

ORDINANCE NO. 4815
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

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AN ORDINANCE AMENDING THE SAN MATEO COUNTY ORDINANCE CODE (ZONING REGULATIONS), DIVISION VI, PART ONE, TO ADD A NEW CHAPTER 29.4, CMU-3 (COMMERCIAL MIXED USE-3) ZONING DISTRICT, AND TO AMEND CHAPTER 17, "M-1/NFO," CHAPTER 17, "M-1/EDISON/NFO," AND CHAPTER 29, "DESIGN STANDARDS AND SITE DEVELOPMENT PERMIT," AND AMENDING THE SAN MATEO COUNTY ORDINANCE CODE, DIVISION VI, PART ONE, CHAPTER 2, SECTION 6115 (ZONING MAPS) TO APPLY THE NEW AND AMENDED ZONING DISTRICTS TO SPECIFIED PORTIONS OF UNINCORPORATED NORTH FAIR OAKS

The Board of Supervisors of the County of San Mateo, State of California,

ORDAINS as follows

SECTION 1. The Board of Supervisors of the County of San Mateo ("County") hereby finds and declares as follows:

WHEREAS, in 2011, the San Mateo County Board of Supervisors adopted the North Fair Oaks Community Plan (Community Plan), establishing the goals and vision for the development of North Fair Oaks; and

WHEREAS, the Community Plan supports the community's vision of North Fair Oaks as a complete, vital community with an appropriate mix of housing, employment, and services to meet the needs of North Fair Oaks; and

WHEREAS, the Community Plan incorporates new land use categories for specified areas of the North Fair Oaks community, and establishes new development and design standards for those areas; and

WHEREAS, in order to fully implement the land use categories adopted in the Community Plan, the zoning for these areas must be amended; and

WHEREAS, in order for the zoning and underlying land use categories to be consistent, as required by law, the zoning for these areas must also be amended; and

WHEREAS, on adoption of the Community Plan, the Board of Supervisors directed the San Mateo County Planning and Building Department to prepare amended zoning designations to implement the land use categories in the Community Plan; and

WHEREAS, working closely with a group of local residents and stakeholders, and the North Fair Oaks Community Council, and with significant input from the community at large, the Planning and Building Department has prepared the final phase of zoning amendments, a new Commercial Mixed Use-3 (CMU-3) Zoning District and substantially amended M-1/NFO and M-1/Edison/NFO Zoning Districts, to implement the underlying land use categories of the Community Plan; and

WHEREAS, the proposed zoning is applicable to the currently commercially- and industrially zoned areas around Redwood Junction and along Middlefield Road and

Edison Way north of 5th Avenue, and the currently industrially zoned areas around Bay Road and Spring Street and along Edison Way south of 5th Avenue in unincorporated North Fair Oaks; and

WHEREAS, the Planning and Building Department has also prepared amendments to the existing Chapter 29, Design Review and Site Development Permit regulations applicable to the same areas, to ensure consistency between the zoning, the community plan, and the relevant design standards; and

WHEREAS, on May 23, 2019, the North Fair Oaks Community Council recommended adoption of said amendments to the Zoning Regulations; and

WHEREAS, on June 26, 2019, the Planning Commission conducted a hearing on the proposed amendments, and recommended that the Board of Supervisors adopt said amendments to the Zoning Regulations; and

WHEREAS, the amendments to the Zoning Regulations will ensure implementation of the goals and vision of the North Fair Oaks Community Plan, as reviewed and approved by the North Fair Oaks Community Council, the Planning Commission, and the Board of Supervisors; and

WHEREAS, the proposed amendments to the Zoning Regulations and associated zoning map amendments are within the scope of the North Fair Oaks

Community Plan Program Environmental Impact Report (EIR), and will result in no new impacts and will require no new mitigation measures, and thus pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15168, no additional environmental review is required;

NOW, THEREFORE, the Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

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SECTION 2. The San Mateo County Ordinance Code (Zoning Regulations), Division VI, Part One, is hereby amended to add Chapter 29.4, CMU-3 (Commercial Mixed Use-3) Zoning District as follows:

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, research and development, accounting, and other business offices.

2. Automobile Parts Stores

Indoor commercial establishments specializing in the sale of automobile parts and accessories, with no automobile repair work done on site.

3. 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.

4. 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 6102.62.5).

5. 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.

6. 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.

7. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

8. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students, including conservatories for the instruction of music and the arts.

9. 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.

10. 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, not including drive-through restaurants, wholesale bakeries or other large-scale food production or processing establishments.

11. 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 take-out service, but not including drive-through restaurants or businesses engaged exclusively in catering.

12. 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 (Section 6102.46).

13. 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.

14. Indoor Exercise and Leisure Facilities: Small

Facilities of 2,000 square feet 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.

15. 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.

16. 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.

17. Light Industrial and Production, Distribution and Repair (PDR)

Establishments which provide for wholesale and warehousing uses as well as those industrial uses that include fabrication, manufacturing, assembly or processing of materials that are in refined form and that do not in their transformation create smoke, gas, odor, dust, noise, vibration of earth, soot or lighting to a degree that is offensive when measured at the property line of subject property, nor create impacts on adjacent residential, commercial, or other uses. Light industrial and Production, Distribution and Repair uses include those uses defined in Zoning Regulation Section 6277.2.10, "Indoor Low to Moderate Impact Manufacturing" which do not substantially impact surrounding properties.

18. 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.

19. Liquor Stores

A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.

20. Massage Businesses

Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.

21. 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, acupuncturists, chiropractors, and associated prescription pharmacies.

22. 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.

23. 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.

24. Non-Chartered Financial Institution

Non-Chartered Financial Institutions as defined in Zoning Regulations Section 6567.2.22.

25. 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.

26. Performing Arts Centers

Facilities used for the presentation of live musical, dance, dramatic or other artistic performances.

27. Parking Garages

Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles within a structure.

28. 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, and barber shops.

29. Pet Sales, Supplies, 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.

30. Podium Parking. Surface level parking that is sheltered under an elevated building, often entirely enclosed.

31. Religious Facilities

Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples.

32. 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.

33. 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, except dry cleaners using hazardous materials, such as perchloroethylene or other hazardous materials, and laundromats where coin-operated washers and dryers are provided for self-service to the public.

34. Small Collection Facilities for Recyclable Materials

A small collection facility occupies an area of not more than 500 square feet, 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.

35. 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.

36. 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.

37. 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. All new uses and changes of use are subject to the following requirements:

- a. All new development projects not requiring a use permit must obtain a site development permit pursuant to Section 6566 et seq. for compliance with design review requirements, in addition to any other required planning permit. Other permits may be required by a combining district. Site development permits are not required for a change of use, regardless of other permit requirements.
 - b. Regardless of the permit required for new construction, any new use or change of use within an existing structure is governed by the permit requirements described for each use classification below.
 - c. Horizontal mixed use development is subject to additional standards, as described in Section 6394.9
2. Permitted development types and uses, and permit requirements for each type and use, are as follows:

| PERMITTED USES AND DEVELOPMENT TYPES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT ¹ |
|--|---|
| New Construction or Comprehensive Redevelopment of Existing Structures | |
| 1. <u>RESIDENTIAL DEVELOPMENT</u> | |
| A. <u>DWELLINGS</u> | |
| 1. Dwelling, Multiple (not as part of a mixed-use building) | |
| • On Middlefield Road | Use Permit |
| • Off Middlefield Road | None |
| 2. <u>MIXED-USE DEVELOPMENT</u> | |
| 1. Mixed-use development with ground floor non-residential and residential above the ground floor | None |
| 2. All other mixed-use development, including all types of horizontal mixed use development ³ | Use Permit |

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| <p>3. <u>ENTIRELY NON-RESIDENTIAL DEVELOPMENT</u></p> <p>All types of entirely non-residential development</p> | <p>Use Permit</p> |
| <p>New Uses or Changes of Use in Existing Structures</p> | |
| <p>4. <u>COMMERCIAL AND OFFICE USE CLASSIFICATION</u></p> <p>A. <u>SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES</u></p> <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 <p>B. <u>VISITOR SERVING TRADES AND SERVICES</u></p> <ol style="list-style-type: none"> 1. Hotels 2. Theaters 3. Performing Arts Centers | <p>None</p> <p>None</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p> |
| <p>C. <u>RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS</u></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</p> <p>Use Permit</p> <p>None</p> <p>Use Permit</p> |

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| <p>D. <u>FOOD SERVICES</u></p> <ol style="list-style-type: none"> 1. Bars 2. Restaurants 3. Food Establishments Specializing in Take-Out Service | <p>Use Permit Use Permit None</p> |
| <p>E. <u>OFFICES, PROFESSIONAL SERVICES</u></p> <ol style="list-style-type: none"> 1. Administrative, Professional and Business Offices generally 2. Real Estate Agency and Sales 3. Insurance Sales 4. Medical and Dental Offices 5. Financial Institutions 6. Non-Chartered Financial Institutions | <p>Use Permit</p> <p>Ground floor use in mixed-use residential building: None All other cases: Use Permit</p> <p>Ground floor use in mixed-use residential building: None All other cases: Use Permit</p> <p>Ground floor use in mixed-use residential building: None</p> <p>Ground floor use in mixed-use residential building: None All other cases: Use Permit</p> <p>Use Permit</p> |
| <p>F. <u>INDOOR RECREATION FACILITIES</u></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>5. <u>INDUSTRIAL USE CLASSIFICATION</u></p> | |

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| A. <u>LIGHT INDUSTRIAL/PDR</u> | Use Permit. Permitted only as a ground floor use in mixed-use projects |
| 6. <u>INSTITUTIONAL USE CLASSIFICATION</u> | |
| A. <u>NEIGHBORHOOD INSTITUTIONAL FACILITIES</u> | |
| 1. Community Centers | Use Permit |
| 2. Child Care Centers | None |
| 3. Religious Facilities | Use Permit |
| 4. Educational Facilities | Use Permit |
| 7. <u>ACCESSORY USE CLASSIFICATION</u> | |
| A. <u>RESIDENTIAL ACCESSORY USES</u> | |
| Home Occupations | Home Occupation Certificate |
| B. <u>LIMITED KEEPING OF PETS</u> | |
| Limited Keeping of Pets | None |
| 8. <u>SMALL COLLECTION FACILITIES FOR RECYCLABLE MATERIALS</u> | |
| | None |
| 9. <u>OTHER USE CLASSIFICATION</u> | |
| A. Community Gardens | Use Permit |
| B. <u>PARKING</u> | |
| Stand-alone Parking Garages | Use Permit |
| C. <u>OTHER COMPATIBLE USES</u> | |
| Other Compatible Uses | To Be Determined by Community Development Director |

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 in the case of 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. Building Setbacks and Stepbacks. The minimum building setbacks and stepbacks shall be determined by the parcel's location, as described below. Regardless of minimum setbacks, all projects must provide sufficient onsite open space to accommodate required low-impact development features, fire access, and other open space required by site conditions.

a. Setbacks:

| Parcel Location | Front Setback | Side Setback | Rear Setback |
|---|----------------------|--|--|
| Facing Middlefield Road; adjacent to R-Zoned District | 0 | On parcels with side street frontage, a setback sufficient in combination with existing sidewalk to create an 8-foot sidewalk measured from back of curb | For buildings with a required stepback as described in 6570.b, no setback for the ground floor podium; for all other buildings, 10 feet |
| Facing Middlefield Road; adjacent to non-R-Zoned District | 0 | On parcels with side street frontage, a setback sufficient in combination with existing sidewalk to create an 8-foot sidewalk measured from back of curb | For parcels without rear street frontage, either a 10-foot setback, or for buildings with a building podium as described in Section 6570.2.b, no setback for the ground floor podium; for parcels with front and rear street frontage, a setback sufficient in combination with existing sidewalk to |

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| | | | create an 8-foot sidewalk measured from back of curb at the non-Middlefield street side |
| All other parcels | A minimum setback sufficient in combination with existing sidewalk to create an 8-foot sidewalk measured from back of curb | For parcels with side street frontage, a setback sufficient in combination with existing sidewalk to create an 8-foot sidewalk measured from back of curb | For parcels without rear street frontage, 10 feet; for parcels with front and rear street frontage, minimum setback sufficient in combination with existing sidewalk to create 8-foot sidewalk measured from back of curb on rear street frontage |

b. Stepbacks.

1. Rear Stepbacks:

For parcels on Middlefield Road adjacent to R-Zoned Districts to the rear of the parcel:

- a. For buildings of 40 feet in height or less, no stepback
- b. For buildings greater than 40 feet in height with a podium, a minimum 10 foot stepback at the top of the building podium is required. The rear half of this stepback, closest to the building, may be used for residential balcony space.

For parcels on the north-east side of Middlefield Road:

- c. For parcels without rear street frontage and with a first floor podium, a minimum stepback that in combination with the rear setback equals 10 feet. In all other instances, no rear stepback is required.

2. Front Stepbacks:

For parcels on Douglas Avenue between Middlefield Road and San Mateo Avenue; on First Avenue between Middlefield Road and Edison Way; and on Edison Way between 1st Avenue and 5th Avenue:

- a. A 10-foot stepback immediately above the first building floor is required. However, any building set back at least 8 feet from the front property line shall only be required to provide a minimum 5 foot stepback either immediately above the first floor, or for buildings greater than 60 feet in height, either above the first floor or at 60 feet of building height.

No front stepbacks are required of projects in any other locations.

c. 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 standards described in Section 6566 of these regulations, "Design Standards and Site Development Permit," 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, as described in Section 6566.

3. Maximum Building Floor Area

- a. Maximum building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel. Maximum building floor area specifically includes: (1) the floor area of all stories, excluding non-habitable space, as measured from the outside face of all exterior walls, and (2) the area of all decks, porches, and balconies or other areas covered by a waterproof roof which extends four or more feet from exterior walls.
- b. The maximum building floor area for institutional uses shall be 100 percent of the parcel area, for commercial uses shall be 150 percent of the parcel area, for industrial shall be 75 percent of the total parcel area, and for mixed-use development shall be 200 percent of the parcel area. There shall be no floor area limitation for 100% residential projects.
- c. Parking areas, including fully or partially enclosed areas dedicated to

parking, shall be excluded from maximum building floor area.

- d. Mixed-use residential projects providing sufficient affordable housing to meet the requirements of the County's Inclusionary Requirement for Affordable Housing may receive relief from floor area limitations, consistent with the requirements of State Density Bonus law.

4. 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 shall be 36 feet, unless a use permit is obtained, pursuant to Section 6503.

Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above.

The Community Development Director may approve the following exceptions to height limits, if the exception is found to be consistent with the standards incorporated in the North Fair Oaks Community Plan:

- a. 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.
- b. Architectural features on buildings located on corner parcels, such as cupolas and turrets, and rooftop gardens on any parcel may extend beyond the normal maximum height.

5. First Floor Height. The first floor height of any vertical mixed-use building must be 12 feet or greater.

Height shall be measured as the vertical distance from any point on the finished grade to the topmost point of the building immediately above.

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.

7. Screening.

- a. Refuse, waste removal, and outdoor service/storage areas, where allowed, shall be screened with a six (6) foot solid wall or opaque fence/gate when the area is visible from a public right-of-way or residentially-zoned parcel.
- b. A minimum six (6), not to exceed eight (8), foot wall shall be erected along the entire common property line where a commercial or mixed use is adjacent to a residentially zoned parcel. Fencing along property lines shall be of opaque materials when visible from a public right-of-way or residentially zoned parcel. The Community Development Director may approve modifications to this standard.
- c. Mechanical equipment (e.g., air conditioning, heating, compressor, generator, venting units) or other utility hardware on the roof, ground, or buildings shall be screened with opaque and sound attenuating materials compatible with the building, when visible from or adjacent to a public right-of-way or residentially-zoned parcel.
- d. Fences, walls or screens shall not include barbed or concertina wire, or chain-link fence with or without slats.

8. Horizontal Mixed Use Development - Additional Standards.

Use Permits for horizontal mixed-use development may only be granted when the deciding body issuing the relevant use permit makes all of the following findings:

- a. The horizontal mixed use development is compatible with the surrounding uses, and will not detract from the commercial, pedestrian-oriented character of the street
- b. The horizontal mixed use development has been designed so as to most closely match the intent of mixed use development in this district, as described in Chapter 2 of the North Fair Oaks Community Plan;

- c. The horizontal alignment of the uses is necessary due to specific characteristics of the type or mix of uses in the proposed development, or due to the specific character of the parcel or location of the development; and
- d. Provision of the same uses in a vertical mixed-use design would be unduly costly, burdensome, or would not meet the intent of mixed-use development in this district, as described in Chapter 2 of the North Fair Oaks Community Plan.

SECTION 6570.6 DESIGN STANDARDS. Development must comply with the standards and procedures described in Section 6566, "Design Review and Site Development Permit."

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. Non-Chartered Financial Institutions:
 - a. No Non-Chartered Financial Institution may be located within a radius of one thousand (1,000) feet from the nearest existing Non-Chartered Financial Institution.
 - b. No Non-Chartered Financial Institution may be located within a radius of five hundred (500) feet from the following land uses:
 - (1) Residentially zoned parcels.

- (2) Any State or Federally chartered bank, savings association, credit union, or industrial loan company.
 - (3) Religious institution.
 - (4) School or Day Care Facility.
 - (5) Bar or Liquor Store, excluding full service restaurants and alcoholic beverage sales establishments with twenty-five (25) or more full time equivalent (FTE) employees and a total floor area of twenty thousand (20,000) square feet or more.
 - (6) Pawn Shops.
- c. Each new Non-Chartered Financial Institution shall meet the following minimum standards of performance, which shall be included as conditions of approval for such uses, provided that nothing in this Section shall limit the discretion of the decision making body to impose additional performance standards as may be warranted in any given case. These standards are obligations of the owner(s) of the Non-Chartered Financial Institution and are intended to ensure that the Non-Chartered Financial Institution does not negatively impact the public health and safety:
- (1) A lighting plan shall be reviewed and approved by the Community Development Director prior to the issuance of building permits, and all lighting required by the approved plan shall be installed prior to final approval of the building permit. Exterior lighting shall be provided on all frontages. Exterior lighting shall be designed so as not to cast glare off-site.
 - (2) Storefronts shall have glass or transparent glazing in the windows and doors. No more than ten (10) percent of any window or door area shall be covered by signs, banners, or opaque coverings of any kind.
 - (3) Days and hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., seven days a week. The operator shall discourage patrons from loitering prior to, during, and/or after hours of operation. At least one "no loitering" sign with a typeface at least two (2) inches tall shall be installed and maintained where it will be visible to pedestrians on each side of the building in which the activity is located including, but not limited to, street frontages and parking lots.
 - (4) The operator shall remove graffiti from the building that houses the Non-Chartered Financial Institution within seventy-two (72)

hours of application.

- (5) The operator shall remove litter at least two (2) times daily or as needed from in front of the building that houses the Non-Chartered Financial Institution, and for twenty (20) feet beyond the building along adjacent street(s). The operator shall remove, or cause to be removed, all crates, mattresses, and other materials placed within this area immediately.
- (6) The owner or operator shall post at least one (1) uniformed security guard on duty at all times the business is open. The security guard shall patrol the interior and all exterior portions of the property under control of the owner or operator of the Non-Chartered Financial Institution including, but not limited to, parking lots and any open public spaces such as lobbies.

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 replaced 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.

**TABLE 1
REQUIRED PARKING**

| USE | PARKING SPACES REQUIRED | |
|-----------------------------------|---|------------------------------|
| 1. Residential | | |
| Townhouses Dwellings, Multiple | Dwelling Unit Parking: | |
| | 0-1 bedrooms | 1 covered |
| | 2 bedrooms | 1 covered |
| | 3+ bedrooms | 2 covered |
| | Dwelling Unit Parking in a Mixed-Use Development: | |
| | 0-2 bedrooms | 1 covered |
| | 3+ bedrooms | 2 covered |
| | Affordable Housing Parking: (Developments eligible for density bonus) | |
| | 0-1 bedrooms | 0.75 covered or uncovered |
| 2 bedrooms | 1 covered or uncovered | |
| 3+ bedrooms | 1.5 covered or uncovered | |

| | | |
|--|--|---|
| | <p>Visitor Parking: Each Dwelling Unit</p> <p>Private Bicycle Parking: Each Dwelling Unit</p> <p>Public Bicycle Parking: Each 35 feet of street Frontage</p> <p>Electric Vehicle Spaces or Charging Stations: Each project</p> <p>For projects required to provide 20 or more parking spaces</p> | <p>0.1 covered or uncovered</p> <p>0.25 covered or uncovered</p> <p>2 covered or uncovered (consistent with Design Guidelines)</p> <p>A minimum of 1 dedicated EV space or charging station</p> <p>2 dedicated EV spaces or equivalent charging station capacity, in combination with other additional spaces/capacity sufficient to simultaneously charge 5% of parked vehicles; and</p> <p>10% of total spaces provided as EV ready (inclusive of EV spaces and station capacity)</p> |
|--|--|---|

| 2. Commercial/Office | | |
|--|--|---------------------------------------|
| All uses listed under “Specialized Neighborhood Trades and Services” in Section 6570.3, Uses Permitted | Each 300 square feet | 1 covered or uncovered |
| All uses listed under “Visitor Serving Trades and Services,” in Section 6570.3, Uses Permitted | Each 200 square feet | 1 covered or uncovered |
| All uses listed under “Retail Sales, Rental or Repair Establishments,” in Section 6570.3, Uses Permitted | Each 300 square feet | 1 covered or uncovered |
| All uses listed under “Food Services” in Section 6570.3, Uses Permitted (Restaurants, Bars, Food) | Each 250 square feet | 1 covered or uncovered |
| All uses listed under the “Office and Professional Services” in Section 6570.3, Uses Permitted | Each 500 square feet | 1 covered or uncovered |
| All uses listed under “Indoor Recreation Facilities” in Section 6570.3, Uses Permitted | Each 400 square feet | 1 covered or uncovered |
| Any Commercial, Office and/or Food Service Use in this subsection in a Mixed-Use Development | Each 850 square feet | 1 covered or uncovered |
| | Private Bicycle Parking: Each 1,000 sq. ft. | 1 (consistent with Design Guidelines) |
| | Public Bicycle Parking: Each 35 feet of street frontage | 2 (consistent with Design Guidelines) |

| | | |
|--|--|--|
| | <p>Electric Vehicle Spaces/Charging Stations: For projects required to provide 10 or more parking spaces (in addition to any spaces required of residential components of mixed use projects)</p> <p>For projects required to provide 20 or more parking spaces</p> | <p>A minimum of 1 dedicated EV space or charging station</p> <p>2 dedicated EV spaces or equivalent charging station capacity, in combination with other additional spaces/capacity sufficient to simultaneously charge 5% of parked vehicles; and</p> <p>10% of total spaces provided as EV ready (inclusive of EV spaces and</p> |
|--|--|--|

| | | |
|--|------------------------|------------------------|
| 3. Institutional and Other | | |
| All uses listed under the “Institutional Use Classification” in Section 6570.3, Uses | Each 400 square feet | 1 covered or uncovered |
| Any Institutional or Other Use in this subsection in a Mixed-Use Development | Each 1,000 square feet | 1 covered or uncovered |

| | | |
|--|---|---|
| | Private Bicycle Parking: Each 1,500 sq. ft. | 1 |
|--|---|---|

| | | |
|--|---|---|
| | Public Bike Parking: Each 35 feet of street frontage | 2 (consistent with Design Guidelines) |
| | Electric Vehicle Spaces/Charging Stations: For projects required to provide 10 or more parking spaces (in addition to any spaces required of residential components of mixed use projects) For projects required to provide 20 or more parking spaces | A minimum of 1 dedicated EV space or charging station 2 dedicated EV spaces or equivalent charging station capacity, in combination with other additional spaces/capacity sufficient to simultaneously charge 5% of parked vehicles; and 10% of total spaces provided as EV ready (inclusive of EV spaces and station capacity) |

| 4. Industrial | | |
|----------------------|---------------------------|------------------------|
| Light Industrial/PDR | 1 space per 1,000 sq. ft. | 1 covered or uncovered |

| | | |
|--|--|--|
| | <p>Private Bicycle Parking: Each 1,500 sq. ft.</p> | 1 |
| | <p>Public Bike Parking: Each 35 feet of street frontage</p> | 2 (consistent with Design Guidelines) |
| | <p>Electric Vehicle Spaces/Charging Stations: For projects required to provide 10 or more parking spaces (in addition to any spaces required of residential components of mixed use projects)</p> <p>For projects required to provide 20 or more parking spaces</p> | <p>A minimum of 1 dedicated EV space or charging station</p> <p>1 dedicated EV spaces or equivalent charging station capacity</p> <p>5% of total spaces provided as EV ready (inclusive of EV spaces and station capacity)</p> |

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 the requirements of this Section 6570.9 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. Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation.
6. 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 Section 6570.8, 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 at any time.

2. Off-Site Parking

a. Applicability

Subject to the requirements of this Section 6570.9 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, 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, is submitted, and the agreement 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 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 of spaces, 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.

SECTION 3. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Sections 6276 through 6276.5, Chapter 17, “M-1/NFO” is hereby repealed in its entirety and replaced with Chapter 17.1, “M-1/NFO” as follows:

CHAPTER 17.1 “M-1/NFO” DISTRICT
(MIXED-USE INDUSTRIAL/NORTH FAIR OAKS DISTRICT)

SECTION 6276. REGULATIONS FOR “M-1/NFO” DISTRICT. The following regulations shall apply within those areas in North Fair Oaks which are zoned M-1/NFO.

SECTION 6276.1. PURPOSES. The purposes of the M-1/NFO District are to:

1. Provide industrial areas intended primarily for the location of manufacturing land uses that do not create more than a moderate impact on the surrounding area and are appropriately scaled and set back from adjacent residential land uses.
2. Accommodate a compatible mix of trades and services, transportation, commercial, public, residential, communication, and institutional land uses.
3. Accommodate mixed-use development that will create a vibrant, livable environment for area residents, improving access to local goods, services and employment.
4. Protect the functional and economic viability of industrial areas by restricting incompatible land uses.
5. Implement the policies of the San Mateo County General Plan and the North Fair Oaks Community Plan.

SECTION 6276.2. DEFINITIONS.

1. Administrative, Professional and Business Offices

Establishments performing management, administrative, professional or consulting services including, but not limited to, government, law, real estate, accounting and other business offices.

2. Ambulance and Paramedic Services

Facilities used for medical emergency response services.

3. Animal Shelters

Establishments which temporarily house unwanted animals indoors including, but not limited to, humane societies.

4. Artist Studios

Buildings used for the small-scale production and sale of paintings, graphics, photographs, textiles, sculpture, pottery, and other handmade goods.

5. Auto Shops and Garages

Commercial establishments primarily engaged in motor vehicle maintenance and repair services including, but not limited to, major repair work, painting and body work that occurs within an enclosed covered building. Auto shops and garages do not include salvage yards or junk yards, i.e., auto wrecking and dismantling businesses.

6. Bars

Commercial establishments primarily engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises, which may also offer food and entertainment on a limited basis, but not adult entertainment featuring sexually explicit behavior intended to arouse sexual excitement.

7. Car Washes

Commercial establishments primarily engaged in cleaning cars or other motor vehicles, or in furnishing facilities to the general public for the washing of motor vehicles on the premises. Car washes may include the sale of fuel.

8. Caretaker Units

An area within a building that is intended for residential use by a person(s) to look after the property on which the caretaker's quarters are located, , provided that:

- a. The resident of the dwelling is to be the owner, lessee, or an employee of the owner or lessees, of an industrial use on the site. The use permit application for the development of caretaker quarters shall include a statement explaining the need for caretaker quarters and responsibilities of the caretaker/resident. Issuance of a use permit for caretaker quarters shall not precede the appropriate building permit application(s) for industrial uses on the site consistent with the allowed uses in the M-1 district.
- b. The floor area of the caretaker unit shall not exceed thirty-five (35) percent of the floor area of the main building on the site up to a maximum of 1,200 square feet.

c. Setbacks for caretaker quarters shall conform to Uniform Building Code requirements.

d. Trailers and/or mobile homes for caretaker quarters are not permitted.

9. Catteries

A place for the breeding, raising, keeping, boarding or other handling of more than ten (10) cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a cattery include, but are not limited to, grooming, training, and sales of animals and supplies.

10. Child Care Facilities

State-licensed care facility of any capacity, in which less than 24-hour per day non-medical care and supervision are provided to children in a group setting, including but not limited to, infant centers, preschools, and school-age child care centers, not including small or large family child care homes.

11. Construction and Maintenance Trade and Service Establishments

Indoor business establishments consisting of offices, workshops and incidental areas for storage of equipment and supplies that provide services, which are primarily delivered off-site including, but not limited to, building contractors, janitorial services, or landscape maintenance services.

12. Distillation of Spirits and Wine and Brewing of Beer

Breweries, microbreweries, wineries and distilleries for the manufacture, blending, fermentation of beer, wine or spirits, which may include tasting rooms, tours, and temporary special events and food trucks, and which have a current and applicable California Alcohol Beverage Control license.

13. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

14. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic, trade or other specialized instruction, to students, including conservatories for the instruction of music and the arts.

15. Electronic Game Amusement Arcades

Commercial establishments featuring the operation of six or more coin or token-operated electronic games.

16. Energy Utility Facilities

All gas compression stations, electrical power substations and associated service facilities.

17. 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.

18. Food Establishments Specializing in Carry-Out or Delivery Service

Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption elsewhere, but may include limited seating or drive-through take-out service.

19. Indoor Exercise and Leisure Facilities

Enclosed facilities used for active recreation including exercise and athletic clubs, bowling alleys, skating rinks, billiard halls, dance halls and academies, or similar uses.

20. Indoor Kennels

A place for the keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a kennel include, but are not limited to, grooming, training, and sales of animals and supplies.

21. Indoor Light Manufacturing

Manufacturing operations, including fabricating, assembling, or processing products from previously manufactured raw, or prepared materials that are conducted entirely within an enclosed, covered building. Indoor low to moderate impact manufacturing operations have a low to moderate impact on surrounding development with regard to noise, smoke, odor, fumes, vibration, heat and glare and visual impacts, and do not use acutely hazardous materials, as identified in the California Administrative Code. Indoor light manufacturing operations include, but are not limited to, cabinet making and woodworking, plastic and ceramic products manufacturing, metal working, machining and welding, electronic products and parts manufacturing, and textile manufacturing.

22. Indoor Wholesale Establishments

Commercial establishments engaged in bulk sales of goods primarily to licensed merchants and members of consumer discount associations or clubs.

23. Indoor Storage of Non-Hazardous Goods, Warehouses, and Distribution

Establishments for receiving, storing and transporting goods and materials that require protection from the elements, including but not limited to associated handling equipment, facilities for refrigeration shipping operations and associated trucking, and the needs of the operating personnel within one or more completely enclosed, covered structures, excluding acutely hazardous materials, as defined in the California Administrative Code.

24. Indoor 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.

25. Institutional Facilities

Schools, religious institutions (facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples), municipal buildings, hospitals, or uses of a similar nature.

26. 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, and 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 two-family dwelling unit, multiple-family dwelling unit, or lawfully

permitted and occupied second unit or farm labor housing unit; or (b) per business establishment in commercial or industrial zoning districts.

27. Live/Work Units

A single unit (e.g., studio, loft, or one bedroom) consisting of both commercial/office and residential components that is occupied by, and is the primary residence of, the same resident.

28. 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.

29. 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.

30. Motor Vehicle Fuel Sales or Charging Stations

Commercial establishments primarily engaged in the sale of gasoline or other combustive fuels to the general public, often on a self-service basis.

31. Motor Vehicle Sales or Rentals

Indoor commercial establishments primarily engaged in the retail sale or rental of motor vehicles or mobile homes, and which may include repair or service departments and sales of replacement parts and accessories.

32. Motor Vehicle Service Stations

Commercial establishments primarily engaged in the sale of fuel, or provision of electric vehicle charging, the servicing of motor vehicles and the provision of services to motorists including, but not limited to, the sale of vehicle parts and accessories, the performance of minor repairs and the sale of refreshments and sundry items.

33. Night Clubs with Entertainment

Commercial establishments that provide food, drink, and entertainment, such as musical or comedic performances, but do not provide adult entertainment featuring sexually explicit behavior intended to arouse sexual excitement.

34. Other Compatible Uses

Additional land uses 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.

35. Parking Garages

Public and private facilities which provide designated spaces for temporary storage of operable and currently registered motor vehicles only within a multi-story structure, including but not limited to the storage and retrieval of autonomous vehicles.

36. Radio and Television Stations

Facilities primarily engaged in activities involving the production and transmission of radio and television programs to the public.

37. Research and Development Facilities

Establishments engaged in study, testing, design, analysis, and experimental development of products, processes, or services, including incidental manufacturing of products or provision of services.

38. Restaurants

Commercial establishments which primarily serve prepared food to the general public for immediate consumption on the premises. Restaurants may include a bar as defined in Section 6102.13.1.

39. Server Farm

A collection of computers or servers, usually maintained to store data or supply server functionality beyond the capability of a single machine.

40. Small Solid Waste Collection Facilities

Facilities, 500 sq. ft. or less in area, where discarded glass, paper or clothes or other recyclable materials are bought and/or collected including, but not limited to, containers, igloos, bins, groups of reverse vending machines and mobile units.

41. Telephone Communication Facilities

Facilities primarily engaged in furnishing telephone communication services including, but not limited to, establishments providing paging and telephone services containing telephone equipment, relay stations and service facilities.

42. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic pets 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.

43. Wholesale Cleaning Establishments

Commercial establishments involving the washing, cleaning or dyeing of clothing, linens or other fabrics in large bulk, primarily for other businesses or institutions.

SECTION 6276.3. USES PERMITTED.

For all new development in this district, any development not requiring a conditional use permit requires a Site Development Permit as described in Section 6566. Changes of use do not require a Site Development Permit, regardless of other permits required.

| PERMITTED USES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT |
|---|---|
| A. <u>LIGHT MANUFACTURING AND STORAGE</u> | |
| 1. Indoor Light Manufacturing | None |
| 2. Indoor Storage of Non-Hazardous Goods | None |
| 3. Distillation of Spirits and Wine, and Beer Brewing | Use Permit |
| 4. Research and Development Facilities | None |
| 5. Artist Studios | None |
| 6. Server Farms | None |
| B. <u>WHOLESALE TRADES AND SERVICES</u> | |
| 1. Indoor Wholesale Establishments | None |

| PERMITTED USES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT |
|---|---|
| 2. Wholesale Cleaning Establishments | None |
| C. <u>CONSTRUCTION AND MAINTENANCE TRADES AND SERVICES</u> Construction and Maintenance Trade and Service Establishments (Indoor) | None; allowed only as part of an already existing structure |
| D. <u>RESIDENTIAL USES</u> 1. Live/Work Units | Use Permit |
| 2. Dwelling - Multiple | Use Permit; allowed only on parcels entirely within 200 feet of Fair Oaks Avenue, and parcels on 2 nd Avenue between Fair Oaks and Spring Street |
| E. <u>MOTOR VEHICLE-RELATED TRADES AND SERVICES</u> 1. Motor Vehicle Fuel Sales or Charging Stations 2. Motor Vehicle Service Stations | Use Permit Use Permit; allowed only within existing structure |
| 3. Auto Shops and Garages 4. Motor Vehicle Sales or Rentals 5. Car Washes | Use Permit; allowed only within an existing structure Use Permit; allowed only within an existing structure None; allowed only within an existing structure |
| F. <u>PROFESSIONAL SERVICES</u> | |

| PERMITTED USES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT |
|---|--|
| 1. Administrative, Professional and Business Offices | Use Permit; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage |
| 2. Medical and Dental Offices 3. Financial Institutions | Use Permit; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage Use Permit; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage |
| G. <u>FOOD SERVICES</u>¹ 1. Restaurants 2. Food Establishments Specializing in Carry-Out or Delivery Service 3. Bars | Use Permit Use Permit Use Permit |
| H. <u>MIXED-USE DEVELOPMENT</u> Mixed Use Development | Use Permit |
| I. <u>NEIGHBORHOOD SOLID WASTE RECYCLING FACILITIES</u> Small Solid Waste Collection Facilities | None |
| J. <u>EMERGENCY FACILITIES</u> | |

¹Off-premise activities may be permitted, except for Bars.

| PERMITTED USES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT |
|--|--|
| Ambulance and Paramedic Services ² | Use Permit |
| K. <u>INDOOR RECREATION FACILITIES</u> <ol style="list-style-type: none"> 1. Indoor Exercise and Leisure Facilities 2. Indoor Theaters 3. Night Clubs with Entertainment 4. Electronic Game Amusement Arcades | None Use Permit Use Permit None; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage |
| L. <u>UTILITY FACILITIES</u> Energy Utility Facilities | Use Permit |
| M. <u>RADIO, TELEVISION AND TELEPHONE FACILITIES</u> <ol style="list-style-type: none"> 1. Radio and Television Stations 2. Telephone Communication Facilities | None None |
| N. <u>LIMITED KEEPING OF PETS</u> Limited Keeping of Pets | None |
| O. <u>SERVICES AND ENTERPRISES RELATED TO ANIMALS</u> <ol style="list-style-type: none"> 1. Veterinary Hospitals for Small Animals 2. Animal Shelters 3. Indoor Kennels 4. Catteries | None Kennel/Cattery Permit Kennel/Cattery Permit Kennel/Cattery Permit |

² Not allowed within 100 feet of any residential structure.

| PERMITTED USES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT |
|---|--|
| P. <u>PARKING</u> Parking Garages | Use Permit |
| Q. <u>INSTITUTIONAL USE CLASSIFICATION</u> | |
| 1. Community Centers | Use Permit |
| 2. Child Care Centers | Use Permit |
| 3. Religious Facilities | Use Permit |
| 4. Educational Facilities, Trade and Vocational Schools | Use Permit |
| R. <u>OTHER COMPATIBLE USES</u> Other Compatible Uses | To Be Determined By Community Development Director |

SECTION 6276.4. DEVELOPMENT STANDARDS. All new development must meet the following minimum standards:

1. Minimum Parcel Area and Width. The minimum parcel area shall be 10,000 sq. ft. and the minimum average parcel width shall be one-hundred (100) feet.
2. Minimum Building Setbacks. The minimum building setbacks shall be:
 - a. When the rear portion of an M-1/NFO zoned parcel is adjacent to a residentially zoned parcel, the building shall have a minimum 6-foot set back from the residential property line.
 - b. All projects must provide at least 5-foot-wide sidewalks, measured from existing back of curb, or from the edge of the street right of way where no curb exists, on all streets adjacent to the parcel, on the parcel side only. Parcels facing Bay Road, Edison and Fair Oaks and Second Avenues shall provide 8-foot sidewalks along Bay Road, Fair Oaks Edison and Second Avenues, measured from existing back of curb, or from the edge of the street right of way where no curb exists, consistent with the Public Realm Design Standards in Chapter 29.
 - c. Otherwise, the minimum setbacks are:

| Required Setbacks | | | |
|-------------------------------|------------------------------------|------|------|
| Use | Front | Side | Rear |
| Residential | 5 feet minimum 15 feet maximum | 0 | 0 |
| Commercial (Retail/Office) | 0 feet minimum 10 feet maximum | 0 | 0 |
| Institutional | 0 feet minimum 10 feet maximum | 0 | 0 |
| Industrial | 10 feet minimum 20 feet maximum | 0 | 0 |
| Mixed-Use | Determined by ground floor use | 0 | 0 |

d. 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 standards described in Section 6566 of these regulations, “Design Standards and Site Development Permit,” 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, as described in Section 6566.

Regardless of required setbacks, all projects shall reserve sufficient open space to accommodate required pervious surface pursuant to the County’s Stormwater and Drainage Ordinance and Municipal Regional Permit for stormwater management.

3. Maximum Building Coverage. Maximum building coverage shall be eighty percent and shall include all: (1) buildings, (2) accessory buildings, and (3) structures such as patios, decks, balconies, and other similar uses which are eighteen (18) inches or more above the ground.
4. Maximum Building Floor Area. The maximum building floor area shall be limited by the following maximum ratio of building floor area to parcel area:

| Maximum Building Floor Area | |
|-------------------------------|--------------------------|
| Use | Maximum Floor Area Ratio |
| Residential | - |
| Commercial (Retail/Office) | 0.75 |
| Institutional | 1.25 |
| Industrial | 1.25 |
| Mixed-Use | 1.0 |

The building floor area shall include the floor area of all stories of all buildings and accessory buildings on a parcel. Maximum building floor area specifically includes: (1) the floor area of all stories, excluding uninhabitable or non-working areas, as measured from the outside face of all exterior walls, and (2) all other areas covered by a waterproof roof which extends 4 or more feet from exterior walls, over the area of all decks, porches, and balconies. Enclosed parking areas shall be excluded from total building floor area.

5. Maximum Building Height. The maximum building height of all allowed uses shall be 40 feet.

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, mechanical equipment, antennae, and other similar structures may extend beyond 40 feet to a maximum of 46 feet as required for safety or efficient operation.

6. All projects shall comply with Section 6401.2, which requires that all activities in any M-1 District shall be conducted entirely within an enclosed structure unless a use permit is obtained under the provisions of Chapter 24 of this Part for the conducting of such use wholly or in part outside of such structure, excepting reverse vending machines and small collection facilities for recyclable materials.

7. Signs.

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

- (1) Any sign that, because of its location, construction, color, or operating characteristics, can be confused with 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. Existing billboards shall be considered legal non-conforming uses upon adoption of this ordinance and shall be subject to the provisions of the Non-Conforming Uses Chapter of the Zoning Regulations. Relocation of billboards, due to street widening or other right-of-way improvements, shall be subject to the provisions of the State of California Business and Professions Code (Section 5412).
- b. Maximum Number of Signs. The maximum number of signs allowed on a parcel is one (1) sign per parcel, or one (1) sign per each 200 feet of parcel street frontage, or one (1) sign per business, whichever is greatest.
 - c. Maximum Total Sign Display Area. The maximum total display area of all signs on a parcel is three-quarters (0.75) square foot per foot of parcel street frontage.
 - d. 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 unless located adjacent to or across from a residentially zoned parcel, in which case such signs shall not exceed eight (8) feet.
 - e. Sign Projection. Attached signs shall not project more than four (4) 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.
 - f. 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.
8. Screening.
- a. Refuse, waste removal, and outdoor service/storage areas, where allowed, shall be screened with a six (6) foot solid wall or opaque fence/gate when visible from a public way or residentially zoned parcel.

- b. A minimum six (6), not to exceed eight (8), foot masonry wall shall be erected along the entire common property line where an industrial use abuts a residentially zoned parcel. Other fencing along property lines shall be of opaque materials when visible from a public way or residentially zoned parcel and shall not include barbed wire.
- c. Mechanical equipment (e.g., air conditioning, heating, compressor, generator, venting units) or other utility hardware on roof, ground, or buildings shall be screened with opaque materials compatible with the building, when visible from a public way or residentially zoned parcel.
- d. All outdoor activities and operations not otherwise subject to the requirements of this Section shall be screened with a six (6) foot solid wall or opaque fence/gate, or other material approved by the Community Development Director.

SECTION 6276.5. DESIGN STANDARDS. All Mixed-use and Residential development in the M-1/NFO District must comply with the design standards described in Section 6566.15 and 6566.16, and must obtain a site development permit according to the procedures and requirements described herein. All other projects shall be consistent with the following:

- 1. Building Design. Building design shall promote good transitions in scale and character when adjacent to or across the street from residential uses. In such cases, and where parcels have street frontages exceeding fifty (50) feet, building massing shall be staggered on the side(s) exceeding 50 feet in length and/or the sides across the street from residential uses.
- 2. Materials and Colors.
 - a. Prohibit the use of exposed cinder block on new development when located adjacent to or across the street from a residentially zoned parcel(s).
 - b. Minimize the use of colors that are brilliant, deep, highly contrasting and reflective (e.g.: pink, orange, blue, and purple). Use of these colors shall not cover more than twenty percent of any one exterior side of a building.
- 3. Landscaping.
 - a. When a parcel is located across the street from a residentially zoned parcel, the required front setback shall be landscaped to include trees (minimum 15-gallon size) at the rate of one tree per twenty-five feet of street frontage width.

When the determination of the number of trees results in a fractional number, any fraction of one-half or greater shall be rounded up to the next whole number. Any fraction less than one-half shall be disregarded.

- b. Off-street parking areas shall be screened with earthen berms and landscaping, including one tree (minimum 15-gallon size) per two (2) parking spaces, when located adjacent or across from a residentially zoned parcel.
4. Utilities. Install all new distribution lines underground. Minor renovations or additions to existing development can be exempted from this standard by the Community Development Director.

SECTION 6276.6. 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 determination shall be made at the limits of the property, unless otherwise specified.

1. Noise. No use will be permitted which exceeds the noise levels established in Section 4.88.330 in the County Ordinance Code:
2. Dust and Odor. No use will be permitted which emits dust, an odor or air pollutant, detectable without instruments, beyond the boundaries of the M-1/NFO District.
3. Vibration. No use will be permitted which causes vibration perceptible without instruments on adjoining property, except for temporary construction operations.
4. Lighting. Exterior lighting, including sign lighting, shall be located and directed so that direct rays and glare are confined to the premises.
5. Trash and Debris. All trash, boxes, or similar debris shall be picked up daily and stored in refuse containers that are screened from public view.
6. On-Site Activities. All uses, activities or operations shall be conducted entirely on the parcel, except that food service activities may occur beyond the parcel, as described in Section 6276.3.
7. Compliance with Applicable Law. All uses shall comply with applicable County, State and federal laws.

SECTION 6276.7. 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 replaced by

Table 1 in this Section 6276.7, 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 M-1/NFO 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 REQUIRED ¹ |
|--|--|
| 1. Light Industrial and Mixed Use Industrial² | |
| Indoor Light Manufacturing | 1 space per 1500 sq. ft. |
| Indoor Storage of Non-hazardous goods | 1 space per 2000 sq. ft. |
| Distillation of Spirits and Wine and Brewing of Beer | 1 space per 1,500 sq. ft. 1 space per 200 sq. ft. of tasting area |
| Research and Development | 1 space per 750 sq. ft. |
| Artist Studio | 2 per unit, 1 per 500 square feet for shows (can be shared parking) |
| Server Farms | 1 space per 2,000 sq. ft. |
| 2. WHOLESALE TRADES AND SERVICES | |
| Indoor Wholesale Establishments | 1 space per 750 sq. ft. |
| Wholesale Cleaning | 1 space per 1,500 sq. ft. |
| 3. CONSTRUCTION AND MAINTENANCE TRADES AND SERVICES⁵ | |
| Construction or Maintenance Trade or Services Establishments | 1 space per 1,500 sq. ft. |

¹ Parking may be covered or uncovered unless otherwise specified.

² 1 space for each 2 employees on largest shift; in no case less than 1 space for each 2,000 sq. ft. of floor area may be allowed, pursuant to a conditional use permit.

| 4. RESIDENTIAL USES | | |
|------------------------------------|--|---|
| Townhouses and Dwellings, Multiple | Dwelling Unit Parking: 0-1 bedrooms | 1 covered |
| | 2+ bedrooms 3+ bedrooms | 1 covered 2 covered |
| Live/Work Units | Visitor Parking: | 1 space per 5 units |
| | Affordable Housing Parking: (Developments eligible for density bonus) | |
| | 0-1 bedrooms | 0.75 covered or uncovered |
| | 2 bedrooms | 1 covered or uncovered |
| | 3+ bedrooms | 1.5 covered or uncovered |
| | Bicycle Parking: | 0.25 per Dwelling Unit |
| | Public Bike Parking: | 1 for each 35 feet of street frontage |
| | Electric Vehicle Charging Stations: Each project | 1 minimum and 10 percent of required parking over 10 spaces |
| | 0-1 bedrooms | 1 covered |
| | 2+ bedrooms 3+ bedrooms | 1 covered 2 covered |

| 5. MOTOR VEHICLE-RELATED TRADES AND SERVICES | | |
|---|--|---|
| Motor Vehicle Fuel Sales or Charging Stations | 1 space per 400 sq. ft. | |
| Motor Vehicle Service Stations | 1 space per 250 sq. ft. | |
| Autos Shops and Garages, Motor Vehicle Sales or Rentals, Car Washes | 1 space per 500 sq. ft. | |
| 6. PROFESSIONAL SERVICES, COMMERCIAL/OFFICE | | |
| Administrative, Professional and Business Offices | 1 space per 400 sq. ft. | |
| Child Care Center | 1 space per 500 sq. ft. | |
| Medical and Dental Offices | 1 space per 250 sq. ft. | |
| Financial Institutions | 1 space per 400 sq. ft. | |
| Trade and Vocational Schools | 1 space per 200 sq. ft. | |
| | Private Bicycle Parking: Each 1,000 sq. ft. | 1 (consistent with Design Guidelines) |
| | Public Bike Parking: Each 35 feet of street frontage | 2 (consistent with Design Guidelines) |
| | Electric Vehicle Charging Station: Each project | 1 minimum and 10 percent of required parking over 10 spaces |
| 7. FOOD SERVICES | | |
| Restaurants | 1 space per 750 sq. ft. | |
| Food Establishments Specializing in Carry Out or Deliver Service | 1 space per 850 sq. ft. | |
| Bars | 1 space per 750 sq. ft. | |

| | | |
|---|--|---------------------------------------|
| 8. SOLID WASTE RECYCLING FACILITIES | | |
| Small Solid Waste Collection Facilities | 2 spaces per facility | |
| 9. EMERGENCY FACILITIES | | |
| Ambulance and Paramedic Services | 1 space per 750 sq. ft. | |
| 10. INDOOR RECREATION FACILITIES | | |
| Indoor Exercise and Leisure Facilities | 1 space per 750 sq. ft. | |
| Indoor Theaters | 1 per five seats | |
| Night Clubs with Entertainment | 1 space per 200 sq. ft. | |
| Electronic Game Amusement Arcades | 1 space per 400 sq. ft. | |
| 11. UTILITY FACILITIES | | |
| Energy Utility Facilities | 1 space per 750 sq. ft. | |
| 12. RADIO, TELEVISION AND TELEPHONE FACILITIES | | |
| Radio and Television Stations | Up to 750 sq. ft. and each 750 sq. ft. thereafter | |
| Telephone Communication Facilities | | |
| 13. ANIMAL-RELATED SERVICES AND FACILITIES | | |
| Veterinary Hospitals for Small Animals | 1 space per 750 sq. ft. | |
| Animal Shelters | | |
| Indoor Kennels | | |
| Catteries | | |
| | Private Bicycle Parking: Each 1,500 sq. ft. | 1 |
| | Public Bike Parking: Each 35 feet of street frontage | 2 (consistent with Design Guidelines) |

| | | |
|--|--|---|
| | Electric Vehicle Charging Stations: Each project | 1 minimum and 10 percent of required parking over 10 spaces |
|--|--|---|

| | | |
|--|---------------------------|--|
| 14. Institutional and Other | | |
| All uses listed under the “Institutional Use Classification” in Section 6576.3, Uses | 1 space per 400 sq. ft. | |
| Any Institutional or Other Use in this subsection in a Mixed-Use Development | 1 space per 1,000 sq. ft. | |

| | | |
|--|--|---------------------------------------|
| | Private Bicycle Parking: Each 1,500 sq. ft. | 1 |
| | Public Bike Parking: Each 35 feet of street frontage | 2 (consistent with Design Guidelines) |

| | | |
|--|--|---|
| | <p>Electric Vehicle Spaces/Charging Stations: For projects required to provide 10 or more parking spaces (in addition to any spaces required of residential components of mixed use projects)</p> <p>For projects required to provide 20 or more parking spaces</p> | <p>A minimum of 1 dedicated EV space or charging station</p> <p>2 dedicated EV spaces or equivalent charging station capacity, in combination with other additional spaces/capacity sufficient to simultaneously charge 5% of parked vehicles; and</p> <p>5% of total spaces provided as EV ready (inclusive of EV spaces and station capacity)</p> |
|--|--|---|

SECTION 6276.8. ALTERNATIVE PARKING APPROACHES. Alternative parking approaches, including off-site and shared parking, are allowed subject to the standards and conditions described in Section 6570.9, “Alternative Parking Approaches.”

SECTION 4. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Sections 6277 through 6277.5, Chapter 17, “M-1/Edison/NFO” is hereby repealed in its entirety and replaced with Chapter 17.2, “M-1/Edison/NFO” as follows:

CHAPTER 17.2 “M-1/EDISON/NFO” DISTRICT
(MIXED-USE INDUSTRIAL/EDISON/
NORTH FAIR OAKS DISTRICT)

SECTION 6277. REGULATIONS FOR “M-1/EDISON/NFO” DISTRICT. The following regulations shall apply within those areas in North Fair Oaks which are zoned M-1/NFO/Edison.

SECTION 6277.1. PURPOSES. The purposes of the M-1/Edison/NFO District are to:

1. Provide industrial areas intended primarily for the location of light manufacturing land uses that minimize the impact on and are adequately scaled and set back from residential land uses.
2. Ensure that allowed uses are compatible with surrounding residential land uses through appropriate development and performance standards as applied to new development.
3. Accommodate commercial, public and institutional and residential uses where compatible with surrounding light industrial uses.
4. Protect the functional and economic viability of industrial areas by restricting incompatible land uses.
5. Support and strengthen the local and regional economy by providing trade, production, and employment opportunities.
6. Implement the policies of the San Mateo County General Plan and the North Fair Oaks Community Plan.

SECTION 6277.2. DEFINITIONS.

1. **Administrative, Professional and Business Offices**

Establishments performing management, administrative, professional or consulting services including, but not limited to, government, law, real estate, accounting and other business offices.

2. Artist Studios

Buildings used for the small-scale production and sale of paintings, graphics, photographs, textiles, sculpture, pottery, and other handmade goods.

Autonomous Vehicle Storage and Retrieval

Autonomous vehicle storage and retrieval facilities that are fully enclosed within a building.

Caretaker Quarters

An area within a building that is intended for residential use by a person(s) to look after the property on which the caretaker's quarters are located, , provided that:

- a. The resident of the dwelling is to be the owner, lessee, or an employee of the owner or lessees, of an industrial use on the site. The use permit application for the development of caretaker quarters shall include a statement explaining the need for caretaker quarters and responsibilities of the caretaker/resident. Issuance of a use permit for caretaker quarters shall not precede the appropriate building permit application(s) for industrial uses on the site consistent with the allowed uses in the M-1/Edison/NFO district.
- b. The floor area of the caretaker unit shall not exceed thirty-five (35) percent of the floor area of the main building on the site up to a maximum of 1,200 square feet.
- c. Setbacks for caretaker quarters shall conform to Uniform Building Code requirements.
- d. Trailers and/or mobile homes for caretaker quarters are not permitted.

Catteries

A place for the breeding, raising, keeping, boarding or other handling of more than ten (10) cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a cattery include, but are not limited to, grooming, training, and sales of animals and supplies.

3. 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.

4. Civil Defense Operations

Facilities used for emergency supply, storage and shelter.

5. Construction and Maintenance Trade and Service Establishments

Business establishments consisting of offices, workshops and limited areas for storage of equipment and supplies that provide services which are primarily delivered off-site including, but not limited to, building contractors, janitorial services, or landscape maintenance services.

6. Distillation of Spirits and Wine and Brewing of Beer

Breweries, microbreweries, wineries and distilleries for the manufacture, blending, fermentation of beer, wine or spirits, which may include tasting rooms, tours, and temporary special events and food trucks, and which have a current and applicable California Alcohol Beverage Control license.

7. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

8. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic, trade, vocational or other specialized instruction, to students, including conservatories for the instruction of music and the arts.

9. 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.

10. Indoor Exercise and Leisure Facilities

Enclosed facilities used for active recreation including exercise and athletic clubs, bowling alleys, skating rinks, billiard halls, dance halls and academies, or similar uses.

11. Indoor Kennels

A place for the keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a kennel include, but are not limited to, grooming, training, and sales of animals and supplies.

12. Indoor Light Manufacturing

Manufacturing operations including fabricating, assembling, or processing products from previously manufactured or prepared materials (rather than from raw materials) that are conducted entirely within an enclosed, covered building. Indoor low to moderate impact manufacturing operations have a low to moderate impact on surrounding development with regard to noise, smoke, odor, fumes, vibration, heat and glare and visual impacts, and do not use acutely hazardous materials, as identified in the California Administrative Code. Indoor low to moderate impact manufacturing operations include, but are not limited to, cabinet making and woodworking, plastic and ceramic products manufacturing, metal working, machining and welding, electronic products and parts manufacturing, and textile manufacturing.

13. Indoor Wholesale Establishments

Commercial establishments engaged in bulk sales of goods primarily to licensed merchants and members of consumer discount associations or clubs.

14. Institutional Facilities

Schools, religious institutions (facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples), municipal buildings, hospitals, or permitted uses of a similar nature.

15. 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, and 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 two-family dwelling unit, multiple-family dwelling unit, or lawfully permitted and occupied second unit or farm labor housing unit; or (b) per business establishment in commercial or industrial zoning districts.

16. Live/Work Units

A single unit (e.g. studio, loft, or one bedroom) consisting of both a commercial/office and residential components that are occupied and operated by the same resident/business owner. The live/work unit shall be the primary dwelling of the occupant.

17. Medical and Dental Offices

Establishments, only as part of a mixed use project, 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.

18. 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.

19. Other Compatible Uses

Additional land uses 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.

20. Radio and Television Stations

Facilities primarily engaged in activities involving the production and transmission of radio and television programs to the public.

21. Research and Development Facilities

Establishments engaged in study, testing, design, analysis, and experimental development of products, processes, or services, including incidental manufacturing of products or provision of services.

22. Server Farm

A collection of computers or servers, usually maintained to store data or supply server functionality beyond the capability of a single machine.

23. Telephone Communication Facilities

Facilities primarily engaged in furnishing telephone communication services including, but not limited to, establishments providing paging and telephone services containing telephone equipment, relay stations and service facilities.

24. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic pets 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.

25. Wholesale Cleaning Establishments

Commercial establishments involving the washing, cleaning or dyeing of clothing, linens or other fabrics in large bulk, primarily for other businesses or institutions.

SECTION 6277.3. USES PERMITTED.

For all new development in this district, any development not requiring a conditional use permit requires a Site Development Permit as described in Section 6566. Changes of use do not require a Site Development Permit, regardless of other permits required.

| PERMITTED USES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT |
|---|---|
| A. <u>LIGHT MANUFACTURING AND STORAGE</u> | |
| 1. Indoor Light Manufacturing | Use Permit |
| 2. Indoor Storage of Non-Hazardous Goods | Use Permit |
| 3. Distillation of Spirits and Wine, and Beer Brewing | Use Permit |
| 4. Research and Development Facilities | Use Permit |
| 5. Artist Studios | None |
| 6. Server Farms | None |
| | |

| PERMITTED USES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT |
|---|--|
| B. <u>WHOLESALE TRADES AND SERVICES</u> 1. Indoor Wholesale Establishments 2. Wholesale Cleaning Establishments | Use Permit Use Permit |
| C. <u>CONSTRUCTION AND MAINTENANCE TRADES AND SERVICES</u> Construction and Maintenance Trade and Service Establishments (Indoor) | Use Permit |
| D. <u>RESIDENTIAL USES</u> 3. Live/Work Units | Use Permit |
| 4. Dwelling - Multiple | Use Permit |
| E. <u>PROFESSIONAL SERVICES</u> 1. Administrative, Professional and Business Offices (only in mixed-use developments) 2. Medical and Dental Offices 3. Financial Institutions | Use Permit; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage None; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage None; allowed only as part of mixed-use project, and must not exceed 25% of total project square footage |

| PERMITTED USES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT |
|--|---|
| F. MIXED-USE DEVELOPMENTS | |
| 1. Mixed-use development of all type | Use Permit |
| G. <u>NEIGHBORHOOD SOLID WASTE RECYCLING FACILITIES</u> Small Solid Waste Collection Facilities | None |
| H. <u>INDOOR RECREATION FACILITIES</u> 1. Indoor Exercise and Leisure Facilities | None |
| I. <u>RADIO, TELEVISION AND TELEPHONE FACILITIES</u> 1. Radio and Television Stations 2. Telephone Communication Facilities | None None |
| J. <u>LIMITED KEEPING OF PETS</u> Limited Keeping of Pets | None |
| K. <u>SERVICES AND ENTERPRISES RELATED TO ANIMALS</u> 1. Veterinary Hospitals for Small Animals 2. Animal Shelters 3. Indoor Kennels 4. Catteries | None Kennel/Cattery Permit Kennel/Cattery Permit Kennel/Cattery Permit |
| L. <u>PARKING</u> Parking Garages | Use Permit |
| M. <u>INSTITUTIONAL USE CLASSIFICATION</u> | |
| 1. Community Centers | Use Permit |
| 2. Child Care Centers | Use Permit |
| 3. Religious Facilities | Use Permit |

| PERMITTED USES | REQUIRED PLANNING PERMIT FOR THIS DISTRICT |
|---|---|
| 4. Educational Facilities, Trade and Vocational Schools | Use Permit |
| N. <u>OTHER COMPATIBLE USES</u> Other Compatible Uses | To Be Determined By Community Development Director (Use Permit May Be Required) |

SECTION 6277.4. DEVELOPMENT STANDARDS. All new development must meet the minimum standards as specified in Section 6276.4.

SECTION 6277.5. DESIGN STANDARDS. All development in the M-1/NFO/Edison District must comply with the design standards described in Section 6276.5 and must obtain a site development permit according to the procedures and requirements described in Section 6566, unless a use permit is required, which will be reviewed according to the procedures and requirements of Section 6503.

SECTION 6277.6. PERFORMANCE STANDARDS. Performance Standards shall be as specified in Section 6276.6.

SECTION 6277.7. PARKING. Parking Standards shall be as specified in Section 6276.7. Alternative parking approaches, including off-site and shared parking, are allowed subject to the standards and conditions described in Section 6570.9, “Alternative Parking Approaches.”

SECTION 5. The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Sections 6277 through 6277.5, Chapter 29, “Design Review and Site Development Permit” is hereby repealed in its entirety and replaced with Chapter 29, “Design Review and Site Development Permit” as follows:

CHAPTER 29. DESIGN REVIEW AND SITE DEVELOPMENT PERMIT

SECTION 6566. SITE DEVELOPMENT PLAN REVIEW, APPROVAL. The following regulations shall apply to all areas within North Fair Oaks zoned Commercial Mixed Use-1 (CMU-1), Commercial Mixed Use-2 (CMU-2), Commercial Mixed Use-3

(CMU-3), Neighborhood Mixed Use-El Camino Real (NMU-ECR), and certain projects in areas zoned M-1/NFO, and M-1/NFO/Edison.

SECTION 6566. A PURPOSES. The purpose of the design review and site development permit process is to provide a unified manner in which developments are reviewed, by bringing to bear all of the required criteria and reviews in a single procedure, incorporating to the extent possible, zoning review, review of required environmental mitigation, and design review.

It is not the purpose of this Chapter that regulation of design should be so rigidly interpreted that individual initiative is precluded in the design of any particular building or substantial additional expense is incurred. It is the intent of this Chapter that any regulation exercised shall be that necessary to achieve the overall objectives of the North Fair Oaks Community Plan.

SECTION 6566.1. DESIGN AND ZONING REVIEW. When the Community Development Director or designee determines a project in the CMU-1, CMU-2, CMU-3, NMU-ECR, M-1/NFO or M-1/Edison/NFO zones is in full compliance with zoning and with the design standards and other requirements in this chapter, or in the case of minor exceptions as determined by the Community Development Director, a site development permit may be granted without a public hearing. Approval of site development permits will be noticed to surrounding property owners within 300 feet of the project.

SECTION 6566.2. APPLICATION FOR SITE DEVELOPMENT PERMIT.

- A. For all projects not requiring a use permit, the applicant shall submit a Site Development Plan (“SDP”) which shall be sufficiently detailed to completely describe the operation and appearance of the project when fully constructed and shall include the following elements:
1. All required components of an application specified in Section 6565.6.
 2. Plans showing street trees and bicycle parking or other necessary improvements in the public right-of-way.
 3. Easement dedicating any required setback to be used as a sidewalk by the public.
 4. A traffic and transit impact analysis.
 5. Transportation demand management measures, consistent with the City/County Association of Governments (“CCAG”) Land Use Component of the Congestion Management Program for San Mateo County, such as transit passes or other programs as needed to address project traffic or public transit impacts, consistent with the County Transportation Plan.

6. A comparative analysis of project environmental impacts with those identified in the North Fair Oaks Community Plan Environmental Impact Report; any additional environmental analysis and related mitigation measures required of the project; and demonstration that all applicable mitigation measures have been addressed.
7. Fees as set by resolution of the Board of Supervisors.
8. For projects 1) located in CMU-1, CMU-2, or NMU-ECR zoning districts, 2) located within 100 feet of the Caltrain rail right-of-way, unless and until the Caltrain is electrified, and 3) projects less than 100 feet from the Dumbarton rail right-of-way, unless and until train service on the Dumbarton right-of-way is permanently discontinued, or electrified, or developed with another low-emission transportation type:

An air quality analysis. A site specific health risk assessment (HRA) prepared by a qualified air quality specialist in accordance with California Air Resources Board and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents, occupants and visitors to air pollutants. If the HRA demonstrates that the health risk is at or below safe levels, then health risk reduction measures are not required. If the HRA shows sensitive receptors will be exposed to air pollution, such as particulate matter 2.5Mg and toxic air contaminants at levels above safe levels, best practices, e.g., filtration, fixed windows, etc., must be included in the project application to reduce exposure to safe levels. The HRA shall be prepared in consultation with the Bay Area Air Quality Management District and approved by the County.

- B. For projects requiring a use permit, the project shall not be subject to site development permit requirements, and shall be reviewed and approved according to the requirements in Chapter 24 of these regulations, except that any required design review shall be conducted by staff, as described in this Chapter.

SECTION 6566.3. REVIEW AND APPROVAL PROCEDURES.

- A. Within 30 days of receipt of a site development permit application, the Planning and Building Department shall inform the applicant in writing whether the application is complete and accepted for filing. If the application is deemed incomplete, the Planning and Building Department shall specify the deficiency and indicate what additional information is required.
- B. Complete applications will be reviewed for consistency with applicable zoning, and with the design guidelines in this Chapter. The Community Development Director (Director) or designee may approve a site development permit, subject to the following findings:

1. The project is consistent with all applicable zoning requirements;
 2. The project is consistent with the design standards in this Chapter; and
 3. A comparative analysis of project environmental impacts with those identified in the North Fair Oaks Community Plan Environmental Impact Report required in Section 6566.2 did not identify any additional environmental analysis and/or related mitigation measures required of the project; and that all applicable mitigation measures have been included in the project application.
- C. A site development permit must be obtained prior to submitting an application for any necessary building permit.

SECTION 6566.4. AMENDMENT OF SITE DEVELOPMENT PERMIT.

- A. Subsequent to the granting of a site development permit pursuant to this Chapter, the Director or designee may approve amendments to the approved plans which, in the judgment of the Director or designee, are minor in nature, without the public notice, hearing or appeal otherwise required or authorized by this Chapter. Such approval shall be in writing. Other amendments shall be processed as new applications.
- B. Minor amendments may include, but are not limited to: interior modifications; relocations of doors and windows; adjustments in roof pitch or design; minor relocations of walls, fences or signs; and other adjustments in design, all only to the extent that they will not, in the judgment of the Director, have an adverse effect on compliance with design standards or zoning regulations applicable to the project.

SECTION 6566.5. EXPIRATION OF SITE DEVELOPMENT PERMIT.

- A. Site development permits granted pursuant to this Chapter shall expire five (5) years from the date of approval if the applicant has not obtained all other permits required for the project and has not initiated construction.
- B. Upon written request of the applicant, the Director may extend the expiration period for site development permits for an additional one year.

SECTION 6566.6. INSPECTION AND OCCUPANCY. The completed building and project site, including any public realm improvements must be inspected for compliance with the site development permit by the Building Official, before a certificate of occupancy is issued.

SECTION 6566.8. PRE-DESIGN CONFERENCE. Prior to submitting an application for a site development permit, the project designer and applicant shall request and participate in a pre-design conference with the Director or designee. During the pre-design conference, the designer and applicant shall be provided with written copies of the Zoning Regulations and design review standards and guidelines applicable to the property and project in question, shall review same with the designer and applicant and shall answer any questions concerning appropriate design of the project. The intent of the pre-design conference is to ensure that the designer and applicant are aware of the design standards and expectations of the County prior to commencing design of a project.

SECTION 6566.9. EXCEPTIONS. The Director or designee may except minor activities which otherwise require a site development permit from the requirements of this Chapter when such activities, in the judgment of the Director, are minor in nature and will not have an adverse effect on compliance with design standards or guidelines or zoning regulations applicable to the property or structure in question. Minor projects include interior remodels, repair and maintenance, and minor exterior modifications that comply with the design standards, or other minor exceptions determined at the Director's discretion, including exceptions to the otherwise applicable design standards. Applications for exceptions shall be filed in the manner prescribed by the Director and shall be accompanied by fees as set by resolution of the Board of Supervisors. Exceptions shall be documented by the Director, whose decision on exceptions shall be final, except in the case of minor design exceptions, as described below.

A minor design exception from the standards in Sections 6566.15, 6566.16, 6566.17, and 6566.18 may be granted by the Director in a site development permit upon a finding by the Director that the exception 1) is necessary for compliance with the site planning and 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 4.14.; 4) will be compatible with the neighborhood surrounding the parcel, and 5) will not be detrimental to the public welfare. The Director may require modifications to the proposal, 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, as specified in Section 6565.11.

SECTION 6566.10. MAJOR DESIGN EXCEPTIONS. 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.

SECTION 6566.11. USE PERMITS. Projects requiring a use permit shall follow the procedures established in Section 6503 of the Zoning Regulations.

SECTION 6566.12. PUBLIC NOTICING. Public notice of approved site development permits shall be provided to all property owners within 300 feet of the exterior limits of the property or properties.

SECTION 6566.13. APPEALS. Approved site development permits may be appealed within ten (10) working days of issuance only by aggrieved persons as defined in Section 6565.11 of the Zoning Regulations. The Planning Commission shall review and consider points of appeal and issue a decision to uphold the Director's decision, remand to the Director with instructions for modifications or deny the appeal. The decision of the Planning Commission is final and may not be appealed. Applications for appeal shall conform to standard appeal procedures of the Planning and Building Department.

SECTION 6566.14. DESIGN STANDARDS. These design standards shall apply to projects in all areas within North Fair Oaks zoned Commercial Mixed Use-1 (CMU-1), Commercial Mixed Use-2 (CMU-2), Commercial Mixed Use-3 (CMU-3), Neighborhood Mixed Use-El Camino Real (NMU-ECR), and certain areas of the Industrial Mixed Use-North Fair Oaks (M1/NFO) and Industrial Mixed Use Edison (M-1/NFO/Edison). Projects shall also address the Design Standards and Guidelines in Chapter 7 of the *North Fair Oaks Community Plan* to the maximum extent practicable.

SECTION 6566.15. PUBLIC REALM DESIGN STANDARDS FOR PRIVATE DEVELOPMENT- BASE STANDARDS. Public realm improvements are those improvements required of a project that will be located in the public right of way.

A. Traffic Calming Devices at traffic ingress/egress crossing public right-of-way

All projects shall:

1. Provide traffic calming elements, including at least one of the following: changes in surface texture, audible alarms, and lights to slow cars and alert pedestrians of approaching vehicles at garage and parking lot entry/exits.

B. Sidewalks, Landscaping and Streetscape Amenities

All projects shall:

1. Create continuous accessible paths in all projects to the extent required by the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations).
2. In the CMU-1, CMU-2, and NMU-ECR districts, provide a minimum 10-foot-wide sidewalk on El Camino Real and 5th Avenue and 8-foot-wide sidewalks on side streets. In the CMU-3 district on all streets except Middlefield Road, and in the M-1/NFO and M-1/NFO/Edison districts on Bay Road, Fair Oaks Avenue, Second Street, and Edison Way, provide at least 8-foot-wide sidewalks. Wider sidewalks shall be provided where feasible. Commercial uses can temporarily

occupy that portion of El Camino Real sidewalk held in private ownership, or the public- or privately-owned 5th Avenue sidewalk with moveable furnishings or racks as long as a minimum 4-foot-wide continuous ADA accessible path is maintained at all times. Sidewalk widths shall be measured from existing back of curb, or from the edge of the street or alley right of way where no curb exists.

3. Provide street trees for all projects, approximately 36 inches in from face of curb to the trunk, approximately 35 feet on center on all streets adjoining the project, on the parcel side only. Additional trees shall be planted in raised curb planters between the sidewalk and roadway within parking areas to provide shade and comfort for all users of the street. Street trees shall be planted in 4- to 6-foot-wide tree wells with grates to accommodate pedestrian traffic. Adjacent to tree wells, use structural soil 2 to 3 feet deep and 8 feet long and wide under sidewalks; or a cellular sidewalk and soil support system in lieu of a standard aggregate base to allow room for tree roots, to support tree health, and reduce maintenance caused by uprooted sidewalks. Healthy existing street trees as determined by a qualified arborist shall count towards this requirement.
4. Limit alley and service access driveway curb cuts to a maximum of one per project, or one for every 150 linear feet of frontage.
5. Provide required bicycle racks in the public right-of way or publicly accessible open space in a manner that does not impede pedestrian movement, and situated so that bicycles will be parked parallel to the street.
6. For projects on sites 25,000 square feet and larger, provide pedestrian-friendly streetscape amenities or improvements, such as seating, public art planters and trash receptacles or improvements that are consistent with the County's adopted design for the El Camino Real or 5th Avenue streetscapes.
7. Install stormwater planters and bioswales either on site, or within the planting strip area of streets, if minimum paved sidewalk requirements are met.

SECTION 6566.15 PRIVATE REALM DESIGN STANDARDS FOR PRIVATE DEVELOPMENT – BASE STANDARDS.

The private property design standards apply to improvements authorized in a site development permit to be located on private property.

A. Building Design, Layout and Orientation

All projects shall:

1. Orient buildings, entries and primary façades toward the primary adjoining street. Primary streets include Middlefield Road, El Camino Real, 5th Avenue, Edison Way, Bay Road, and Fair Oaks Avenue.

For mixed-use projects that extend through blocks or are located on corner parcels, the non-residential entrance may be located on the primary adjoining street, and the residential entrance on the rear or side.

For projects that extend from El Camino Real to Blenheim Avenue the primary facade and entrance shall be on El Camino Real, except in the case of mixed-use projects, which may have two entrances situated as described above. The Blenheim façade, and the secondary façade on other projects with front and rear street frontages, shall include elements such as stairways, balconies, landscaping, fenestration, façade articulation and roof forms that project life and transparency on the street and are sympathetic in nature to the context of the surrounding neighborhood.

2. Along block faces, vary facade articulation, roof heights, and step-backs. Vary fenestration, color, architectural elements, and other elements between multiple adjoining structures or units.
3. For projects on El Camino Real, 5th Avenue, Bay Road, Fair Oaks Avenue, and Middlefield Road, articulate ground floor facades, using vertical elements, such as pilasters, columns or massing changes, into 25-foot to 50-foot-wide increments within larger buildings that face the street. Use distinctive vertical and/or horizontal elements to break up the massing of buildings.
4. For mixed-use buildings on corner parcels, provide a pedestrian-accessible entry at the corner, or entries on both streets.
5. Locate ground-level parking and parking access in the side or rear of the project, or in cases where front parking access is necessary due to site constraints, include pedestrian-friendly design treatments and amenities such as paths, screening and landscaping to mitigate impacts on the pedestrian environment and overall streetscape.
6. Provide space for deliveries and service vehicles, if the project will be serviced by large trucks that cannot be accommodated by on-street parking.
7. Locate recycling and trash enclosures away from building fronts and major entries, and/or screen such receptacles from view in fixed enclosures.

8. Ground-floor commercial spaces shall be at least 25 feet deep as measured from the front, ground-floor building facade. Ground floor commercial spaces shall be encouraged to be prepared with infrastructure sufficient to house a working restaurant, including necessary venting shafts, plumbing, and other necessary components.

B. Massing and Scale

All projects shall:

1. Articulate ground floor facades, using vertical elements, such as pilasters, columns or massing changes, that divide facades into no more than 25-foot to 50-foot-wide increments.
2. Use multiple varied vertical and/or horizontal elements to break up massing of buildings.
3. Provide minimum floor-to-floor heights of 12 feet for commercial uses, with 15 to 20 heights preferred.

C. Building Character, Facade Articulation and Fenestration

All projects shall:

1. Visibly anchor the building base (lowest floor) to the ground using elements such as: a plinth beneath glass openings at least eighteen (18) inches in height, and columns or pilasters, and differentiate the base from upper floors using material change, color change, and a horizontal mechanism, such as a cornice or overhang. Use durable materials for the base, such as stone, steel, manufactured stone, or cementitious panel, but not stucco. Limit windows extending to the ground to 20 percent of the façade length
2. Have no continuous blank walls along street-fronting façades on any streets.
3. Provide multiple varied building elements, including cornices, lintels, sills, balconies, awnings, porches, and stoops to enhance building façades.
4. Limit garage entrances on street-facing facades to 22 feet in width.
5. Provide street-facing garage entries and parking vents with screening using materials that complement the building's overall composition, color palette, and materials.

6. Provide articulation on all four sides of buildings; using a hierarchy where the front façade has the greatest articulation, followed by the next most visible façade, followed by the least visible façade when viewed from the public right of way. For buildings with two street fronts, and for corner buildings, all street edges shall be treated similarly. Blank walls may be permitted where the side-yard wall encloses ground-floor parking and is within 2 feet of the property line, or for walls with no side-yard setback and the adjoining property can build to the property line. Side yard walls visible from the street shall be surfaced and articulated consistent with the rest of the structure.
7. Fenestrate all ground floor commercial uses with non-reflective glass windows fronting onto sidewalks.
8. For buildings located at street corners and at gateway entries identified in Chapter 2 of the North Fair Oaks Community Plan, provide roofs that accentuate the corner using a tower element, raised massing or other devices that emphasize the corner, and that are integral to the structure of the building and the design of the facade, rather than ornamental.
9. Screen mechanical equipment (e.g., air conditioning, heating, compressor, generator, venting units) or other utility hardware on roof, ground, or buildings with opaque and sound attenuating materials compatible with the building, when visible from or adjacent to a public right-of-way or residentially zoned parcel. Screen rooftop mechanical equipment with parapets or the roof form, or set screening that is not part of the roof or parapet back from the building edge to avoid the appearance of an extra floor. Screening shall be integrated with the building design, compatible with the architectural character, colors, materials and elements from the roof and façade composition. .
10. Have no continuous exterior balconies/galleries for circulation that are visible from streets.
11. Be allowed awnings that project from building facades with a minimum vertical clearance of 8 feet above the street. Semicircular canvas awnings parallel to the façade are prohibited.
12. Have no exterior or interior window bars, roll-over doors or accordion gates over windows and entries. Multi-pane windows shall be true “divided-light windows.

13. Have windows that are one or more of the following: inset at least two inches; or trimmed so as to create a shadow line, including a sill; or flush with the surface, but framed with substantial trim or trim that contrasts with the building color, and divided with mullions or muntins. Snap-in muntins or mullions are prohibited.
14. Articulate and accentuate roofs on buildings located at street corners and at gateway entries into neighborhood streets, as defined in Chapter 2 of the North Fair Oaks Community Plan. Roofs should be integral to the structure of the building and the design of the facade, rather than ornamental.

D. Building Materials

All projects shall:

1. Use durable roofing materials, such as tile, slate, sheet metal shingles, standing seam metal roof, and wood shakes or shingles. Asphalt shingles must be of the highest quality commercial grade; lightweight asphalt shingle shall not be used. Any copper materials must be pre-treated to prevent exfoliation.
2. Use only authentic (non-simulated) high-quality wall materials, or durable simulated materials that closely match the surface, color and proportions of the material being copied. Use materials such as:
 - a. Brick (brick veneer must be detailed, including careful detailing of corners and seams).
 - b. Cementitious panels.
 - c. Wood; however, plywood siding, and lower quality hardboard composite sidings may not be used.
 - d. Stucco (installed in sufficient thickness and material quality to effectively resist cracking; joints shall be coordinated with the overall facade composition and demised in small enough frames by joints to resist cracking and facilitate repairs; and sealant colors coordinated with other facade material colors). Only properly-drained, durable exterior insulation and finish system (EIFS) may be substituted for stucco.
 - e. Stone, stone veneers and terra cotta tile;
 - f. Metal siding (of sufficient thickness, at the ground floor level, to prevent dents from impacts, and properly coated).

- g. Glass, including opaque spandrel glass (as part of a curtain wall construction or floor-to-ceiling glass for a singular massing element of a façade, provided a ground floor plinth is included).
- h. An anti-graffiti coating shall be applied to the portions of ground floor walls readily accessible from public spaces.
- i. Stucco may not be used exclusively at the ground floor and may not be used for plinths. Mirrored glass may not be used.

E. Stormwater Management and Landscaping

All projects shall:

1. Minimize on-site impermeable surfaces such as concrete, asphalt and hardscaping. Utilize permeable pavers, porous concrete, porous asphalt, reinforced grass pavement (turf-crete), cobblestone block pavement, infiltration planters, rain gardens and infiltration trenches to absorb stormwater, and other techniques to detain and infiltrate run-off on-site.
2. Manage site stormwater run-off from impervious surfaces onsite, including roofs by using best management practices (BMPs) consistent with the San Mateo County Stormwater Pollution Prevention Program's *C.3 Technical Guidance*, in the design and location of buildings and open spaces and through the provision of site features to capture, hold and treat stormwater, such as rain gardens with engineered, vegetated swales, soils and stormwater planters, green roofs and subterranean water infiltration devices, or water capture devices, such as cisterns and rain barrels. Integrate these features in ways that enhance building character.
3. Plant medium to large canopy trees in rear and side yards of private development where sufficient space for trees to mature is available.
5. In landscaped infiltration features, use plants that can withstand pollutants; are effective in pollutant removal, and comply with the Water-Efficient Landscape Ordinance.
6. Landscape unpaved open areas not committed to stormwater management with water efficient landscaping, consistent with the Water Efficient Landscape Ordinance.

F. Utilities

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 in a manner that minimizes harm to any trees being preserved, and allow space for planting trees required by these guidelines.

G. Ecology and Health

Residential units in multi-family buildings should have access to sun and air through operable windows and building openings, except in the case that residential units in the CMU-1, CMU-2, and NMU-ECR districts are not negatively impacted by such windows and openings, as demonstrated by the required air quality analysis described in Section 6566.2.A.2.

H. Transportation

Provide transportation demand management measures, consistent with the City/County Association of Governments (“CCAG”) Land Use Component of the Congestion Management Program for San Mateo County, such as transit passes or other programs as needed to address project traffic or public transit impacts, consistent with the County Transportation Plan.

SECTION 6566.16 PUBLIC REALM DESIGN STANDARDS FOR PRIVATE DEVELOPMENT – ADDITIONAL STANDARDS. Public realm improvements are those improvements required of a project that will be located in the public right of way, or dedicated for public use.

A. Sidewalks, Landscaping and Streetscape Amenities

All projects shall:

1. Provide bulb-outs at intersections with cross walks or at mid-block crossings to minimize crossing distance and increase pedestrian visibility where feasible.
2. If located transit routes, coordinate with SamTrans to determine whether transit improvements, such as bus shelters or benches are appropriate, and whether existing transit stops are optimally located.
3. Be allowed to use pavers in place of concrete for sidewalks located in private rights-of-way.

SECTION 6566.17 PRIVATE REALM DESIGN STANDARDS FOR PRIVATE DEVELOPMENT – ADDITIONAL STANDARDS. The private property design standards apply to improvements authorized in a site development permit to be located on private property.

A. Building Design, Layout and Orientation

All projects shall conform to the following standards and guidelines, as applicable:

1. Encourage use of any private courtyards or other open spaces as common, public space, and if courtyards or other spaces are raised, encourage provision of an accessible connection between courtyards or open spaces and the street. Encourage ground-level open space wherever possible.
2. For residential projects, provide stoops, or other types of individual unit entries where feasible.
3. Where feasible, provide privacy for ground floor residential uses by elevating the first floor of such uses above grade, and/or using recessed entries with translucent glazing and/or placing windowsills 2 to 3 feet above floor level.

D. Building Character, Facade Articulation and Fenestration

All projects shall conform to the following standards and guidelines, as applicable:

- a. Where feasible, incorporate art (including murals, frescoes, mosaics, and other types, especially on large blank walls) in building facades, particularly art that relates to the history and culture of North Fair Oaks, and celebrates the local community.

C. Parking

All projects shall:

1. Be encouraged to use space-efficient parking strategies, such as lift parking and tandem parking, to reduce building costs and maximize efficiency of development.
2. Be encouraged to provide parking located at least ½-story below grade, whenever feasible based on groundwater level.

D. Alleys/Service Access

All projects shall:

1. Provide small canopy trees along alleys.

2. Provide distinctive paving along the alleys located between 5th Avenue, and East Selby Street, to distinguish the alleys from roadways and to signal vehicles to proceed slowly.

E. Ecology and Health

All projects shall:

1. Use sustainable building practices and materials, and ecologically-sensitive design solutions, including solar panels, light shelves and cool roofs, consistent with the County's Climate Action Plan, where feasible.

SECTION 6. The San Mateo County Ordinance Code, Division VI, Part One, Chapter 2, Section 6115 (Zoning Maps), is hereby amended to change the zoning from M-1/NFO (Light Industrial/North Fair Oaks) and C-2/NFO/S/1/DR (General Commercial) to CMU-3 (Commercial Mixed Use-3); and from M-1 (Light Industrial) to M-1/NFO (Mixed-Use Industrial/North Fair Oaks); and from M-1/NFO to M-1/Edison/NFO (Mixed-Use Industrial/Edison/North Fair Oaks); and from P (Parking) to M-1/Edison/NFO, as shown on the attached maps.

SECTION 7. The proposed amendments to the Zoning Regulations and associated zoning map amendments are within the scope of the North Fair Oaks Community Plan Program Environmental Impact Report (EIR), and will result in no new impacts and will require no new mitigation measures, and thus pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, no additional environmental review is required.

SECTION 8. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance.

SECTION 9. The Clerk shall publish this Ordinance in accordance with applicable law.

SECTION 10. This Ordinance shall be effective thirty (30) days from the passage date thereof.

* * * * *

Regularly passed and adopted this 23rd day of July, 2019

AYES and in favor of said ordinance:

Supervisors: _____ *DAVE PINE*
_____ *CAROLE GROOM*
_____ *DON HORSLEY*
_____ *WARREN SLOCUM*
_____ *DAVID J. CANEPA*

NOES and against said ordinance:

Supervisors: _____ *NONE*

Carole Groom

*President, Board of Supervisors
County of San Mateo
State of California*

Certificate of Delivery

I certify that a copy of the original ordinance filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

S. Sturwal

Assistant Clerk of the Board of Supervisors