, building bays, and bay windows, may project up to three ft. into the required front setback of residential and mixed-use buildings above fifteen feet in building height, but may not obstruct the public right of way.
- b. Rear Stepback. A minimum stepback shall be provided at or below 20 feet in building height that in combination with the ground floor setback measures at least 20 feet from the rear property line. The stepback may be used for residential balcony space adjacent to the building.
- c. Setback and Stepback Exceptions.
- (1) At the Community Development Director's discretion, minor exceptions to the required setbacks and stepbacks described above may be granted, on the Director's finding that the combined setbacks and stepbacks proposed meet, in aggregate, the intent and purpose of the setback and stepback requirements, and the purpose of the North Fair Oaks Community Plan.
 - (2) At the Community Development Director's discretion, building elements intended to meet the façade articulation design intent of the North Fair Oaks Community Plan may be allowed to encroach into setbacks at and above the ground floor, if the Director finds that such encroachment is minor, and will not diminish the purpose of providing continuous public-rights-of-way.

5. Building Height. The maximum building height shall be 50 feet for all types of development. The minimum building height of new development shall be three

stories, except in the case that a Use Permit is secured.

Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above. Chimneys, pipes, elevator shafts, mechanical equipment and screening, antennae, and other similar structures may extend beyond the normal maximum height by up to 10 feet as required for safety or efficient operation. Architectural features on buildings located on corner parcels, such as cupolas and turrets, which have a width and depth not greater than 20 feet, may extend up to 10 feet beyond the normal maximum height.

6. Signs

- a. Prohibited Signs. The following signs shall be prohibited:
 - b.
 - (1) Any sign that, because of its location, construction, colors, or operating characteristics, can be confused with or obscure a traffic control device or emergency vehicle.
 - (2) Signs having animated, moving, rotating, inflatable, or flashing parts.
 - (3) Signs emitting intense and focused beams of light, including beacons.
 - (4) Off-premises signs.
 - (5) Abandoned signs.
 - (6) Billboards.
 - (7) Any sign that because of its location, construction or other characteristics will impede pedestrian movement or safety or will limit transparency of ground floor non-residential use.
- c. Maximum Number of Signs. The maximum number of signs allowed on a parcel is one sign per parcel, or one sign per each 200 feet of parcel street frontage, or one sign per use, whichever is greatest.
- d. Maximum Total Sign Display Area. The maximum total display area for all signs on a parcel is three-quarters square foot per foot of parcel street frontage.
- e. Maximum Window Sign Area. Signs located within windows and visible to the public shall not exceed 25% of the area of the window within which the sign is located. Window sign area does not count towards Maximum Total Sign Display Area.
- f. Maximum Sign Height. The maximum height of signs on a parcel is as follows:
 - (1) Attached signs shall not exceed the height of the building or structure to which the sign is attached and shall not extend above the roofline.

- (2) Freestanding signs shall not exceed fifteen (15) feet.
- g. Sign Projection. Attached signs shall not project more than five feet from the building or structure to which the sign is attached. Attached or freestanding signs shall not project beyond any parcel boundary except signs may project into the public right-of-way subject to the approval of the Director of Public Works, and on El Camino Real, subject to the approval of Caltrans.
- h. Sign Design. The design of signs on the parcel shall reflect the architectural design of the building or structure with which the sign is associated, and incorporate unifying colors, materials, and features.

SECTION 6568.5. DESIGN STANDARDS. Development shall comply with the building and site design standards described in this section.

1. Minor Design Exceptions. A minor design exception from the standards in this section may be granted by the Director of Planning and Building upon a finding by the Director that the exception 1) is necessary for compliance with the building and site design requirements; 2) will not jeopardize public safety; 3) promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.15 will be compatible with the neighborhood surrounding the parcel, and 4) will not be detrimental to the public welfare. The Director may require modifications to the proposed exception, including design, location, materials, colors, and landscaping requirements. The Director's decision on an exception authorized by this Section shall not require a public hearing. The Director's decision may be appealed to the Planning Commission.
2. Major Design Exception. The Planning Commission, at a public hearing, may grant a Use Permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.
3. Public Right-of-Way Improvements Required of Private Development
 - a. Sidewalks
 - (1) Create continuous accessible public sidewalks consistent with the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations). A 5-foot wide uninterrupted path of travel shall be provided, which is free from fixed obstructions, including street trees, bike racks, trash receptacles, poles, and above-grade utilities.
 - (2) Provide a minimum 10-foot-wide sidewalk measured from back of curb.
 - (3) Sidewalks shall be constructed according to specifications that can be obtained from the San Mateo County Department of Planning & Building.

b. Street Trees

- (1) Development shall provide street trees along public sidewalks that abut the project, except to provide the following setbacks: at least 20 feet from a street intersection, as measured from the corner of a property and parallel with the property line); at least 10 feet from poles, driveways, or utilities (above- and below-grade); and at least 20 feet from an existing street tree.
- (2) Where street trees are required, street trees shall be planted not more than 35 feet on-center, as measured parallel to the curb, except where precluded by required setbacks.
- (3) Street trees shall be planted not less than 24 inches from face of curb to center of tree.
- (4) Street trees shall be centered within tree wells that have minimum clear dimension of 4 feet.
- (5) The surface adjacent to street trees shall be flush with the sidewalk by providing a metal tree grate, compacted decomposed granite, or sand-set paving stones.
- (6) Tree size at planting shall have a caliper of at least 1 inch and be accompanied by a 15-gallon or larger container.
- (7) Street tree species shall be selected from a street tree list that can be obtained from the Department of Planning & Building.
- (8) Street tree installation shall conform to San Mateo County standards.
- (9) Installed trees shall be watered for at least 3 years.

c. Curb Cuts and Driveways

- (1) Development sites with street frontage along El Camino Real shall not provide vehicular access from these streets if vehicular access can be provided via another public street or a public alley.
- (2) Curb cuts and driveways shall have a width of at least: 20 feet if used for commercial loading; 20 feet if the project has 11 or more on-site parking spaces; and 15 feet if not used for loading and the project has 10 or less on-site parking spaces.
- (3) The minimum distance between a driveway to a pole, utility box, or other vertical obstruction, shall be at least 2 feet.

d. Bike Racks and Refuse Receptacles

- (1) Bike racks shall be oriented so bikes will be parked parallel with curb.
- (2) For projects with over 50 feet of street frontage on El Camino Real, shall provide at least one metal refuse receptacle along the street frontage.

e. Utilities

- (1) Install any new distribution lines underground, including connections between buildings and utilities and modifications to existing utilities.
- (2) Utility trenches shall be located at least ten feet from trees.

f. Alleys

- (1) Projects that rely on vehicular access from a public alley, shall be responsible for making pavement repairs from between the point of site access to the street(s) to which the alley connects.
- (2) Stop signs shall be installed at alley-street intersections in the direction of alley egress.

4. Building and Site Design Standards for Private Development

a. Building Design and Orientation

- (1) All Front and Street Side Facades. For all facades that face a front or street side property line with no intervening building, the following standards shall apply.
 - (a) For each front and street side property line, one or more ground-floor building facades shall be built to within fifteen (15) feet of the front and street side property line for a distance not less than sixty-five percent (65%) of the property line's length, except where to do so would preclude: utilities, required building setbacks and/or allowable vehicle access.
 - (b) Ground-floor walls shall not extend for a width of more than 40 feet without being interrupted by a window, door, or garage opening.
 - (c) Windows with unobscured glass shall comprise not less than twenty-five percent (25%) of the upper-floor façade area.
 - (d) That part of bay windows (and associated walls) and/or balconies (and associated railings) that extend eighteen (18) inches or more from the facade shall comprise not less than ten percent (10%) of the upper-floor façade area.

- (e) A horizontal cornice shall be constructed at a level that is above the floor of the uppermost level. The cornice shall extend beyond the façade by not less than three (3) inches for a height not less than eleven (11) inches.
- (2) Ground-Floor Commercial and Office Front Facades. For ground-floor facades that face a front property line with no intervening building, the following standards shall apply.
- (a) Entrances to a ground-floor commercial or office space shall have uninterrupted pedestrian access from a public sidewalk.
 - (b) An entrance to a ground-floor commercial or office space shall occur every 100 feet or less.
 - (c) Doors to a ground-floor commercial or office space shall be recessed at least 3 feet from the front façade.
 - (d) Not less than sixty percent (60%) of each ground-floor commercial or office façade shall be comprised of windows with clear glass and/or doors, within the façade area between 2.5 and 8 feet above grade. Ground-floor windows that count toward this requirement shall have clear glass and accompanied by: adjacent interior space that is unobstructed by walls or cabinets for a depth of at least 10 feet; and/or a display window case having a depth of at least three (3) feet, and with recessed ceiling lights or ceiling-mounted lights.
 - (e) Ground-floor entrances and windows shall be framed by columns and/or pilasters that are spaced not more than 25 feet apart.
 - (f) Ground-floor windows shall be set above a wall that is at least 18 inches in height.
 - (g) Ground-floor windows shall be sheltered from above by an exterior awning and/or rigid canopy, which extends horizontally at least three (3) feet from the front façade. The bottom of awnings and canopies shall be at least 8 feet above finished grade.
 - (h) A ground-floor commercial or office space shall have a depth of not less than twenty (20) feet as measured from front façade and have a minimum height of 15 feet measured from floor to ceiling.
 - (i) The top of a ground-floor commercial or office façade shall be accompanied by a horizontal cornice located between fifteen (15) feet and twenty-five (25) feet of finished grade. To comply with this requirement, the cornice shall extend vertically beyond the façade by not less than three (3) inches and have a height of not less than

eleven (11) inches.

- (j) A ground-floor commercial or office space shall include connections for water, wastewater and electricity, as well a vent for food service preparation.

- (3) Residential Front Facades. For residential facades that face a front property line with no intervening building, the following standards shall apply.

- (a) Residential entrances shall have uninterrupted access from a public sidewalk.
- (b) Residential entrances shall be accompanied by one of the following: a porch covered entirely by a roof; a stoop with a doorway that is recessed by at least two (2) feet; or an interior lobby. The landing or floor for these features shall have an unobstructed (clear) width of not less than four (4) feet.
- (c) The elevation of the lowest residential floor shall be raised above finished grade by at least two (2) feet if within 5 feet of a front property line, and at least one (1) foot if within 10 feet of a front property line.
- (d) At least twenty-five percent (25%) of each residential ground-floor façade shall be comprised of clear windows and/or doors with windows. Ground-floor windows that count toward this requirement shall be clear.
- (e) Windows for residential ground-floor living space shall have a sill height of at least 3 feet above floor level.

b. Building Elements & Materials

(1) Windows

- (a) Exterior windows for inhabited space shall use clear glass having at least 90 percent light transmission within the visible spectrum, and shall not be mirrored or frosted, except for bathroom and utility room windows.
- (b) Window glass shall be recessed at least 2 inches from the adjacent trim or from the façade if no trim is used.
- (c) Window mullions shall not be behind glass when viewed from the outside.
- (d) Rooms with exterior windows shall include at least one operable

window, except where fixed windows are required to mitigate noise or air quality impacts.

(2) Exterior Finishes

- (a) Where visible, the same exterior material shall be used around outer/convex corners in both horizontal directions for at least four (4) feet or until the material meets an interior/concave corner.
- (b) Where visible, corner boards, corner panels, L-channel metalwork, or other concealment shall be used at outer/convex corners where board ends or veneer edges would otherwise be revealed.
- (c) Prohibited exterior finishes include: unfinished cinder block; unfinished cement block; corrugated metal siding; and mirrored glass.
- (d) An anti-graffiti coating shall be applied to the portions of ground floor walls within 15 feet of public sidewalks.

(3) Roofs.

- (a) Sloped roofs shall be accompanied by an eave that extends beyond the façade by not less than eighteen (18) inches.

(4) Roof-Mounted Mechanical Equipment

- (a) Mechanical equipment located on a roof, shall be: entirely recessed within a sloped roof, and/or surrounded on all sides by an opaque parapet with a top edge as high as topmost point of the equipment.
- (b) The following are exempt: solar panels, wireless communications equipment, window cleaning systems, equipment required by fire departments and other public agencies, and appurtenances associated with the above.

c. Site Features

(1) Walls & Fences

- (a) Walls along interior property lines. A masonry wall that is 6 to 8 feet in height shall be erected along any interior side and rear property lines, except within fifteen (15) feet of the street-facing property line.
- (b) Where visible and within 15 feet of street-facing property lines, fences shall not exceed 4 feet in height, masonry walls are not permitted, and chain link and corrugated fences are not permitted.

- (c) Where visible and within 15 feet of street, chain link and corrugated metal fences are prohibited.

(2) Mechanical Equipment

- (a) Mechanical equipment located in a street-facing building setback shall comply with utility provider standards and shall be: in a vault that is entirely below finished grade; or surrounded on sides facing and perpendicular to the street by an opaque fence or gate, which have a height not less than 6 inches above topmost point of the equipment.
- (b) If utility provider requirement conflict with design standards, then utility provider requirements shall take precedence.

(3) Vehicle Access and Parking

- (a) Development sites with street frontage along El Camino Real or on Middlefield Road shall not provide a driveway from these streets if vehicle access can be provided by way of another public street or a public alley.
- (b) Driveways and garage entrances shall not exceed a width of 25 feet.
- (c) Surface parking spaces shall be set back at least 15 feet from a street right-of-way and shall be screened by a fence or wall that is at 3-4 feet in height, and/or shrubs expected to grow to a height of at least 3 feet at maturity.

(4) Refuse and Recycling Collection Areas

- (a) Every project shall have not less than one (1) refuse and recycling collection area.
- (b) Refuse and recycling collection areas shall not be less than ten (10) feet wide and ten (10) feet deep.
- (c) Refuse and recycling collection area shall be accompanied by a direct unobstructed access by collection crews along a paved path that is not less than five feet in width.
- (d) Refuse and recycling collection areas shall not be located within 20 feet of a street right-of-way, unless entirely enclosed within a building and where building openings for access are accompanied by a gate or doors.
- (e) Refuse and recycling collection areas that are not within a building shall be fully enclosed by a solid wall or opaque fence between six

(6) feet and eight (8) feet in height, except to provide access on one side. Openings for access shall be accompanied by a gate not less than 4 feet in height.

(5) Loading Areas

- (a) One (1) on-site loading space is required for new retail sale, hotel, and/or theater space with a combined net floor area exceeding 10,000 square feet. For each additional 40,000 above 10,000 square feet, one additional loading space shall be provided.
- (b) Loading areas shall not extend into street rights-of-way, nor shall associated truck parking aprons.
- (c) Each required loading space shall be at least 10 feet wide and 25 feet long, exclusive of driveways, aisleways, or turnaround areas. Loading space access shall provide not be less than fifteen (15) of vertical clearance.

d. Utilities

- (1) All projects shall install any required new distribution lines underground, including connections between buildings and utilities or modifications to existing utilities. Utility trenches shall be located not less than five (5) feet from trees being preserved.

e. Landscaping

- (1) Not less than 90% of those portions of site area that are within fifteen (15) feet of a street-facing property line and are not occupied by a building, vehicle access, utilities, play areas, dining area, seating area, or required site feature, shall be landscaped.
- (2) Projects with a combined landscaped area exceeding 500 square feet shall be consistent with the County's Water Efficient Landscape Ordinance.

SECTION 6568.6. PERFORMANCE STANDARDS. No use may be conducted in a manner which, in the determination of the Community Development Director, does not meet the performance standards below. Measurement, observation, or other means of evaluation shall be made at the limits of the property, unless otherwise specified.

1. Noise. No use will be permitted which generates noise levels that exceed San Mateo County Ordinance Code Noise Control standards (see Ordinance Code Chapter 4.88).
2. Lighting. All exterior and interior lighting shall be dark-sky compliant and designed and located so that direct rays and glare are confined to the premises, with the exception of lighting on the front building façade which may light the public sidewalk.

Flood lights shall be prohibited, unless an applicant demonstrates to the satisfaction of the Community Development Director that such additional lighting is necessary for public health and safety.

3. Trash and Debris. All trash, boxes, or similar debris shall be picked up on a regular basis and stored in refuse containers that are screened from public view.
4. Stormwater Management. Projects shall conform to San Mateo County Stormwater Pollution Prevention Program's C.3 Technical Guidance in the design and location of buildings and other site features.
5. Transportation. Development projects that generate at least 100 average daily trips (ADT) shall adhere to the City/County Association of Governments of San Mateo County (C/CAG) TDM Policy, which requires applicants to submit a TDM Checklist with their development application that lists measures to be implemented to mitigate traffic impacts at desired trip reduction target thresholds. San Mateo County staff will notify C/CAG of any new development project within its purview that is estimated to generate at least 100 ADT within ten days of receipt of an application.
6. Mitigation Measures. Projects shall implement all applicable mitigation measures contained in the North Fair Oaks Rezoning and General Plan Amendment Project Final EIR (2023).

SECTION 6568.7. FARMERS MARKET STANDARDS.

Farmers Markets are allowed in the CMU-2 Zoning District subject to a Farmers Market Permit and must meet the following standards:

1. All markets must be California Certified Farmers Markets. All markets must comply with the definitions and standards included in this Chapter.
2. No market may operate continuously for more than 6 hours.
3. Markets may locate on side streets, public spaces, plazas, or private open spaces such as parking lots or similar areas.
4. Markets must be open to the general public during all hours of operation
5. All Farmers Markets and their vendors must obtain all required operating and health permits, licenses, and certificates of insurance, and these documents (or copies) shall be in the possession of the Farmers Market manager or the vendor, as applicable, on the site of the Farmers Market during all hours of operation.
6. All Farmers Markets must provide for composting, recycling, and waste removal in accordance with all applicable federal, state and local laws, including but not limited to the San Mateo County Ordinance Code. The Farmers Market management is responsible for ensuring that the site is restored to a neat condition by no later than the end of the Farmers Market day.

SECTION 6568.8. PARKING. Parking shall comply with all of the provisions of Chapter 3 of the Zoning Regulations, except as provided below:

1. Section 6119, Parking Spaces Required. Section 6119 shall be governed by Table 1 in this Section 6568.8, which sets forth the minimum number of off-street parking spaces required. Parking spaces required by Table 1 may also be modified by the amounts set forth in the Shared Parking and Off-Site Parking regulations in this Chapter. For uses not listed in Table 1, the provisions of Section 6119 shall apply.
2. Section 6118(a), Size and Access. Notwithstanding Section 6118(a), in the CMU-2 District, a maximum of 25% of the parking spaces required by Table 1 may be compact parking spaces with an area of 128 sq. ft. and minimum dimensions of 8 ft. in width by 16 ft. in length. Parking stall height shall be no less than 7 ft. and 2 in. from the parking surface to ceiling fixtures, pipes, or structural elements. Accessible parking stalls shall have a height of no less than 8 feet and 4 inches to ceiling fixtures, pipes, or structural elements. The Community Development Director shall approve the heights for all parking stalls with mechanical lifts.
3. The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted within enclosed parking areas. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and drive aisles ensures adequate provision for ingress and egress to all parking spaces in the platform system. The lift equipment or computerized parking structure shall meet all applicable building, mechanical, and electrical code requirements as approved by the Building Official.

TABLE 1 REQUIRED PARKING		
USE	PARKING GENERATING FACTOR	PARKING SPACES REQUIRED
1. Residential		
Townhouses Dwellings, Multiple	Dwelling Unit Parking: 0-1 bedrooms	1 covered
	2+ bedrooms	1.5 covered
	Dwelling Unit Parking in a Mixed-Use Development:	
	Each dwelling unit	1 covered
	Affordable Housing Parking: (Developments eligible for density bonus)	
	0-1 bedrooms	0.5 covered or uncovered
2 bedrooms	0.75 covered or uncovered	
3+ bedrooms	1 covered or uncovered	
	Bicycle Parking: Each Dwelling Unit	0.25
	Public Bike Parking: Each 35 feet of street frontage	2

2. Commercial/Office		
All uses listed under the “Office and Professional Services” in Section 6568.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Specialized Neighborhood Trades and Services” in Section 6568.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Retail Sales, Rental or Repair Establishments,” in Section 6568.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Indoor Recreation Facilities” in Section 6568.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Food Services” in Section 6568.3, Uses Permitted (Restaurants, Bars, Food Establishments Specializing in Take- out Service)	Up to 250 sq. ft. and each 250 sq. ft. thereafter	1 covered or uncovered
Any Commercial, Office and/or Food Service Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,000 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2
3. Institutional and Other		
All uses listed under the “Institutional Use Classification” in Section 6568.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
Any Institutional or Other Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,500 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2

SECTION 6568.9 ALTERNATIVE PARKING APPROACHES. The total number of parking spaces required per Section 6568.8 may be reduced in accordance with the following provisions.

1. Shared Parking

- a. Applicability. Subject to this section's requirements and the securing of a Use Permit in accordance with the provisions of Section 6503, an applicant may apply for authorization for shared parking to meet the minimum parking requirements for shared parking facilities serving more than one use on a site, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.
- b. Analysis Required. In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for shared parking shall comply with this Section's standards and criteria. A parking analysis shall be submitted as part of the application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a qualified professional. A shared parking study shall, at a minimum address:
 - (1) The intensity and type of activities and the composition of uses;
 - (2) Hours of operation of each separate use;
 - (3) The rate of turnover for proposed shared spaces;
 - (4) Distances of shared parking spaces from the uses they serve; and
 - (5) The anticipated peak parking and traffic loads for the site.
 - (6) Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.

If the shared parking spaces are located on a different parcel than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.

- a. Findings Required. Issuance of a Use Permit authorizing shared parking may reduce the total number of spaces required by this Chapter, if the deciding body issuing the relevant Use Permit makes all of the following findings, in addition to the findings required in Section 6503:
 - (1) The spaces to be provided will be available as long as the uses requiring the spaces are in operation;

- (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
- (3) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if shared parking is not provided; and
- (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, is submitted, and that the agreement includes:
 - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use or property ownership of shared parking will require immediate written notification to the County Planning and Building Department;
 - (b) A guarantee among the property owner(s) for access to and use of the shared parking facilities, including provisions for transfer of shared parking rights to new property owners if property on which shared parking is located changes ownership;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
 - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or agreement at any time.

2. Off-Site Parking

- a. Applicability. Subject to this section's requirements and the securing of a Use Permit in accordance with the provisions of Section 6503, required parking may be located on a parcel different than the primary use for which the parking is provided ("off-site parking").
- b. Standards Required. In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for off-site parking shall comply with this Section's standards and criteria.
 - (1) Parking requirements may be satisfied by the provision of parking on another parcel, if dedicated access to the off-site spaces is demonstrated by ownership or a current lease. Changes in ownership, termination of leases that infringe dedicated access to any of the required parking

spaces, shall result in revocation of the Use Permit until the parking deficiency is remedied.

- (2) Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
 - (3) In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.
- c. Findings Required. A Use Permit for off-site parking may be approved if the following findings are made, in addition to the findings required in Section 6503:
- (1) The off-site spaces will be available as long as the uses requiring the spaces are in operation;
 - (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
 - (3) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
 - (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
 - (a) A guarantee that there will be no alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand of the revised project and any necessary updates to the written agreement;
 - (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
 - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or

agreement at any time.

- d. Exceptions. In addition to the ability to obtain a Use Permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number of spaces, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6568.8. The Community Development Director may grant an exception to modify the number of bicycle parking spaces required, the location of bicycle parking requirements, and/or the design of bicycle parking, if the applicant demonstrates that at least one of the following conditions exist:
- (1) The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.
 - (2) Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6568.8.

CHAPTER 29.3. NMU-ECR DISTRICT
(NEIGHBORHOOD MIXED USE DISTRICT,
EL CAMINO REAL – 5TH AVENUE,
NORTH FAIR OAKS)

SECTION 6569. REGULATIONS FOR NMU-ECR DISTRICT. The following regulations shall apply within those areas in North Fair Oaks which are zoned Neighborhood Mixed Use-El Camino Real (NMU-ECR).

SECTION 6569.1. PURPOSES.

1. Provide commercial areas intended primarily for the location of locally and regionally-oriented trades and services to meet the needs of both surrounding residential areas and the broader region, as well as higher-density living options for residents.
2. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts, and by requiring that commercial development meets minimum design standards.
3. Promote and enhance the creation of an attractive commercial mixed use district accessible by a variety of transportation modes, including private vehicles, transit, bicycling, and walking.
4. Protect the functional and economic viability of commercial mixed use areas by restricting incompatible land uses.
5. Support and strengthen the local economy by providing trade and employment opportunities.
6. Implement the policies of the North Fair Oaks Community Plan and the San Mateo County General Plan.

SECTION 6569.2. DEFINITIONS.

1. Administrative, Professional and Business Offices. Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other business offices.
2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.

4. Appurtenance. Structural and utility apparatus(es) associated with a principal feature or function.
5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical supports that may be columns or pilasters.
8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building envelope is the theoretical maximum volume allowed.
10. Building Opening. Any aperture within of a solid wall, which may be used to provide a window, a group of windows, a door, or garage door.
11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.
12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Façade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).
16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.

17. Control Joints. A deep narrow recess provided within ridged materials to direct the location of cracking as thermal expansion and contraction occurs.
18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.
23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.
25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.
26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.
32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.

33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.
34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
 - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
 - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
 - c. Value-Added Farm Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.
36. Finished Grade. The elevation of the finished surface of the ground.
37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.
41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used,

designed, or intended to be used, let or hired out to be occupied.

42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.
45. Garage Opening. A form of building opening that provides access to motorized vehicles.
46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.
47. Ground-Floor Façade. That part of the façade (exterior wall with associated elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.
48. Interior Corner. A concave corner that projects inward toward the building volume to which it is associated.
49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade, Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any

type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.

53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.
57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating, compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.
58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.
59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.
62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.
63. Mullion. A narrow length of wood or other material located between window lites,

and including a narrow length of material applied to a single pane of glass to simulate individual window lites.

64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution.”
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.
66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.
68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.
69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with two or more stories.
72. Parking Lots and Parking Garages. Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.
73. Personal Convenience Service Establishments. Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.

74. Pet Sales and/or Grooming Establishments. Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.
75. Pilaster. A vertical pier that is integrated with, and projects slightly forward from, a wall.
76. Porch. An outside landing immediately adjacent to a building entrance and sheltered by a roof.
77. Religious Facilities. Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and temples.
78. Restaurants. Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.
79. Retail Cleaning Establishments. Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry-cleaning pick-up stores with limited equipment and laundromats where coin-operated washers and dryers are provided for self-service to the public.
80. Screened. To conceal, partly conceal, and/or separate an object to eliminate or reduce its visual prominence.
81. Service Area. An open or enclosed area principally used for refuse/recycling service and may also contain mechanical equipment and access by trucks for loading, maintenance, and building operations.
82. Shingle. A thin piece of material laid in overlapping rows to cover the roofs and walls of buildings.
83. Sloped roof. A roof that is not flat, and typically hipped or gabled.
84. Small Collection Facilities for Recyclable Materials. A small collection facility occupies an area of not more than 500 sq. ft., is intended for the collection of

recyclable materials, and may include kiosks, igloos, bins, trailers or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.

85. Spandrel Glass. Opaque glass that conceals what is behind it, often used to hide structural building components and utilities.
86. Standing Seam. A manner of joining flat panels with an interlocking edge that stands forward of the principal surface.
87. Stoop. An outside landing immediately adjacent to a building entrance but not sheltered by a roof.
88. Surface parking. Parking that is not enclosed at finished grade.
89. Theaters. Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.
90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto property from a public right-of-way.
92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.
95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

SECTION 6569.3. PERMITTED USES.

1. Permitted development types and uses, and permit requirements for each type and use, are presented in the following table and as follows:
 - a. Nonresidential Development. All types of entirely non-residential development require Use Permit approval.
 - b. Residential Development. All types of entirely residential development shall be allowed only upon approval of a Use Permit.
 - c. Mixed-Use Development. Mixed-Use Development with ground floor non-residential and residential above the ground floor is subject to the highest planning permit required for the specific non-residential uses in the development. If none of the discrete uses in the project require a planning permit, no such permit is required for the project.
2. For projects requiring no use permit, decisions on all associated approvals, including grading and land clearing permits, tree removal permits, and others shall be made at the staff level, based on the criteria established in the relevant regulations, and no hearings shall be required.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
1. RESIDENTIAL USE CLASSIFICATION	
A. DWELLINGS <ol style="list-style-type: none"> 1. Dwelling, Multiple <ol style="list-style-type: none"> a. Above the ground floor b. Ground floor 	None Use Permit
2. COMMERCIAL AND OFFICE USE CLASSIFICATION	
A. SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES <ol style="list-style-type: none"> 1. Personal Convenience Service Establishments 2. Retail Cleaning Establishments 3. Pet Sales and/or Grooming Establishments 4. Veterinary Hospitals for Small Animals 5. Massage Businesses 	None None Use Permit Use Permit Use Permit
B. REGIONAL AND VISITOR SERVING TRADES AND SERVICES <ol style="list-style-type: none"> 1. Hotels 2. Theaters 	Use Permit Use Permit
C. RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS <ol style="list-style-type: none"> 1. Food and Beverage Stores 2. Liquor Stores 3. Indoor Retail Sales, Rental or Repair Establishments 4. Mobile Vending and Food Trucks 	None Use Permit None Use Permit

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
<p>D. FOOD SERVICES</p> <ol style="list-style-type: none"> 1. Bars 2. Restaurants 3. Food Establishments Specializing in Take-Out Service 4. Farmers Markets 	<p>Use Permit None None Farmers Market Permit¹</p>
<p>E. OFFICES, PROFESSIONAL SERVICES</p> <ol style="list-style-type: none"> 1. Administrative, Professional and Business Offices 2. Medical and Dental Offices 3. Financial Institutions 4. Non-Chartered Financial Institution 	<p>None None None Use Permit²</p>
<p>F. INDOOR RECREATION FACILITIES</p> <ol style="list-style-type: none"> 1. Indoor Exercise and Leisure Facilities: Small 2. Indoor Exercise and Leisure Facilities: Large 	<p>None Use Permit</p>
<p>3. INSTITUTIONAL USE CLASSIFICATION</p>	
<p>A. NEIGHBORHOOD INSTITUTIONAL FACILITIES</p> <ol style="list-style-type: none"> 1. Community Centers 2. Child Care Centers 3. Religious Facilities 4. Educational Facilities 	<p>Use Permit None Use Permit Use Permit</p>
<p>4. ACCESSORY USE CLASSIFICATION</p>	
<p>A. RESIDENTIAL ACCESSORY USES Home Occupations</p>	<p>Home Occupation Certificate³</p>
<p>B. LIMITED KEEPING OF PETS Limited Keeping of Pets</p>	<p>None</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
5. SMALL COLLECTION FACILITIES FOR RECYCLABLE MATERIALS	None
6. OTHER USE CLASSIFICATION	
A. Community Gardens	None
B. PARKING Parking Lots and Parking Garages	Use Permit
C. OTHER COMPATIBLE USES Other Compatible Uses	To Be Determined by Community Development Director
¹ Subject to additional performance requirements including, but not limited to, those contained in Section 6569.7 of these Zoning Regulations.	
² Subject to additional performance requirements including, but not limited to, those contained in Section 6251(f)(8) of these Zoning Regulations.	
³ Subject to additional performance requirements including, but not limited to, those contained in Section 6102.46 of these Zoning Regulations.	

SECTION 6569.4. DEVELOPMENT STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area and Width. The minimum parcel area shall be 5,000 sq. ft. and the minimum parcel width shall be 50 feet, except for multi-family attached residential ownership development, which shall have no minimum required parcel area or width.
2. Maximum Residential Density. The maximum density of residential uses shall be governed by the standards in the North Fair Oaks Community Plan Chapter 2 - Land Use.
3. Maximum Nonresidential Building Floor Area. The maximum building floor area of nonresidential uses shall be 150 percent of the total parcel area. Maximum nonresidential building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel dedicated to nonresidential uses, excluding non-habitable space, as measured from the outside face of all exterior walls. Parking areas, including fully or partially enclosed areas dedicated to parking, shall be excluded from maximum nonresidential building floor area.

4. Building Setbacks and Stepbacks.

a. The minimum building setbacks shall be:

<u>Front and Street Side Setbacks</u>	<u>Interior Side Setback</u>	<u>Rear Setback</u>
A minimum setback to provide a 10-foot-wide sidewalk measured from back of curb	5 feet adjacent to R-1 District, otherwise 0	10 feet

- (1) Parcels facing El Camino Real, including corner parcels, must be developed with an El Camino Real frontage, with front and rear required setbacks and stepbacks determined by this orientation.
- (2) Balconies, eaves, building bays and bay windows, may project up to 3 ft. into the required front setback of residential and mixed-use buildings above fifteen feet in building height, but may not obstruct the public right of way.
- (3) Parcels adjoining alley rights-of-way must have a minimum five-foot setback from the alley.
- (4) Signage and awnings may extend up to five feet into setbacks.

b. Rear Stepback. A minimum stepback shall be provided at or below 20 feet in building height that in combination with the ground floor setback measures at least 20 feet from the rear property line. The stepback may be used for residential balcony space adjacent to the building.

c. Setback and Stepback Exceptions.

- (1) At the Community Development Director's discretion, minor exceptions to the required setbacks and stepbacks described above may be granted, on the Director's finding that the combined setbacks and stepbacks proposed meet, in aggregate, the intent and purpose of the setback and stepback requirements, and the purpose of the North Fair Oaks Community Plan.
- (2) At the Community Development Director's discretion, building elements intended to meet the façade articulation design intent of the North Fair Oaks Community Plan may be allowed to encroach into setbacks at and above the ground floor, if the Director finds that such encroachment is minor, and will not diminish the purpose of providing continuous public-rights-of-way.

5. Building Height. The maximum building height shall be 40 feet for all types of development. The minimum building height shall be three stories, except in the case that a Use Permit is secured.

Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above. Chimneys, pipes, elevator shafts, mechanical equipment and screening, antennae, and other similar structures may extend beyond the normal maximum height by up to 10 feet as required for safety or efficient operation. Architectural features on buildings located on corner parcels, such as cupolas and turrets, which have a width and depth not greater than 20 feet, may extend up to 10 feet beyond the normal maximum height.

6. Signs

- a. Prohibited Signs. The following signs shall be prohibited:
 - b.
 - (1) Any sign that, because of its location, construction, colors, or operating characteristics, can be confused with or obscure a traffic control device or emergency vehicle.
 - (2) Signs having animated, moving, rotating, inflatable, or flashing parts.
 - (3) Signs emitting intense and focused beams of light, including beacons.
 - (4) Off-premises signs.
 - (5) Abandoned signs.
 - (6) Billboards.
 - (7) Any sign that because of its location, construction or other characteristics will impede pedestrian movement or safety or will limit transparency of ground floor non-residential use.
- c. Maximum Number of Signs. The maximum number of signs allowed on a parcel is one sign per parcel, or one sign per each 200 feet of parcel street frontage, or one sign per use, whichever is greatest.
- d. Maximum Total Sign Display Area. The maximum total display area for all signs on a parcel is three-quarters square foot per foot of parcel street frontage.
- e. Maximum Window Sign Area. Signs located within windows and visible to the public shall not exceed 25% of the area of the window within which the sign is located. Window sign area does not count towards Maximum Total Sign Display Area.
- f. Maximum Sign Height. The maximum height of signs on a parcel is as follows:
 - (1) Attached signs shall not exceed the height of the building or structure to which the sign is attached and shall not extend above the roofline.

- (2) Freestanding signs shall not exceed fifteen (15) feet.
- g. Sign Projection. Attached signs shall not project more than five feet from the building or structure to which the sign is attached. Attached or freestanding signs shall not project beyond any parcel boundary except signs may project into the public right-of-way subject to the approval of the Director of Public Works, and on El Camino Real, subject to the approval of Caltrans.
- h. Sign Design. The design of signs on the parcel shall reflect the architectural design of the building or structure with which the sign is associated, and incorporate unifying colors, materials, and features.

SECTION 6569.5. DESIGN STANDARDS. Development shall comply with the building and site design standards described in this section.

1. Minor Design Exceptions. A minor design exception from the standards in this section may be granted by the Director of Planning and Building upon a finding by the Director that the exception 1) is necessary for compliance with the building and site design requirements; 2) will not jeopardize public safety; 3) promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.15 will be compatible with the neighborhood surrounding the parcel, and 4) will not be detrimental to the public welfare. The Director may require modifications to the proposed exception, including design, location, materials, colors, and landscaping requirements. The Director's decision on an exception authorized by this Section shall not require a public hearing. The Director's decision may be appealed to the Planning Commission.
2. Major Design Exception. The Planning Commission, at a public hearing, may grant a Use Permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.
3. Public Right-of-Way Improvements Required of Private Development
 - a. Sidewalks
 - (1) Create continuous accessible public sidewalks consistent with the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations). A 5-foot wide uninterrupted path of travel shall be provided, which is free from fixed obstructions, including street trees, bike racks, trash receptacles, poles, and above-grade utilities.
 - (2) Provide a minimum 10-foot-wide sidewalk measured from back of curb.
 - (3) Sidewalks shall be constructed according to specifications that can be obtained from the San Mateo County Department of Planning & Building.
 - b. Street Trees

- (1) Development shall provide street trees along public sidewalks that abut the project, except to provide the following setbacks: at least 20 feet from a street intersection, as measured from the corner of a property and parallel with the property line); at least 10 feet from poles, driveways, or utilities (above- and below-grade); and at least 20 feet from an existing street tree.
- (2) Where street trees are required, street trees shall be planted not more than 35 feet on-center, as measured parallel to the curb, except where precluded by required setbacks.
- (3) Street trees shall be planted not less than 24 inches from face of curb to center of tree.
- (4) Street trees shall be centered within tree wells that have minimum clear dimension of 4 feet.
- (5) The surface adjacent to street trees shall be flush with the sidewalk by providing a metal tree grate, compacted decomposed granite, or sand-set paving stones.
- (6) Tree size at planting shall have a caliper of at least 1 inch and be accompanied by a 15-gallon or larger container.
- (7) Street tree species shall be selected from a street tree list that can be obtained from the Department of Planning & Building.
- (8) Street tree installation shall conform to San Mateo County standards.
- (9) Installed trees shall be watered for at least 3 years.

c. Curb Cuts and Driveways

- (1) Development sites with street frontage along El Camino Real shall not provide vehicular access from these streets if vehicular access can be provided via another public street or a public alley.
- (2) Curb cuts and driveways shall have a width of at least: 20 feet if used for commercial loading; 20 feet if the project has 11 or more on-site parking spaces; and 15 feet if not used for loading and the project has 10 or less on-site parking spaces.
- (3) The minimum distance between a driveway to a pole, utility box, or other vertical obstruction, shall be at least 2 feet.

d. Bike Racks and Refuse Receptacles

- (1) Bike racks shall be oriented so bikes will be parked parallel with the curb.
- (2) For projects with over 50 feet of street frontage on El Camino Real, shall provide at least one metal refuse receptacle along the street frontage.

e. Utilities

- (1) Install any new distribution lines underground, including connections between buildings and utilities and modifications to existing utilities.
- (2) Utility trenches shall be located at least ten feet from trees.

f. Alleys

- (1) Projects that rely on vehicular access from a public alley, shall be responsible for making pavement repairs from between the point of site access to the street(s) to which the alley connects.
- (2) Stop signs shall be installed at alley-street intersections in the direction of alley egress.

4. Building and Site Design Standards for Private Development

a. Building Design and Orientation

- (1) All Front and Street Side Facades. For all facades that face a front or street side property line with no intervening building, the following standards shall apply.
 - (a) For each front and street side property line, one or more ground-floor building facades shall be built to within fifteen (15) feet of the front and street side property line for a distance not less than sixty-five percent (65%) of the property line's length, except where to do so would preclude: utilities, required building setbacks and/or allowable vehicle access.
 - (b) Ground-floor walls shall not extend for a width of more than 40 feet without being interrupted by a window, door, or garage opening.
 - (c) Windows with unobscured glass shall comprise not less than twenty-five percent (25%) of the upper-floor façade area.
 - (d) That part of bay windows (and associated walls) and/or balconies (and associated railings) that extend eighteen (18) inches or more from the facade shall comprise not less than ten percent (10%) of the upper-floor façade area.
 - (e) A horizontal cornice shall be constructed at a level that is above the

floor of the uppermost level. The cornice shall extend beyond the façade by not less than three (3) inches for a height not less than eleven (11) inches.

- (2) Ground-Floor Commercial and Office Front Facades. For ground-floor facades that face a front property line with no intervening building, the following standards shall apply.
 - (a) Entrances to a ground-floor commercial or office space shall have uninterrupted pedestrian access from a public sidewalk.
 - (b) An entrance to a ground-floor commercial or office space shall occur every 100 feet or less.
 - (c) Doors to a ground-floor commercial or office space shall be recessed at least 3 feet from the front façade.
 - (d) Not less than sixty percent (60%) of each ground-floor commercial or office façade shall be comprised of windows with clear glass and/or doors, within the façade area between 2.5 and 8 feet above grade. Ground-floor windows that count toward this requirement shall have clear glass and accompanied by: adjacent interior space that is unobstructed by walls or cabinets for a depth of at least 10 feet; and/or a display window case having a depth of at least three (3) feet, and with recessed ceiling lights or ceiling-mounted lights.
 - (e) Ground-floor entrances and windows shall be framed by columns and/or pilasters that are spaced not more than 25 feet apart.
 - (f) Ground-floor windows shall be set above a wall that is at least 18 inches in height.
 - (g) Ground-floor windows shall be sheltered from above by an exterior awning and/or rigid canopy, which extends horizontally at least three (3) feet from the front façade. The bottom of awnings and canopies shall be at least 8 feet above finished grade.
 - (h) A ground-floor commercial or office space shall have a depth of not less than twenty (20) feet as measured from front façade and have a minimum height of 15 feet measured from floor to ceiling.
 - (i) The top of a ground-floor commercial or office façade shall be accompanied by a horizontal cornice located between fifteen (15) feet and twenty-five (25) feet of finished grade. To comply with this requirement, the cornice shall extend vertically beyond the façade by not less than three (3) inches and have a height of not less than eleven (11) inches.

- (j) A ground-floor commercial or office space shall include connections for water, wastewater and electricity, as well a vent for food service preparation.
- (3) Residential Front Facades. For residential facades that face a front property line with no intervening building, the following standards shall apply.
- (a) Residential entrances shall have uninterrupted access from a public sidewalk.
 - (b) Residential entrances shall be accompanied by one of the following: a porch covered entirely by a roof; a stoop with a doorway that is recessed by at least two (2) feet; or an interior lobby. The landing or floor for these features shall have an unobstructed (clear) width of not less than four (4) feet.
 - (c) The elevation of the lowest residential floor shall be raised above finished grade by at least two (2) feet if within 5 feet of a front property line, and at least one (1) foot if within 10 feet of a front property line.
 - (d) At least twenty-five percent (25%) of each residential ground-floor façade shall be comprised of clear windows and/or doors with windows. Ground-floor windows that count toward this requirement shall be clear.
 - (e) Windows for residential ground-floor living space shall have a sill height of at least 3 feet above floor level.

b. Building Elements & Materials

- (1) Windows
- (a) Exterior windows for inhabited space shall use clear glass having at least 90 percent light transmission within the visible spectrum, and shall not be mirrored or frosted, except for bathroom and utility room windows.
 - (b) Window glass shall be recessed at least 2 inches from the adjacent trim or from the façade if no trim is used.
 - (c) Window mullions shall not be behind glass when viewed from the outside.
 - (d) Rooms with exterior windows shall include at least one operable window, except where fixed windows are required to mitigate noise or air quality impacts.

(2) Exterior Finishes

- (a) Where visible, the same exterior material shall be used around outer/convex corners in both horizontal directions for at least four (4) feet or until the material meets an interior/concave corner.
- (b) Where visible, corner boards, corner panels, L-channel metalwork, or other concealment shall be used at outer/convex corners where board ends or veneer edges would otherwise be revealed.
- (c) Prohibited exterior finishes include: unfinished cinder block; unfinished cement block; corrugated metal siding; and mirrored glass.
- (d) An anti-graffiti coating shall be applied to the portions of ground floor walls within 15 feet of public sidewalks.

(3) Roofs

- (a) Sloped roofs shall be accompanied by an eave that extends beyond the façade by not less than eighteen (18) inches.

(4) Roof-Mounted Mechanical Equipment

- (a) Mechanical equipment located on a roof, shall be: entirely recessed within a sloped roof, and/or surrounded on all sides by an opaque parapet with a top edge as high as topmost point of the equipment.
- (b) The following are exempt: solar panels, wireless communications equipment, window cleaning systems, equipment required by fire departments and other public agencies, and appurtenances associated with the above.

c. Site Features

(1) Walls & Fences

- (a) Walls along interior property lines. A masonry wall that is 6 to 8 feet in height shall be erected along any interior side and rear property lines, except within fifteen (15) feet of the street-facing property line.
- (b) Where visible and within 15 feet of street-facing property lines, fences shall not exceed 4 feet in height, masonry walls are not permitted, and chain link and corrugated fences are not permitted.
- (c) Where visible and within 15 feet of street, chain link and corrugated metal fences are prohibited.

(2) Mechanical Equipment

- (a) Mechanical equipment located in a street-facing building setback shall comply with utility provider standards and shall be: in a vault that is entirely below finished grade; or surrounded on sides facing and perpendicular to the street by an opaque fence or gate, which have a height not less than 6 inches above topmost point of the equipment.
- (b) If utility provider requirement conflict with design standards, then utility provider requirements shall take precedence.

(3) Vehicle Access and Parking

- (a) Development sites with street frontage along El Camino Real or on Middlefield Road shall not provide a driveway from these streets if vehicle access can be provided by way of another public street or a public alley.
- (b) Driveways and garage entrances shall not exceed a width of 25 feet.
- (c) Surface parking spaces shall be set back at least 15 feet from a street right-of-way and shall be screened by a fence or wall that is at 3-4 feet in height, and/or shrubs expected to grow to a height of at least 3 feet at maturity.

(4) Refuse and Recycling Collection Areas

- (a) Every project shall have not less than one (1) refuse and recycling collection area.
- (b) Refuse and recycling collection areas shall not be less than ten (10) feet wide and ten (10) feet deep.
- (c) Refuse and recycling collection area shall be accompanied by a direct unobstructed access by collection crews along a paved path that is not less than five feet in width.
- (d) Refuse and recycling collection areas shall not be located within 20 feet of a street right-of-way, unless entirely enclosed within a building and where building openings for access are accompanied by a gate or doors.
- (e) Refuse and recycling collection areas that are not within a building shall be fully enclosed by a solid wall or opaque fence between six (6) feet and eight (8) feet in height, except to provide access on one side. Openings for access shall be accompanied by a gate not less than 4 feet in height.

(5) Loading Areas

- (a) One (1) on-site loading space is required for new retail sale, hotel, and/or theater space with a combined net floor area exceeding 10,000 square feet. For each additional 40,000 above 10,000 square feet, one additional loading space shall be provided.
- (b) Loading areas shall not extend into street rights-of-way, nor shall associated truck parking aprons.
- (c) Each required loading space shall be at least 10 feet wide and 25 feet long, exclusive of driveways, aiseways, or turnaround areas. Loading space access shall provide not be less than fifteen (15) of vertical clearance.

d. Utilities

- (1) All projects shall install any required new distribution lines underground, including connections between buildings and utilities or modifications to existing utilities. Utility trenches shall be located not less than five (5) feet from trees being preserved.

e. Landscaping

- (1) Not less than 90% of those portions of site area that are within fifteen (15) feet of a street-facing property line and are not occupied by a building, vehicle access, utilities, play areas, dining area, seating area, or required site feature, shall be landscaped.
- (2) Projects with a combined landscaped area exceeding 500 square feet shall be consistent with the County's Water Efficient Landscape Ordinance.

SECTION 6569.6. PERFORMANCE STANDARDS. No use may be conducted in a manner which, in the determination of the Community Development Director, does not meet the performance standards below. Measurement, observation, or other means of evaluation shall be made at the limits of the property, unless otherwise specified.

1. Noise. No use will be permitted which generates noise levels that exceed San Mateo County Ordinance Code Noise Control standards (see Ordinance Code Chapter 4.88).
2. Lighting. All exterior and interior lighting shall be dark-sky compliant and designed and located so that direct rays and glare are confined to the premises, with the exception of lighting on the front building façade which may light the public sidewalk. Flood lights shall be prohibited, unless an applicant demonstrates to the satisfaction of the Community Development Director that such additional lighting is necessary for

public health and safety.

3. Trash and Debris. All trash, boxes, or similar debris shall be picked up on a regular basis and stored in refuse containers that are screened from public view.
4. Stormwater Management. Projects shall conform to San Mateo County Stormwater Pollution Prevention Program's C.3 Technical Guidance in the design and location of buildings and other site features.
5. Transportation. Development projects that generate at least 100 average daily trips (ADT) shall adhere to the City/County Association of Governments of San Mateo County (C/CAG) TDM Policy, which requires applicants to submit a TDM Checklist with their development application that lists measures to be implemented to mitigate traffic impacts at desired trip reduction target thresholds. San Mateo County staff will notify C/CAG of any new development project within its purview that is estimated to generate at least 100 ADT within ten days of receipt of an application.
6. Mitigation Measures. Projects shall implement all applicable mitigation measures contained in the North Fair Oaks Rezoning and General Plan Amendment Project Final EIR (2023).

SECTION 6569.7. FARMERS MARKET STANDARDS.

Farmers Markets are allowed in the NMU-ECR Zoning District subject to a Farmers Market Permit and must meet the following standards:

1. All markets must be California Certified Farmers Markets. All markets must comply with the definitions and standards included in this Chapter.
2. No market may operate continuously for more than 6 hours.
3. Markets may locate on side streets, public spaces, plazas, or private open spaces such as parking lots or similar areas.
4. Markets must be open to the general public during all hours of operation
5. All Farmers Markets and their vendors must obtain all required operating and health permits, licenses, and certificates of insurance, and these documents (or copies) shall be in the possession of the Farmers Market manager or the vendor, as applicable, on the site of the Farmers Market during all hours of operation.
6. All Farmers Markets must provide for composting, recycling, and waste removal in accordance with all applicable federal, state and local laws, including but not limited to the San Mateo County Ordinance Code. The Farmers Market management is responsible for ensuring that the site is restored to a neat condition by no later than the end of the Farmers Market day.

SECTION 6569.8. PARKING. Parking shall comply with all of the provisions of Chapter 3

of the Zoning Regulations, except as provided below:

1. Section 6119, Parking Spaces Required. Section 6119 shall be governed by Table 1 in this Section 6569.8, which sets forth the minimum number of off-street parking spaces required. Parking spaces required by Table 1 may also be modified by the amounts set forth in the Shared Parking and Off-Site Parking regulations in this Chapter. For uses not listed in Table 1, the provisions of Section 6119 shall apply.
2. Section 6118(a), Size and Access. Notwithstanding Section 6118(a), in the NMU-ECR District, a maximum of 25% of the parking spaces required by Table 1 may be compact parking spaces with an area of 128 sq. ft. and minimum dimensions of 8 ft. in width by 16 ft. in length. Parking stall height shall be no less than 7 ft. and 2 in. from the parking surface to ceiling fixtures, pipes, or structural elements. Accessible parking stalls shall have a height of no less than 8 feet and 4 inches to ceiling fixtures, pipes, or structural elements. The Community Development Director shall approve the heights for all parking stalls with mechanical lifts.
3. The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted within enclosed parking areas. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and drive aisles ensures adequate provision for ingress and egress to all parking spaces in the platform system. The lift equipment or computerized parking structure shall meet all applicable building, mechanical, and electrical code requirements as approved by the Building Official.

<u>TABLE 1</u> REQUIRED PARKING		
USE	PARKING GENERATING FACTOR	PARKING SPACES REQUIRED
1. Residential		
Townhouses Dwellings, Multiple	Dwelling Unit Parking: 0-1 bedrooms 2+ bedrooms	1 covered 1.5 covered
	Dwelling Unit Parking in a Mixed-Use Development: Each dwelling unit	1 covered
	Affordable Housing Parking: (Developments eligible for density bonus) 0-1 bedrooms 2 bedrooms 3+ bedrooms	0.5 covered or uncovered 0.75 covered or uncovered 1 covered or uncovered
	Bicycle Parking: Each Dwelling Unit Public Bike Parking: Each 35 feet of street frontage	0.25 2

2. Commercial/Office		
All uses listed under the “Office and Professional Services” in Section 6569.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Specialized Neighborhood Trades and Services” in Section 6569.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Retail Sales, Rental or Repair Establishments,” in Section 6569.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Indoor Recreation Facilities” in Section 6569.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under “Food Services” in Section 6569.3, Uses Permitted (Restaurants, Bars, Food Establishments Specializing in Take- out Service)	Up to 200 sq. ft. and each 200 sq. ft. thereafter	1 covered or uncovered
Any Commercial, Office and/or Food Service Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,000 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2
3. Institutional and Other		
All uses listed under the “Institutional Use Classification” in Section 6569.3, Permitted Uses	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
Any Institutional or Other Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,500 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2

SECTION 6569.9 ALTERNATIVE PARKING APPROACHES. The total number of parking spaces required per Section 6569.8 may be reduced in accordance with the following provisions.

1. Shared Parking

- a. Applicability. Subject to this section's requirements and the securing of a Use Permit in accordance with the provisions of Section 6503, an applicant may apply for authorization for shared parking to meet the minimum parking requirements for shared parking facilities serving more than one use on a site, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.
- b. Analysis Required. In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for shared parking shall comply with this Section's standards and criteria. A parking analysis shall be submitted as part of the application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a qualified professional. A shared parking study shall, at a minimum address:
 - (1) The intensity and type of activities and the composition of uses;
 - (2) Hours of operation of each separate use;
 - (3) The rate of turnover for proposed shared spaces;
 - (4) Distances of shared parking spaces from the uses they serve; and
 - (5) The anticipated peak parking and traffic loads for the site.
 - (6) Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.

If the shared parking spaces are located on a different parcel than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.

- c. Findings Required. Issuance of a Use Permit authorizing shared parking may reduce the total number of spaces required by this Chapter, if the deciding body issuing the relevant Use Permit makes all of the following findings, in addition to the findings required in Section 6503 of the Zoning Regulations:
 - (1) The spaces to be provided will be available as long as the uses requiring the spaces are in operation;

- (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
- (3) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if shared parking is not provided; and
- (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, is submitted, and that the agreement includes:
 - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use or property ownership of shared parking will require immediate written notification to the County Planning and Building Department;
 - (b) A guarantee among the property owner(s) for access to and use of the shared parking facilities, including provisions for transfer of shared parking rights to new property owners if property on which shared parking is located changes ownership;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
 - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and and/or agreement at any time.

2. Off-Site Parking

- a. Applicability. Subject to this section's requirements and the securing of a Use Permit in accordance with the provisions of Section 6503, required parking may be located on a parcel different than the primary use for which the parking is provided ("off-site parking").
- b. Standards Required. In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for off-site parking shall comply with this Section's standards and criteria.
 - (1) Parking requirements may be satisfied by the provision of parking on another parcel, if dedicated access to the off-site spaces is demonstrated by ownership or a current lease. Changes in ownership, termination of leases that infringe dedicated access to any of the required parking spaces, shall result in revocation of the Use Permit until the parking

deficiency is remedied.

- (2) Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
 - (3) In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.
- c. Findings Required. Findings Required. A Use Permit for off-site parking may be approved if the following findings are made, in addition to the findings required in Section 6503:
- (1) The off-site spaces to be used to satisfy the project's parking obligation will be available as long as the uses requiring the spaces are in operation;
 - (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
 - (3) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
 - (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
 - (a) A guarantee that there will be no alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand of the revised project and any necessary updates to the written agreement;
 - (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
 - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or

agreement at any time.

- d. Exceptions. In addition to the ability to obtain a Use Permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number of spaces, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6569.8.

The Community Development Director may grant an exception to modify the number of bicycle parking spaces required, the location of bicycle parking requirements, and/or the design of bicycle parking, if the applicant demonstrates that at least one of the following conditions exist:

- (1) The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.
- (2) Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6569.8.

CHAPTER 29.4. CMU-3 DISTRICT
(COMMERCIAL MIXED USE-3 DISTRICT, NORTH
FAIR OAKS)

SECTION 6570. REGULATIONS FOR “COMMERCIAL MIXED USE-3” DISTRICT.

The following regulations shall apply within those areas in North Fair Oaks which are zoned Commercial Mixed Use-3 (CMU-3).

SECTION 6570.1 PURPOSES.

1. Promote and enhance the creation of an attractive commercial and residential mixed-use district accessible by a variety of transportation modes, including private vehicles, transit, bicycling, and walking.
2. Provide commercial areas intended primarily for the location of locally-oriented trades and services to meet the needs of both surrounding residential areas.
3. Provide higher-density multifamily housing to address the local and regional need for housing at all income levels.
4. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts.
5. Protect the functional and economic viability of commercial and residential mixed-use areas by restricting incompatible land uses.
6. Support and strengthen the local economy by providing trade and employment opportunities.
7. Implement the policies of the North Fair Oaks Community Plan and the San Mateo County General Plan.

SECTION 6570.2 RELATIONSHIP TO NORTH FAIR OAKS COMMUNITY PLAN. The provisions of this Chapter implement the San Mateo County General Plan, specifically the North Fair Oaks Community Plan. The North Fair Oaks Community Plan has been adopted by the Board of Supervisors as the land use plan for North Fair Oaks, which should be used to provide further guidance in complying with the requirements of this Chapter, and to design and evaluate development proposals for unincorporated North Fair Oaks. However, where any standards or requirements of this Chapter conflict with any provision of the Community Plan, this Chapter shall take precedence and govern.

SECTION 6570.3 DEFINITIONS.

1. Administrative, Professional and Business Offices. Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other

business offices.

2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.
4. Appurtenance. Structural and utility apparatus(es) associated with a principal feature or function.
5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical supports that may be columns or pilasters.
8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building envelope is the theoretical maximum volume allowed.
10. Building Opening. Any aperture within of a solid wall, which may be used to provide a window, a group of windows, a door, or garage door.
11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.
12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Façade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).

16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.
17. Control Joints. A deep narrow recess provided within ridged materials to direct the location of cracking as thermal expansion and contraction occurs.
18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.
23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.
25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.
26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.

32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.
33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.
34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
 - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
 - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
 - c. Value-Added Farm Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.
36. Finished Grade. The elevation of the finished surface of the ground.
37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.

41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.
42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.
45. Garage Opening. A form of building opening that provides access to motorized vehicles.
46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.
47. Ground-Floor Façade. That part of the façade (exterior wall with associated elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.
48. Interior Corner. A concave corner that projects inward toward the building volume to which it is associated.
49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade, Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per

business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.

53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.
57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating, compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.
58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.
59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.
62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.
63. Mullion. A narrow length of wood or other material located between window lites, and including a narrow length of material applied to a single pane of glass to simulate individual window lites.

64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution.”
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.
66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.
68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.
69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with two or more stories.
72. Parking Lots and Parking Garages. Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.
73. Personal Convenience Service Establishments. Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.
74. Pet Sales and/or Grooming Establishments. Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building.

Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.

75. Pilaster. A vertical pier that is integrated with, and projects slightly forward from, a wall.
76. Porch. An outside landing immediately adjacent to a building entrance and sheltered by a roof.
77. Religious Facilities. Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and temples.
78. Restaurants. Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.
79. Retail Cleaning Establishments. Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry-cleaning pick-up stores with limited equipment and laundromats where coin-operated washers and dryers are provided for self-service to the public.
80. Screened. To conceal, partly conceal, and/or separate an object to eliminate or reduce its visual prominence.
81. Service Area. An open or enclosed area principally used for refuse/recycling service and may also contain mechanical equipment and access by trucks for loading, maintenance, and building operations.
82. Shingle. A thin piece of material laid in overlapping rows to cover the roofs and walls of buildings.
83. Sloped roof. A roof that is not flat, and typically hipped or gabled.
84. Small Collection Facilities for Recyclable Materials. A small collection facility occupies an area of not more than 500 sq. ft., is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.
85. Spandrel Glass. Opaque glass that conceals what is behind it, often used to hide structural building components and utilities.
86. Standing Seam. A manner of joining flat panels with an interlocking edge that stands

forward of the principal surface.

87. Stoop. An outside landing immediately adjacent to a building entrance but not sheltered by a roof.
88. Surface parking. Parking that is not enclosed at finished grade.
89. Theaters. Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.
90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto property from a public right-of-way.
92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.
95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

SECTION 6570.4 PERMITTED USES.

1. Permitted development types and uses, and permit requirements for each type and use, are presented in the following table and as follows:
 - a. Nonresidential Development. All types of entirely non-residential development shall be permitted only upon approval of a Use Permit.

Residential Development. No use permit is required for entirely residential development.
 - b. Mixed-Use Development. Mixed-Use Development with ground floor non-residential and residential above the ground floor is subject to the highest planning permit required for the specific non-residential uses in the development. If none of the discrete uses in the project require a planning permit, no such permit is required for the project.
2. For projects requiring no use permit, decisions on all associated approvals, including grading and land clearing permits, tree removal permits, and others shall be made at the staff level, based on the criteria established in the relevant regulations, and no hearings shall be required.

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
A. RESIDENTIAL USE CLASSIFICATION 1. Dwellings, Multiple	None
B. COMMERCIAL AND OFFICE USE CLASSIFICATION 1. SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES a. Personal Convenience Service Establishments b. Retail Cleaning Establishments c. Pet Sales and/or Grooming Establishments d. Veterinary Hospitals for Small Animals e. Massage Businesses	None None Use Permit Use Permit Use Permit
2. VISITOR SERVING TRADES AND SERVICES a. Hotels b. Theaters c. Performing Arts Centers	Use Permit Use Permit Use Permit
3. RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS a. Food and Beverage Stores b. Liquor Stores c. Indoor Retail Sales, Rental or Repair Establishments d. Mobile Vending and Food Trucks	None Use Permit None Use Permit

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
4. FOOD SERVICES a. Bars b. Restaurants c. Food Establishments Specializing in Take- Out Service	 Use Permit Use Permit None
5. OFFICES, PROFESSIONAL SERVICES a. Administrative, Professional and Business Offices generally b. Real Estate Agency and Sales c. Insurance Sales d. Medical and Dental Offices e. Financial Institutions f. Non-Chartered Financial Institutions	 Use Permit None None None None Use Permit ¹
6. INDOOR RECREATION FACILITIES a. Indoor Exercise and Leisure Facilities: Small b. Indoor Exercise and Leisure Facilities: Large	 None Use Permit
C. INDUSTRIAL USE CLASSIFICATION	
1. LIGHT INDUSTRIAL/PDR	None
D. INSTITUTIONAL USE CLASSIFICATION	
1. NEIGHBORHOOD INSTITUTIONAL FACILITIES a. Community Centers b. Child Care Centers c. Religious Facilities d. Educational Facilities	 Use Permit None Use Permit Use Permit

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
E. ACCESSORY USE CLASSIFICATION	
1. RESIDENTIAL ACCESSORY USES Home Occupations	Home Occupation Certificate ²
2. LIMITED KEEPING OF PETS Limited Keeping of Pets	None
F. SMALL COLLECTION FACILITIES FOR RECYCLABLE MATERIALS	None
G. OTHER USE CLASSIFICATION	
1. COMMUNITY GARDENS	None
2. PARKING Stand-alone Parking Garages	Use Permit
3. OTHER COMPATIBLE USES Other Compatible Uses	To Be Determined by Community Development Director
¹ Subject to additional performance requirements including, but not limited to, those contained in Section 6251(f)(8) of these Zoning Regulations.	
² Subject to additional performance requirements including, but not limited to, those contained in Section 6102.46 of these Zoning Regulations.	

SECTION 6570.5 DEVELOPMENT STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area and Width. The minimum parcel area shall be 5,000 sq. ft., except for multi-family attached residential ownership development, which shall have no minimum parcel area. Minimum parcel width shall be 100 feet, except for attached ground floor ownership housing, for which there shall be no minimum parcel width.
2. Maximum Residential Density. The maximum density of residential uses shall be governed by the standards in the North Fair Oaks Community Plan Chapter 2 - Land Use.

3. Maximum Nonresidential Building Floor Area. The maximum building floor area of nonresidential uses shall be 150 percent of the total parcel area. Maximum nonresidential building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel dedicated to nonresidential uses, excluding non-habitable space, as measured from the outside face of all exterior walls. Parking areas, including fully or partially enclosed areas dedicated to parking, shall be excluded from maximum building floor area.

4. Building Setbacks and Stepbacks.

a. The minimum building setbacks shall be:

<u>Front and Street Side Setbacks</u>	<u>Interior Side Setback</u>	<u>Rear Setback</u>
Facing Middlefield Road: 0 feet	5 feet adjacent to R-1	10 feet
Facing Huntington Ave.: 5 feet	Zoned District,	
All other streets: A minimum setback to provide an 8-foot-wide sidewalk measured from back of curb	otherwise 0	

- (1) Parcels facing Middlefield Road must be developed with Middlefield Road frontage, with front and rear required setback and stepback determined by this orientation.
- (2) Balconies, building bays, eaves and bay windows, may project up to 3 ft. into the required front setback of residential and mixed-use buildings above fifteen feet in building height, but may not obstruct the public right of way.
- (3) Signage and awnings may extend up to five feet into setbacks.

b. Stepbacks.

- (1) Front and Street Side Stepback, Huntington Avenue. For parcels with a front or street side frontage along Huntington Avenue, a minimum stepback shall be provided at or below 20 feet in building height that in combination with the ground floor setback measures at least 10 feet from the front property line.
- (2) Rear Stepback. A minimum stepback shall be provided at or below 20 feet in building height that in combination with the ground floor setback measures at least 20 feet from the rear property line. The stepback may be used for residential balcony space adjacent to the building.

5. Setback and Stepback Exceptions.

At the Community Development Director's discretion, minor exceptions to the required setbacks and stepbacks described above may be granted, on the Director's finding that the combined setbacks and stepbacks proposed meet, in aggregate, the intent and purpose of the setback and stepback requirements, and the purpose of the North Fair Oaks Community Plan.

At the Community Development Director's discretion, building elements intended to meet the façade articulation design intent of the North Fair Oaks Community Plan may be allowed to encroach into setbacks at and above the ground floor, if the Director finds that such encroachment is minor, and will not diminish the purpose of providing continuous public-rights-of-way.

6. Building Height. The maximum building height shall be:

- a. For parcels, or any portion thereof, which fall within one quarter mile of the crossing of Middlefield Road and the Dumbarton Rail track, except for properties along the southwest side of Middlefield Road: 70 feet
- b. For parcels located between Second Avenue and Fifth Avenue: 50 feet
- c. For parcels located on the south side of Middlefield Road, directly adjacent to residentially-zoned parcels: 60 feet. The minimum building height is three stories, except in the case that a Use Permit is secured.
- d. Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above. Chimneys, pipes, elevator shafts, mechanical equipment and screening, antennae, and other similar structures may extend beyond the normal maximum height by up to 10 feet as required for safety or efficient operation. Architectural features on buildings located on corner parcels, such as cupolas and turrets, which have a width and depth not greater than 20 feet, may extend up to 10 feet beyond the normal maximum height.

7. First Floor Height. The first floor height of any vertical mixed-use or nonresidential building must be 15 feet or greater, measured from floor to ceiling.

8. Signs

a. Prohibited Signs. The following signs shall be prohibited:

- b.
 - (1) Any sign that, because of its location, construction, colors, or operating characteristics, can be confused with or obscure a traffic control device or emergency vehicle.
 - (2) Signs having animated, moving, rotating, inflatable, or flashing parts.

- (3) Signs emitting intense and focused beams of light, including beacons.
 - (4) Off-premises signs.
 - (5) Abandoned signs.
 - (6) Billboards.
 - (7) Any sign that because of its location, construction or other characteristics will impede pedestrian movement or safety or will limit transparency of ground floor non-residential use.
- c. Maximum Number of Signs. The maximum number of signs allowed on a parcel is one sign per parcel, or one sign per each 200 feet of parcel street frontage, or one sign per use, whichever is greatest.
 - d. Maximum Total Sign Display Area. The maximum total display area for all signs on a parcel is three-quarters square foot per foot of parcel street frontage.
 - e. Maximum Window Sign Area. Signs located within windows and visible to the public shall not exceed 25% of the area of the window within which the sign is located. Window sign area does not count towards Maximum Total Sign Display Area.
 - f. Maximum Sign Height. The maximum height of signs on a parcel is as follows:
 - (1) Attached signs shall not exceed the height of the building or structure to which the sign is attached and shall not extend above the roofline.
 - (2) Freestanding signs shall not exceed fifteen (15) feet.
 - g. Sign Projection. Attached signs shall not project more than five feet from the building or structure to which the sign is attached. Attached or freestanding signs shall not project beyond any parcel boundary except signs may project into the public right-of-way subject to the approval of the Director of Public Works, and on El Camino Real, subject to the approval of Caltrans.
 - h. Sign Design. The design of signs on the parcel shall reflect the architectural design of the building or structure with which the sign is associated, and incorporate unifying colors, materials, and features.

SECTION 6570.6 DESIGN STANDARDS. Development shall comply with the building and site design standards described in this section.

- 1. Minor Design Exceptions. A minor design exception from the standards in this section may be granted by the Director of Planning and Building upon a finding by the Director that the exception 1) is necessary for compliance with the building and site design requirements; 2) will not jeopardize public safety; 3) promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San

Mateo County General Plan Policy 4.15 will be compatible with the neighborhood surrounding the parcel, and 4) will not be detrimental to the public welfare. The Director may require modifications to the proposed exception, including design, location, materials, colors, and landscaping requirements. The Director's decision on an exception authorized by this Section shall not require a public hearing. The Director's decision may be appealed to the Planning Commission.

2. Major Design Exception. The Planning Commission, at a public hearing, may grant a Use Permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.
3. Public Right-of-Way Improvements Required of Private Development
 - a. Sidewalks
 - (1) Create continuous accessible public sidewalks consistent with the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations). A 5-foot wide uninterrupted path of travel shall be provided, which is free from fixed obstructions, including street trees, bike racks, trash receptacles, poles, and above-grade utilities.
 - (2) Provide a minimum 8-foot-wide sidewalk measured from back of curb.
 - (3) Sidewalks shall be constructed according to specifications that can be obtained from the San Mateo County Department of Planning & Building.
 - b. Street Trees
 - (1) Development shall provide street trees along public sidewalks that abut the project, except to provide the following setbacks: at least 20 feet from a street intersection, as measured from the corner of a property and parallel with the property line); at least 10 feet from poles, driveways, or utilities (above- and below-grade); and at least 20 feet from an existing street tree.
 - (2) Where street trees are required, street trees shall be planted not more than 35 feet on-center, as measured parallel to the curb, except where precluded by required setbacks.
 - (3) Street trees shall be planted not less than 24 inches from face of curb to center of tree.
 - (4) Street trees shall be centered within tree wells that have minimum clear dimension of 4 feet.
 - (5) The surface adjacent to street trees shall be flush with the sidewalk by providing a metal tree grate, compacted decomposed granite, or sand-set paving stones.

- (6) Tree size at planting shall have a caliper of at least 1 inch and be accompanied by a 15-gallon or larger container.
- (7) Street tree species shall be selected from a street tree list that can be obtained from the Department of Planning & Building.
- (8) Street tree installation shall conform to San Mateo County standards.
- (9) Installed trees shall be watered for at least 3 years.

c. Curb Cuts and Driveways

- (1) Development sites with street frontage along Middlefield Road shall not provide vehicular access from these streets if vehicular access can be provided via another public street or a public alley.
- (2) Curb cuts and driveways shall have a width of at least: 20 feet if used for commercial loading; 20 feet if the project has 11 or more on-site parking spaces; and 15 feet if not used for loading and the project has 10 or less on-site parking spaces.
- (3) The minimum distance between a driveway to a pole, utility box, or other vertical obstruction, shall be at least 2 feet.

d. Bike Racks and Refuse Receptacles

- (1) Bike racks shall be oriented so bikes will be parked parallel with the curb.
- (2) For projects with over 50 feet of street frontage on Middlefield Road, shall provide at least one metal refuse receptacle along the street frontage.

e. Utilities

- (1) Install any new distribution lines underground, including connections between buildings and utilities and modifications to existing utilities.
- (2) Utility trenches shall be located at least ten feet from trees.

f. Alleys

- (1) Projects that rely on vehicular access from a public alley, shall be responsible for making pavement repairs from between the point of site access to the street(s) to which the alley connects.
- (2) Stop signs shall be installed at alley-street intersections in the direction of alley egress.

5. Building and Site Design Standards for Private Development

a. Building Design and Orientation

- (1) All Front and Street Side Facades. For all facades that face a front or street side property line with no intervening building, the following standards shall apply.
 - (a) For each front and street side property line, one or more ground-floor building facades shall be built to within fifteen (15) feet of the front and street side property line for a distance not less than sixty-five percent (65%) of the property line's length, except where to do so would preclude: utilities, required building setbacks and/or allowable vehicle access.
 - (b) Ground-floor walls shall not extend for a width of more than 40 feet without being interrupted by a window, door, or garage opening.
 - (c) Windows with unobscured glass shall comprise not less than twenty-five percent (25%) of the upper-floor façade area.
 - (d) That part of bay windows (and associated walls) and/or balconies (and associated railings) that extend eighteen (18) inches or more from the facade shall comprise not less than ten percent (10%) of the upper-floor façade area.
 - (e) A horizontal cornice shall be constructed at a level that is above the floor of the uppermost level. The cornice shall extend beyond the façade by not less than three (3) inches for a height not less than eleven (11) inches.
- (2) Ground-Floor Commercial and Office Front Facades. For ground-floor facades that face a front property line with no intervening building, the following standards shall apply.
 - (a) Entrances to a ground-floor commercial or office space shall have uninterrupted pedestrian access from a public sidewalk.
 - (b) An entrance to a ground-floor commercial or office space shall occur every 100 feet or less.
 - (c) Doors to a ground-floor commercial or office space shall be recessed at least 3 feet from the front façade.
 - (d) Not less than sixty percent (60%) of each ground-floor commercial or office façade shall be comprised of windows with clear glass and/or doors, within the façade area between 2.5 and 8 feet above grade. Ground-floor windows that count toward this requirement shall have

- clear glass and accompanied by: adjacent interior space that is unobstructed by walls or cabinets for a depth of at least 10 feet; and/or a display window case having a depth of at least three (3) feet, and with recessed ceiling lights or ceiling-mounted lights.
- (e) Ground-floor entrances and windows shall be framed by columns and/or pilasters that are spaced not more than 25 feet apart.
 - (f) Ground-floor windows shall be set above a wall that is at least 18 inches in height.
 - (g) Ground-floor windows shall be sheltered from above by an exterior awning and/or rigid canopy, which extends horizontally at least three (3) feet from the front façade. The bottom of awnings and canopies shall be at least 8 feet above finished grade.
 - (h) A ground-floor commercial or office space shall have a depth of not less than twenty (20) feet as measured from front façade and have a minimum height of 15 feet measured from floor to ceiling.
 - (i) The top of a ground-floor commercial or office façade shall be accompanied by a horizontal cornice located between fifteen (15) feet and twenty-five (25) feet of finished grade. To comply with this requirement, the cornice shall extend vertically beyond the façade by not less than three (3) inches and have a height of not less than eleven (11) inches.
 - (j) A ground-floor commercial or office space shall include connections for water, wastewater and electricity, as well a vent for food service preparation.
- (3) Residential Front Facades. For residential facades that face a front property line with no intervening building, the following standards shall apply.
- (a) Residential entrances shall have uninterrupted access from a public sidewalk.
 - (b) Residential entrances shall be accompanied by one of the following: a porch covered entirely by a roof; a stoop with a doorway that is recessed by at least two (2) feet; or an interior lobby. The landing or floor for these features shall have an unobstructed (clear) width of not less than four (4) feet.
 - (c) The elevation of the lowest residential floor shall be raised above finished grade by at least two (2) feet if within 5 feet of a front property line, and at least one (1) foot if within 10 feet of a front property line.

- (d) At least twenty-five percent (25%) of each residential ground-floor façade shall be comprised of clear windows and/or doors with windows. Ground-floor windows that count toward this requirement shall be clear.
- (e) Windows for residential ground-floor living space shall have a sill height of at least 3 feet above floor level.

b. Building Elements & Materials

(1) Windows

- (a) Exterior windows for inhabited space shall use clear glass having at least 90 percent light transmission within the visible spectrum, and shall not be mirrored or frosted, except for bathroom and utility room windows.
- (b) Window glass shall be recessed at least 2 inches from the adjacent trim or from the façade if no trim is used.
- (c) Window mullions shall not be behind glass when viewed from the outside.
- (d) Rooms with exterior windows shall include at least one operable window, except where fixed windows are required to mitigate noise or air quality impacts.

(2) Exterior Finishes

- (a) Where visible, the same exterior material shall be used around outer/convex corners in both horizontal directions for at least four (4) feet or until the material meets an interior/concave corner.
- (b) Where visible, corner boards, corner panels, L-channel metalwork, or other concealment shall be used at outer/convex corners where board ends or veneer edges would otherwise be revealed.
- (c) Prohibited exterior finishes include: unfinished cinder block; unfinished cement block; corrugated metal siding; and mirrored glass.
- (d) An anti-graffiti coating shall be applied to the portions of ground floor walls within 15 feet of public sidewalks.

(3) Roofs.

- (a) Sloped roofs shall be accompanied by an eave that extends beyond the façade by not less than eighteen (18) inches.

- (4) Roof-Mounted Mechanical Equipment
 - (a) Mechanical equipment located on a roof, shall be: entirely recessed within a sloped roof, and/or surrounded on all sides by an opaque parapet with a top edge as high as topmost point of the equipment.
 - (b) The following are exempt: solar panels, wireless communications equipment, window cleaning systems, equipment required by fire departments and other public agencies, and appurtenances associated with the above.

c. Site Features

- (1) Walls & Fences
 - (a) Walls along interior property lines. A masonry wall that is 6 to 8 feet in height shall be erected along any interior side and rear property lines, except within fifteen (15) feet of the street-facing property line.
 - (b) Where visible and within 15 feet of street-facing property lines, fences shall not exceed 4 feet in height, masonry walls are not permitted, and chain link and corrugated fences are not permitted.
 - (c) Where visible and within 15 feet of street, chain link and corrugated metal fences are prohibited.
- (2) Mechanical Equipment
 - (a) Mechanical equipment located in a street-facing building setback shall comply with utility provider standards and shall be: in a vault that is entirely below finished grade; or surrounded on sides facing and perpendicular to the street by an opaque fence or gate, which have a height not less than 6 inches above topmost point of the equipment.
 - (b) If utility provider requirement conflict with design standards, then utility provider requirements shall take precedence.
- (3) Vehicle Access and Parking
 - (a) Development sites with street frontage along El Camino Real or on Middlefield Road shall not provide a driveway from these streets if vehicle access can be provided by way of another public street or a public alley.
 - (b) Driveways and garage entrances shall not exceed a width of 25 feet.
 - (c) Surface parking spaces shall be set back at least 15 feet from a street right-of-way and shall be screened by a fence or wall that is at 3-4 feet

in height, and/or shrubs expected to grow to a height of at least 3 feet at maturity.

(4) Refuse and Recycling Collection Areas

- (a) Every project shall have not less than one (1) refuse and recycling collection area.
- (b) Refuse and recycling collection areas shall not be less than ten (10) feet wide and ten (10) feet deep.
- (c) Refuse and recycling collection area shall be accompanied by a direct unobstructed access by collection crews along a paved path that is not less than five feet in width.
- (d) Refuse and recycling collection areas shall not be located within 20 feet of a street right-of-way, unless entirely enclosed within a building and where building openings for access are accompanied by a gate or doors.
- (e) Refuse and recycling collection areas that are not within a building shall be fully enclosed by a solid wall or opaque fence between six (6) feet and eight (8) feet in height, except to provide access on one side. Openings for access shall be accompanied by a gate not less than 4 feet in height.

(5) Loading Areas

- (a) One (1) on-site loading space is required for new retail sale, hotel, and/or theater space with a combined net floor area exceeding 10,000 square feet. For each additional 40,000 above 10,000 square feet, one additional loading space shall be provided.
- (b) Loading areas shall not extend into street rights-of-way, nor shall associated truck parking aprons.
- (c) Each required loading space shall be at least 10 feet wide and 25 feet long, exclusive of driveways, aiseways, or turnaround areas. Loading space access shall provide not be less than fifteen (15) of vertical clearance.

d. Utilities

- (1) All projects shall install any required new distribution lines underground, including connections between buildings and utilities or modifications to existing utilities. Utility trenches shall be located not less than five (5) feet from trees being preserved.

e. Landscaping

- (1) Not less than 90% of those portions of site area that are within fifteen (15) feet of a street-facing property line and are not occupied by a building, vehicle access, utilities, play areas, dining area, seating area, or required site feature, shall be landscaped.
- (2) Projects with a combined landscaped area exceeding 500 square feet shall be consistent with the County's Water Efficient Landscape Ordinance.

SECTION 6570.7 PERFORMANCE STANDARDS. No use may be conducted in a manner which, in the determination of the Community Development Director, does not meet the performance standards below. Measurement, observation, or other means of evaluation shall be made at the limits of the property, unless otherwise specified.

1. Noise. No use will be permitted which generates noise levels that exceed San Mateo County Ordinance Code Noise Control standards (see Ordinance Code Chapter 4.88).
2. Lighting. All exterior and interior lighting shall be dark-sky compliant and designed and located so that direct rays and glare are confined to the premises, with the exception of lighting on the front building façade which may light the public sidewalk. Flood lights shall be prohibited, unless an applicant demonstrates to the satisfaction of the Community Development Director that such additional lighting is necessary for public health and safety.
3. Trash and Debris. All trash, boxes, or similar debris shall be picked up on a regular basis and stored in refuse containers that are screened from public view.
4. Stormwater Management. Projects shall conform to San Mateo County Stormwater Pollution Prevention Program's C.3 Technical Guidance in the design and location of buildings and other site features.
5. Transportation. Development projects that generate at least 100 average daily trips (ADT) shall adhere to the City/County Association of Governments of San Mateo County (C/CAG) TDM Policy, which requires applicants to submit a TDM Checklist with their development application that lists measures to be implemented to mitigate traffic impacts at desired trip reduction target thresholds. San Mateo County staff will notify C/CAG of any new development project within its purview that is estimated to generate at least 100 ADT within ten days of receipt of an application.
6. Mitigation Measures. Projects shall implement all applicable mitigation measures contained in the North Fair Oaks Rezoning and General Plan Amendment Project Final EIR (2023).

SECTION 6570.8 PARKING. Projects shall provide parking as required by Chapter 3 of the Zoning Regulations, except as provided below:

1. Section 6119, Parking Spaces Required. Section 6119 shall be governed by Table 1 in this Section 6570.8, which sets forth the minimum number of off- street parking spaces required. Parking spaces required by Table 1 may also be modified by the amounts set forth in the Shared Parking and Off-Site Parking regulations in this Chapter. For uses not listed in Table 1, the provisions of Section 6119 shall apply.
2. Section 6118(a), Size and Access. Notwithstanding Section 6118(a), a maximum of 25% of the parking spaces required by Table 1 may be compact parking spaces with an area of 128 sq. ft. and minimum dimensions of 8 ft. in width by 16 ft. in length. Parking stall height shall be no less than 7 ft. and 2 in. from the parking surface to ceiling fixtures, pipes, or structural elements. Accessible parking stalls shall have a height of no less than 8 feet and 4 inches to ceiling fixtures, pipes, or structural elements. The Community Development Director shall approve the height of all parking stalls with mechanical lifts.
3. The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted within enclosed parking areas. The platform of the mechanical lift on which the automobile is first placed shall be individually accessible and shall be placed so that the location of the platform and drive aisles ensures adequate provision for ingress and egress to all parking spaces in the platform system. The lift equipment or computerized parking structure shall meet all applicable building, mechanical, and electrical code requirements as approved by the Building Official.

<u>TABLE 1</u> REQUIRED PARKING		
USE	PARKING GENERATING FACTOR	PARKING SPACES REQUIRED
1. Residential		
Townhouses Dwellings, Multiple	Dwelling Unit Parking: 0-1 bedrooms 2+ bedrooms	1 covered 1.5 covered
	Dwelling Unit Parking in a Mixed-Use Development: Each dwelling unit	1 covered
	Affordable Housing Parking: (Developments eligible for density bonus) 0-1 bedrooms	0.5 covered or uncovered
	2 bedrooms	0.75 covered or uncovered
	3+ bedrooms	1 covered or uncovered
	Bicycle Parking: Each Dwelling Unit	0.25
	Public Bike Parking: Each 35 feet of street frontage	2

2. Commercial/Office		
All uses listed under the "Office and Professional Services" in Section 6568.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under "Specialized Neighborhood Trades and Services" in Section 6568.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under "Retail Sales, Rental or Repair Establishments," in Section 6568.3, Uses Permitted	Up to 400 sq. ft. and each 400 sq. ft. thereafter	1 covered or uncovered
All uses listed under "Indoor Recreation Facilities" in Section 6568.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
All uses listed under "Food Services" in Section 6568.3, Uses Permitted (Restaurants, Bars, Food Establishments Specializing in Take- out Service)	Up to 250 sq. ft. and each 250 sq. ft. thereafter	1 covered or uncovered
Any Commercial, Office and/or Food Service Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,000 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2
3. Industrial		
Any Industrial Use	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,500 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2

4. Institutional and Other		
All uses listed under the “Institutional Use Classification” in Section 6568.3, Uses Permitted	Up to 500 sq. ft. and each 500 sq. ft. thereafter	1 covered or uncovered
Any Institutional or Other Use in this subsection in a Mixed-Use Development	Up to 1,000 sq. ft. and each 1,000 sq. ft. thereafter	1 covered or uncovered
	Private Bicycle Parking: Each 1,500 sq. ft.	1
	Public Bike Parking: Each 35 feet of street frontage	2

SECTION 6570.9. ALTERNATIVE PARKING APPROACHES. The total number of parking spaces required per Section 6570.8 may be reduced in accordance with the following provisions.

1. Shared Parking

- a. Applicability. Subject to this section’s requirements and the securing of a Use Permit in accordance with the provisions of Section 6503, an applicant may apply for authorization for shared parking to meet the minimum parking requirements for shared parking facilities serving more than one use on a site, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.
- b. Analysis Required. In addition to the procedures established in Section 6503, requests for shared parking shall comply with this Section’s standards and criteria. A parking analysis shall be submitted as part of the application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a qualified professional. A shared parking study shall, at a minimum address:
 - (1) The intensity and type of activities and the composition of uses;
 - (2) Hours of operation of each separate use;
 - (3) The rate of turnover for proposed shared spaces;
 - (4) Distances of shared parking spaces from the uses they serve; and
 - (5) The anticipated peak parking and traffic loads for the site.
 - (6) Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.

If the shared parking spaces are located on a different parcel than the primary use(s) served, such off-site spaces shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.

- c. Findings Required. Issuance of a Use Permit authorizing shared parking may reduce the total number of spaces required by this Chapter, if the deciding body issuing the Use Permit makes all of the following findings, in addition to the findings required in Section 6503:
- (1) The spaces to be provided will be available as long as the uses requiring the spaces are in operation;
 - (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
 - (3) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if shared parking is not provided; and
 - (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, is submitted, and that the agreement includes:
 - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use or property ownership of shared parking will require immediate written notification to the County Planning and Building Department;
 - (b) A guarantee among the property owner(s) for access to and use of the shared parking facilities, including provisions for transfer of shared parking rights to new property owners if property on which shared parking is located changes ownership;
 - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
 - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, modify, amend, or terminate the Use Permit and/or agreement at any time.

2. Off-Site Parking

- a. Applicability. Subject to this section's requirements and the securing of a Use Permit in accordance with the provisions of Section 6503, required parking may be located on a parcel different than the primary use for which the parking is provided ("off-site parking").
- b. Standards Required. In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for off-site parking shall comply with this Section's standards and criteria.
 - (1) Parking requirements may be satisfied by the provision of parking on another parcel, if dedicated access to the off-site spaces is demonstrated by ownership or a current lease. Changes in ownership, or termination of leases that infringe dedicated access to any of the required parking spaces, shall result in revocation of the Use Permit until the parking deficiency is remedied.
 - (2) Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
 - (3) In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.
- c. Findings Required. A Use Permit authorizing off-site parking may be approved if following findings are made, in addition to the findings required in Section 6503:
 - (1) The off-site spaces will be available as long as the uses requiring the spaces are in operation;
 - (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
 - (3) The quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
 - (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
 - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand of the revised project and any necessary updates to the written agreement;

- (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
- (c) A provision that the County may require parking facilities in addition to those originally approved, upon a finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
- (d) A provision stating that the County, acting through the Planning Commission, may, for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or agreement at any time.

d. Exceptions

In addition to the ability to obtain a Use Permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6570.8. The Community Development Director may grant an exception to modify the number of bicycle parking spaces required, the location of bicycle parking requirements, and/or the design of bicycle parking, if the applicant demonstrates that at least one of the following conditions exist:

- (1) The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.
- (2) Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6570.8.

Existing & Recommended Parking Rates *(W-Trans based on comparables)*

PARKING REQUIREMENTS, NORTH FAIR OAKS						
		CMU-1 NMU-ECR	CMU-2	CMU-3	NMU	Proposed
RESIDENTIAL USE						
Multifamily & Townhouse (RESIDENTIAL ONLY)	<i>Space Per Dwelling Unit</i>					
	0-1 bedrooms	1	1	1	1	Unchanged
	2 bedrooms	1.5	2	2	1.5	1.5
	3+ bedrooms	2	2	2	1.5	1.5
Multifamily (PART OF MIXED-USE PROJECT)	<i>Space Per Dwelling Unit</i>					
	0-2 bedrooms	1	1	1	1	Unchanged
	3+ bedrooms	2	1	1	1	1
Multifamily (AFFORDABLE HOUSING)	<i>Space Per Dwelling Unit</i>					
	0-1 bedrooms	1	0.75	0.75	1	0.5
	2 bedrooms	1	1	1	1	0.75
	3+ bedrooms	1.5	1.5	1.5	1	1
Visitor Parking	<i>Space Per Dwelling Unit</i>	0.25	0.25	0.1	0.25	0
Bicycle Parking	<i>Space Per Dwelling Unit</i>	0.25	0.25	0.25	-	0.25
Public Bike Parking	<i>each 35 feet of frontage</i>	2	2	2	-	2 Zero in NMU
EV Charging Stations	<i>10% (same as CALGreen)</i>					CALGreen

COMMERCIAL AND OFFICE USE	<i>per 1,000 square feet</i>					
Offices, Professional Services		2.5	2	2	2.5	2
Specialized Neighborhood Trades & Services		4	3.33	3.33	4	2.5
Retail Sales, Rental or Repair Establishments		4	3.33	3.33	4	2.5
Indoor Recreation Facilities		2.5	2.5	2.5	2.5	2
Food Services		5	4	4	10	Unchanged
Commercial, Office Food Service in Mixed Use		1.177	1.177	1.177	1	1
Public Bike Parking	<i>each 35 feet of frontage</i>	2	2	2	n/a	Unchanged
EV Charging Stations	<i>effectively 10% of total</i>				n/a	CALGreen
INSTITUTIONAL AND OTHER	<i>per 1,000 square feet</i>					
Community Centers, Child Care Centers, Religious Facilities, Educational Facilities		2.5	2.5	2.5	2	2
Aforementioned Uses in a Mixed-use Development		1	1	1	1	Unchanged
Private Bicycle Parking		1	0.66	0.66		1
Public Bike Parking	<i>each 35 feet of frontage</i>	2	2	2		Unchanged
EV Charging Stations	<i>10% of total</i>					CALGreen
INDUSTRIAL USE	<i>per 1,000 square feet</i>					
Light Industrial, Production, Distribution, Repair (only allowed on ground floor of mixed use projects)	<i>not allowed</i>		1	1		Unchanged
Private Bicycle Parking			1	1		Unchanged
Public Bike Parking			2	2		Unchanged
EV Charging Stations	<i>effectively 10% of total</i>					CALGreen