

**ORDINANCE NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,  
STATE OF CALIFORNIA**

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**AN ORDINANCE (1) AMENDING THE COUNTY ORDINANCE CODE, DIVISION VI, PART ONE (ZONING REGULATIONS) TO AMEND CHAPTERS 21C (NMU NEIGHBORHOOD MIXED USE ZONING DISTRICT), 28.1, SECTION 6565.18 (STANDARDS FOR THE DESIGN OF COMMERCIAL STRUCTURES ON MIDDLEFIELD ROAD IN NORTH FAIR OAKS), 29 (DESIGN REVIEW AND SITE DEVELOPMENT PERMIT), 29.1 (CMU-1 ZONING DISTRICT), 29.2 (CMU-2 ZONING DISTRICT), 29.3 (NMU-ECR ZONING DISTRICT), 29.4 (CMU-3 ZONING DISTRICT); AND (2) AMENDING THE COUNTY ORDINANCE CODE DIVISION VI, PART ONE, CHAPTER 2, SECTION 6115 (ZONING MAPS)**

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 higher-density residential mixed-use land use categories for specified areas of the North Fair Oaks community, and establishes new development and design standards for those areas; and

**WHEREAS**, between 2015 and 2019, the San Mateo County Board of Supervisors adopted various new zoning districts implementing the land use categories and development standards incorporated in the Community Plan, constituting Chapters 21C, 29, 29.1, 29.2, 29.3 and 29.4 of the County Zoning Regulations (NFO Zoning Regulations), and adopted amendments to the County's zoning maps to apply these zoning districts to various areas of North Fair Oaks, consistent with the Community Plan; and

**WHEREAS**, since adoption of the development and design standards included in the NFO Zoning Regulations, various changes to State law have altered the County's ability to apply certain development regulations and permitting and approval processes to certain types of residential development, making parts of the NFO Zoning Regulations inconsistent with State law; and

**WHEREAS**, County staff has identified various ways in which the NFO Zoning Regulations could be improved for clarity, consistency, and usability; and

**WHEREAS**, the County, like the region and the state, continues to face significant housing shortages and housing pressures, necessitating identification of additional areas appropriate for intensification of residential development; and

**WHEREAS**, various areas of North Fair Oaks in direct proximity to the districts designated for higher residential density by the NFO Zoning Regulations have been identified as appropriate for similar high density residential development; and

**WHEREAS**, at the direction of the Board of Supervisors, in 2019 the Planning and Building Department applied for and was awarded two grants from the State of California

to fund amendments to the Zoning Regulations to achieve consistency with State law, improve clarity, consistency and usability of the Community Plan and the Zoning Regulations, and redesignate multiple areas of North Fair Oaks for higher-density residential mixed-use development; and

**WHEREAS**, proposed amendments to the NFO Zoning Regulations and the County Zoning Maps have been drafted with significant community outreach and input over the course of the past three years, with the assistance of a technical advisory committee, the involvement and input of local stakeholders, and with the ongoing guidance and input of the North Fair Oaks Community Council; and

**WHEREAS**, the proposed amendments to the NFO Zoning Regulations constitute a text amendment to the County Zoning Regulations; and

**WHEREAS**, the proposed amendments to the zoning maps applicable to certain areas of North Fair Oaks constitute a map amendment to the County's zoning maps; and

**WHEREAS**, on April 27, 2023, the North Fair Oaks Community Council recommended adoption of said amendments to the Zoning Regulations and County Zoning Maps; and

**WHEREAS**, on June 21, 2023, 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 County Zoning Maps; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), the County prepared an Environmental Impact Report (EIR) assessing the potential

environmental impacts of adoption of the amendments to the North Fair Oaks Community Plan and Zoning Regulations ; and

**WHEREAS**, the Draft EIR was prepared and circulated for public comment, and responses to comments and revisions to the EIR were prepared and constitute the Final EIR, as required by CEQA; and

**WHEREAS**, the Board of Supervisors has certified the Final EIR as complete and adequate, and adopted a Statement of Overriding Considerations related to environmental impacts described in the Final EIR;

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

**SECTION 1.** The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 21C, “NMU”, Neighborhood Mixed Use District, is hereby amended to read as follows:

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

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

**SECTION 6391. PURPOSES.**

1. Provide commercial areas intended primarily for the location of neighborhood-serving trades and services to meet the needs of surrounding residential areas, as well as higher-density living options for residents.
2. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts, and by requiring that commercial development meet minimum design standards.

3. Promote and enhance the creation of an attractive neighborhood mixed-use district accessible by a variety of transportation modes, including private vehicles, transit, bicycling and walking.
4. Protect the functional and economic viability of commercial mixed-use areas by restricting incompatible land uses.
5. Support and strengthen the local economy by providing trade and employment opportunities.
6. Implement the policies of the North Fair Oaks Community Plan and the San Mateo County General Plan.

### **SECTION 6392. DEFINITIONS.**

1. Administrative, Professional and Business Offices. Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other business offices.
2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.
4. Appurtenance. Structural and utility apparatus(es) associated with a principal feature or function.
5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical supports that may be columns or pilasters.
8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building envelope is the theoretical maximum volume allowed.
10. Building Opening. Any aperture within of a solid wall, which may be used to

provide a window, a group of windows, a door, or garage door.

11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.
12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Façade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).
16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.
17. Control Joints. A deep narrow recess provided within ridged materials to direct the location of cracking as thermal expansion and contraction occurs.
18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.
23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.

25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.
26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.
32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.
33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.
34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
  - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
  - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.

- c. Value-Added Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
  
- 35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.
  
- 36. Finished Grade. The elevation of the finished surface of the ground.
  
- 37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
  
- 38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
  
- 39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
  
- 40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.
  
- 41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.
  
- 42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
  
- 43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
  
- 44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.



45. Garage Opening. A form of building opening that provides access to motorized vehicles.
46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.
47. Ground-Floor Façade. That part of the façade (exterior wall with associated elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.
48. Interior Corner. A concave corner that projects inward toward the building volume to which it is associated.
49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade, Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.
53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.

57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating, compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.
58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.
59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.
62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.
63. Mullion. A narrow length of wood or other material located between window lites, and including a narrow length of material applied to a single pane of glass to simulate individual window lites.
64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution.”
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.

66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.
68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.
69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with two or more stories.
72. Parking Lots and Parking Garages. Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.
73. Personal Convenience Service Establishments. Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.
74. Pet Sales and/or Grooming Establishments. Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.
75. Pilaster. A vertical pier that is integrated with, and projects slightly forward from, a wall.
76. Porch. An outside landing immediately adjacent to a building entrance and sheltered by a roof.
77. Religious Facilities. Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and

temples.

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

89. Theaters. Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.
90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto property from a public right-of-way.
92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.
95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

### **SECTION 6393. USES PERMITTED.**

1. Permitted development types and uses, and permit requirements for each type and use, are presented in the following table and as follows:
  - a. Nonresidential Development. All types of entirely non-residential development shall be allowed only upon approval of a Use Permit. All types of non-residential development above the ground floor shall be allowed only upon approval of a Use Permit.
  - b. Residential Development. All types of entirely residential development shall be allowed only upon approval of a Use Permit.
  - c. Mixed-Use Development. Mixed-Use Development with ground floor non-residential and residential above the ground floor is subject to the highest

planning permit required for the specific non-residential uses in the development. If none of the discrete uses in the project require a planning permit, no permit shall be required.

2. For projects requiring no use permit, decisions on all associated approvals, including grading and land clearing permits, tree removal permits, and others shall be made at the staff level, based on the criteria established in the relevant regulations, and no hearings shall be required.

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

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



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

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

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

4. Building Setbacks and Stepbacks.

a. The minimum building setbacks shall be:

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

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

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

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

c. Setback and Stepback Exceptions.

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

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

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

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

6. Signs

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

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

- b. Maximum Number of Signs. The maximum number of signs allowed on a parcel is one sign per parcel, or one sign per each 200 feet of parcel street frontage, or one sign per use, whichever is greatest.

- c. Maximum Total Sign Display Area. The maximum total display area for all signs on a parcel is three-quarters square foot per foot of parcel street frontage.

- d. Maximum Window Sign Area. Signs located within windows and visible to the

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

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

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

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

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

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

b. Street Trees

- (1) Development shall provide street trees along public sidewalks that abut the project, consistent with the provisions of the Department of Public Works' Tree Planting Application. Developments shall provide the maximum number of street trees that are consistent with the Department of Public Works' standards. The number of required trees may be reduced at the discretion of the Director of Community Development.
- (2) Street tree species shall be selected from a street tree list that can be obtained from the Department of Planning & Building.
- (3) Street tree installation shall conform to San Mateo County standards, as established by the Department of Public Works.
- (4) Installed trees shall be watered for at least 3 years by Developer/Property Manager and maintained/replaced by Developer/Property Manager.
- (5) Sidewalks damaged/affected by trees planted as part of development, shall be replaced/repared/maintained by Developer/Property Manager.

c. Curb Cuts and Driveways

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

d. Bike Racks and Refuse Receptacles

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

e. Utilities

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

f. Alleys

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

4. Building and Site Design Standards for Private Development

a. Building Design and Orientation

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

façade by not less than three (3) inches for a height not less than eleven (11) inches.

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

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

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

(a) Residential entrances shall have uninterrupted access from a public sidewalk.

(b) Residential entrances shall be accompanied by one of the following: a porch covered entirely by a roof; a stoop with a doorway that is recessed by at least two (2) feet; or an interior lobby. The landing or floor for these features shall have an unobstructed (clear) width of not less than four (4) feet.

(c) The elevation of the lowest residential floor shall be raised above finished grade by at least two (2) feet if within 5 feet of a front property line, and at least one (1) foot if within 10 feet of a front property line.

(d) At least twenty-five percent (25%) of each residential ground-floor façade shall be comprised of clear windows and/or doors with windows. Ground-floor windows that count toward this requirement shall be clear.

(e) Windows for residential ground-floor living space shall have a sill height of at least 3 feet above floor level.

b. Building Elements & Materials

(1) Windows

(a) Exterior windows for inhabited space shall use clear glass having at least 90 percent light transmission within the visible spectrum, and shall not be mirrored or frosted, except for bathroom and utility room windows.

(b) Window glass shall be recessed at least 2 inches from the adjacent trim or from the façade if no trim is used.

(c) Window mullions shall not be behind glass when viewed from the outside.

(d) Rooms with exterior windows shall include at least one operable window, except where fixed windows are required to mitigate noise or air quality impacts.



(2) Exterior Finishes

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

(3) Roofs.

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

(4) Roof-Mounted Mechanical Equipment

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

c. Site Features

(1) Walls & Fences

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

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

(2) Mechanical Equipment

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

(3) Vehicle Access and Parking

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

(4) Refuse and Recycling Collection Areas

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

- (e) Refuse and recycling collection areas that are not within a building shall be fully enclosed by a solid wall or opaque fence between six (6) feet and eight (8) feet in height, except to provide access on one side. Openings for access shall be accompanied by a gate not less than 4 feet in height.

(5) Loading Areas

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

d. Utilities

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

e. Landscaping

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

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

- 1. Noise. No use will be permitted which generates noise levels that exceed County Noise Ordinance standards.

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

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

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

management is responsible for ensuring that the site is restored to a neat condition by no later than the end of the Farmers Market day.

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

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

4.

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

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

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

1. Shared Parking.

- a. Applicability. Subject to this section's requirements and the securing of a Use Permit in accordance with the provisions of Section 6503 of the Zoning Regulations, an applicant may request shared parking to meet the minimum parking requirements for shared parking facilities serving more than one use on a site, or for multiple uses that are located near one another, and which have different peak parking demands and/or operating hours.
- b. Analysis Required. In addition to the procedures established in Section 6503 of the Zoning Regulations, requests for shared parking shall comply with this section's standards and criteria. A parking analysis shall be submitted as part of the application which clearly establishes that the subject uses will use the shared parking spaces at different times of the day, week, month, or year. The analysis shall reference a shared parking study prepared by a qualified professional. A shared parking study shall, at a minimum address:

- (1) The intensity and type of activities and the composition of uses;
- (2) Hours of operation of the uses;
- (3) The rate of turnover for proposed shared spaces;
- (4) Distances of shared parking spaces from the uses they serve;
- (5) The anticipated peak parking and traffic loads for the site;
- (6) Parking spaces reserved for a specific tenant or dwelling unit shall not be included in the shared parking calculation; and

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

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



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

2. Off-Site Parking.

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

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

- (2) Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
- (3) In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.

c. Findings Required. A Use Permit for off-site parking may be approved if the following findings are made, in addition to the findings required in Section 6503 of the Zoning Regulations:

- (1) The off-site spaces to be used to satisfy the project's parking obligation will be available as long as the uses requiring the spaces are in operation;
- (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
- (3) The quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
- (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
  - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand of the revised project and any necessary updates to the written agreement;
  - (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
  - (c) A provision that the County may require parking facilities in addition to those originally approved, upon a finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and

(d) A provision stating that the County, acting through the Planning Commission, may, for due cause and upon notice and hearing, modify, amend, or terminate the Use Permit and/or agreement at any time.

d. Exceptions. In addition to the ability to obtain a Use Permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number of spaces, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6398. The Community Development Director may grant an exception to modify the number of bicycle parking spaces required, the location of bicycle parking requirements, and/or the design of bicycle parking, if the applicant demonstrates that at least one of the following conditions exist:

- (1) The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.
- (2) Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6398.

**SECTION 2.** The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 29.1, "CMU-1" (Commercial Mixed Use District 1) is hereby amended to read as follows:

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

### **SECTION 6567. REGULATIONS FOR "COMMERCIAL MIXED USE-1" DISTRICT.**

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

#### **SECTION 6567.1 PURPOSES.**

1. Provide commercial areas intended primarily for the location of locally and regionally-oriented trades and services to meet the needs of both surrounding residential areas and the broader region, as well as higher-density living options for residents.
2. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts, and by requiring that commercial development meets minimum design standards.
3. Promote and enhance the creation of an attractive commercial mixed use district

accessible by a variety of transportation modes, including private vehicles, transit, bicycling, and walking.

4. Protect the functional and economic viability of commercial mixed use areas by restricting incompatible land uses.
5. Support and strengthen the local economy by providing trade and employment opportunities.
6. Implement the policies of the North Fair Oaks Community Plan and the San Mateo County General Plan.

## **SECTION 6567.2 DEFINITIONS.**

1. Administrative, Professional and Business Offices. Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other business offices.
2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.
4. Appurtenance. Structural and utility apparatus(es) associated with a principal feature or function.
5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical supports that may be columns or pilasters.
8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building envelope is the theoretical maximum volume allowed.
10. Building Opening. Any aperture within of a solid wall, which may be used to provide a window, a group of windows, a door, or garage door.

11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.
12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Façade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).
16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.
17. Control Joints. A deep narrow recess provided within ridged materials to direct the location of cracking as thermal expansion and contraction occurs.
18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.
23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.

25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.
26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.
32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.
33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.
34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
  - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
  - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
  - c. Value-Added Farm Product – Any product processed by a Producer from a

Farm Product, such as baked goods, jams, and jellies.

35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.
36. Finished Grade. The elevation of the finished surface of the ground.
37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.
41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.
42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.
45. Garage Opening. A form of building opening that provides access to motorized

vehicles.

46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.
47. Ground-Floor Façade. That part of the façade (exterior wall with associated elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.
48. Interior Corner. A concave corner that projects inward toward the building volume to which it is associated.
49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade, Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.
53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.
57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating,



compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.

58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.
59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.
62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.
63. Mullion. A narrow length of wood or other material located between window lites, and including a narrow length of material applied to a single pane of glass to simulate individual window lites.
64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term "non-chartered financial institution" shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term "non-chartered financial institution."
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.

66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.
68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.
69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with two or more stories.
72. Parking Lots and Parking Garages. Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.
73. Personal Convenience Service Establishments. Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.
74. Pet Sales and/or Grooming Establishments. Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.
75. Pilaster. A vertical pier that is integrated with, and projects slightly forward from, a wall.
76. Porch. An outside landing immediately adjacent to a building entrance and sheltered by a roof.
77. Religious Facilities. Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and temples.

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

90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto property from a public right-of-way.
92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.
95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

## **SECTION 6567.3 PERMITTED USES**

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

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

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

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



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

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

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

- (1) Parcels facing El Camino Real, including corner parcels, must be developed with an El Camino Real frontage, with front and rear required setbacks and stepbacks determined by this orientation.
  - (2) Parcels facing 5th Avenue must be developed with a 5th Avenue frontage, with front and rear required setbacks and stepbacks determined by this orientation.
  - (3) Signage and awnings may extend up to 5 feet into setbacks.
  - (4) Balconies, eaves, building bays, and bay windows may project up to 3 feet into the required front setback of residential and mixed-use buildings above 15 feet in building height, but may not obstruct the public right-of-way.
- b. Rear Stepback. A minimum stepback shall be provided at or below 20 feet in building height that in combination with the ground floor setback measures at least 20 feet from the rear property line. The stepback may be used for residential balcony space adjacent to the building.
- c. Setback and Stepback Exceptions.
- (1) At the Community Development Director's discretion, minor exceptions to the required setbacks and stepbacks described above may be granted, on the Director's finding that the combined setbacks and stepbacks proposed meet, in aggregate, the intent and purpose of the setback and stepback requirements, and purposes of the North Fair Oaks Community Plan.
  - (2) At the Community Development Director's discretion, building elements intended to meet the façade articulation design intent of the North Fair Oaks Community Plan may be allowed to encroach into setbacks at and above the ground floor, if the Director finds that such encroachment is minor, and will not diminish the purpose of providing continuous public-rights-of-way.
5. Building Height. The maximum building height shall be 50 feet for residential development, 60 feet for commercial development, 60 feet for institutional development, and 60 feet for mixed use development. The minimum building height is three stories, except in the case that a Use Permit is secured.

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

## 6. Signs

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

design of the building or structure with which the sign is associated, and incorporate unifying colors, materials, and features.

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

1. Minor Design Exceptions. A minor design exception from the standards in this section may be granted by the Director of Planning and Building upon a finding by the Director that the exception 1) is necessary for compliance with the building and site design requirements; 2) will not jeopardize public safety; 3) promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.15 will be compatible with the neighborhood surrounding the parcel, and 4) will not be detrimental to the public welfare. The Director may require modifications to the proposed exception, including design, location, materials, colors, and landscaping requirements. The Director's decision on an exception authorized by this Section shall not require a public hearing. The Director's decision may be appealed to the Planning Commission.
2. Major Design Exception. The Planning Commission, at a public hearing, may grant a Use Permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.
3. Public Right-of-Way Improvements Required of Private Development
  - a. Sidewalks
    - (1) Create continuous accessible public sidewalks consistent with the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations). A 5-foot wide uninterrupted path of travel shall be provided, which is free from fixed obstructions, including street trees, bike racks, trash receptacles, poles, and above-grade utilities.
    - (2) Provide a minimum 8-foot-wide sidewalk measured from back of curb.
    - (3) Sidewalks shall be constructed according to specifications that can be obtained from the San Mateo County Department of Planning & Building.
  - b. Street Trees
    - (1) Development shall provide street trees along public sidewalks that abut the project, consistent with the provisions of the Department of Public Works' Tree Planting Application. Developments shall provide the maximum number of street trees that are consistent with the Department of Public Works' standards. The number of required trees may be reduced at the discretion of the Director of Community Development.
    - (2) Street tree species shall be selected from a street tree list that can be

obtained from the Department of Planning & Building.

- (3) Street tree installation shall conform to San Mateo County standards, as established by the Department of Public Works.
- (4) Installed trees shall be watered for at least 3 years by Developer/Property Manager and maintained/replaced by Developer/Property Manager.
- (5) Sidewalks damaged/affected by trees planted as part of development, shall be replaced/repared/maintained by Developer/Property Manager.

c. Curb Cuts and Driveways

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

d. Bike Racks and Refuse Receptacles

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

e. Utilities

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

f. Alleys

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

#### 4. Building and Site Design Standards for Private Development

##### a. Building Design and Orientation

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

by walls or cabinets for a depth of at least 10 feet; and/or a display window case having a depth of at least three (3) feet, and with recessed ceiling lights or ceiling-mounted lights.

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

windows. Ground-floor windows that count toward this requirement shall be clear.

- (e) Windows for residential ground-floor living space shall have a sill height of at least 3 feet above floor level.

b. Building Elements & Materials

(1) Windows

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

(2) Exterior Finishes

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

(3) Roofs.

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

(4) Roof-Mounted Mechanical Equipment

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



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

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

c. Site Features

(1) Walls & Fences

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

(2) Mechanical Equipment

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

(3) Vehicle Access and Parking

- (a) Development sites with street frontage along El Camino Real or on Middlefield Road shall not provide a driveway from these streets if vehicle access can be provided by way of another public street or a public alley.
- (b) Driveways and garage entrances shall not exceed a width of 25 feet.
- (c) Surface parking spaces shall be set back at least 15 feet from a

street right-of-way and shall be screened by a fence or wall that is at 3-4 feet in height, and/or shrubs expected to grow to a height of at least 3 feet at maturity.

(4) Refuse and Recycling Collection Areas

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

(5) Loading Areas

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

d. Utilities

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

e. Landscaping

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

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

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

**SECTION 6567.7 FARMERS MARKET STANDARDS.** Farmers Markets are allowed in the CMU-1 Zoning District subject to a Farmers Market Permit and must meet the following standards:

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

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

1. Section 6119, Parking Spaces Required. Section 6119 shall be governed by Table 1 in this Section 6567.8, which sets forth the minimum number of off-street parking spaces required. Parking spaces required by Table 1 may also be modified by the amounts set forth in the Shared Parking and Off-Site Parking regulations in this Chapter. For uses not listed in Table 1, the provisions of Section 6119 shall apply.
2. Section 6118(a), Size and Access. Notwithstanding Section 6118(a), in the CMU-1 District, a maximum of 25% of the parking spaces required by Table 1 may be compact parking spaces with an area of 128 sq. ft. and minimum dimensions of 8 ft. in width by 16 ft. in length. Parking stall height shall be no less than 7 ft. and 2 in. from the parking surface to ceiling fixtures, pipes, or structural elements. Accessible parking stalls shall have a height of no less than 8 feet and 4 inches to ceiling fixtures, pipes, or structural elements. The Community Development Director shall approve the heights for all parking stalls with mechanical lifts.
3. The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted within enclosed parking areas. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and drive aisles ensures adequate provision for ingress and egress to all parking spaces in the platform system. The lift equipment or computerized parking structure shall meet all applicable building, mechanical, and electrical code requirements as approved by the Building Official.

**TABLE 1 REQUIRED PARKING**

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

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



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

2. Shared Parking

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

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

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

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

### 3. Off-Site Parking

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



- (2) Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
  - (3) In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.
- c. Findings Required. A Use Permit for off-site parking may be approved if the following findings are made, in addition to the findings required in Section 6503:
- (1) The off-site spaces to be used to satisfy the project's parking obligation will be available as long as the uses requiring the spaces are in operation;
  - (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
  - (3) The quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
  - (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
    - (a) A guarantee that there will be no substantial alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand of the revised project and any necessary updates to the written agreement;
    - (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
    - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
    - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or agreement at any time.
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- d. Exceptions. In addition to the ability to obtain a Use Permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number of spaces, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6567.8. The Community Development Director may grant an exception to modify the number of bicycle parking spaces required, the location of bicycle parking requirements, and/or the design of bicycle parking, if the applicant demonstrates that at least one of the following conditions exist:
- (1) The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.
  - (2) Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6567.8.

**SECTION 3.** The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 29.2, "CMU-2" (Commercial Mixed Use-2 District) is hereby amended to read as follows:

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

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

**SECTION 6568.1 PURPOSES.**

1. Provide commercial areas intended primarily for the location of locally and regionally-oriented trades and services to meet the needs of both surrounding residential areas and the broader region, as well as higher-density living options for residents.
2. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts, and by requiring that commercial development meets minimum design standards.
3. Promote and enhance the creation of an attractive commercial mixed use district accessible by a variety of transportation modes, including private vehicles, transit, bicycling, and walking.

4. Protect the functional and economic viability of commercial mixed use areas by restricting incompatible land uses.
5. Support and strengthen the local economy by providing trade and employment opportunities.
6. Implement the policies of the North Fair Oaks Community Plan and the San Mateo County General Plan.

## **SECTION 6568.2. DEFINITIONS.**

1. Administrative, Professional and Business Offices. Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other business offices.
2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.
4. Appurtenance. Structural and utility apparatus(es) associated with a principal feature or function.
5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical supports that may be columns or pilasters.
8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building envelope is the theoretical maximum volume allowed.
10. Building Opening. Any aperture within of a solid wall, which may be used to provide a window, a group of windows, a door, or garage door.
11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which

regularly provide non-medical care, protection, and supervision of children in a non-residential setting.

12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Façade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).
16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.
17. Control Joints. A deep narrow recess provided within ridged materials to direct the location of cracking as thermal expansion and contraction occurs.
18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.
23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.
25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.

26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.
32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.
33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.
34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
  - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
  - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
  - c. Value-Added Farm Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

36. Finished Grade. The elevation of the finished surface of the ground.
37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.
41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.
42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.
45. Garage Opening. A form of building opening that provides access to motorized vehicles.
46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.
47. Ground-Floor Facade. That part of the façade (exterior wall with associated

elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.

48. Interior Corner. A concave corner that projects inward toward the building volume to which it is associated.
49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade, Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.
53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.
57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating, compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.
58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans,

and which may include medical and dental laboratories and associated prescription pharmacies.

59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.
62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.
63. Mullion. A narrow length of wood or other material located between window lites, and including a narrow length of material applied to a single pane of glass to simulate individual window lites.
64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution.”
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.
66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.



68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.
69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with two or more stories.
72. Parking Lots and Parking Garages. Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.
73. Personal Convenience Service Establishments. Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.
74. Pet Sales and/or Grooming Establishments. Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.
75. Pilaster. A vertical pier that is integrated with, and projects slightly forward from, a wall.
76. Porch. An outside landing immediately adjacent to a building entrance and sheltered by a roof.
77. Religious Facilities. Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and temples.
78. Restaurants. Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic

beverages, are classified as bars and are subject to bar permitting requirements.

79. Retail Cleaning Establishments. Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry-cleaning pick-up stores with limited equipment and laundromats where coin-operated washers and dryers are provided for self-service to the public.
80. Screened. To conceal, partly conceal, and/or separate an object to eliminate or reduce its visual prominence.
81. Service Area. An open or enclosed area principally used for refuse/recycling service and may also contain mechanical equipment and access by trucks for loading, maintenance, and building operations.
82. Shingle. A thin piece of material laid in overlapping rows to cover the roofs and walls of buildings.
83. Sloped roof. A roof that is not flat, and typically hipped or gabled.
84. Small Collection Facilities for Recyclable Materials. A small collection facility occupies an area of not more than 500 sq. ft., is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers or bulk reverse vending machines. These facilities are generally temporary and must be accessory to a primary use on the same parcel.
85. Spandrel Glass. Opaque glass that conceals what is behind it, often used to hide structural building components and utilities.
86. Standing Seam. A manner of joining flat panels with an interlocking edge that stands forward of the principal surface.
87. Stoop. An outside landing immediately adjacent to a building entrance but not sheltered by a roof.
88. Surface parking. Parking that is not enclosed at finished grade.
89. Theaters. Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.
90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto

property from a public right-of-way.

92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.
95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

### **SECTION 6568.3. PERMITTED USES.**

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

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

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

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

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

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

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4. Building Setbacks and Stepbacks.

a. The minimum building setbacks shall be:

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

- (1) Parcels facing El Camino Real, including corner parcels, must be developed with an El Camino Real frontage, with front and rear required setbacks and stepbacks determined by this orientation.
- (2) Parcels facing 5th Avenue must be developed with a 5th Avenue frontage, with front and rear required setbacks and stepbacks determined by this orientation.
- (3) Parcels with yards adjoining alley rights-of-way must have minimum five-foot setback on alley-facing yards.
- (4) Signage and awnings may extend up to five feet into setbacks.
- (5) Balconies, eaves, building bays, and bay windows, may project up to three feet into the required front setback of residential and mixed-use buildings above fifteen feet in building height, but may not obstruct the public right of way.

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

c. Setback and Stepback Exceptions.

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

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

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

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

## 6. Signs

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



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

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

- 1. Minor Design Exceptions. A minor design exception from the standards in this section may be granted by the Director of Planning and Building upon a finding by the Director that the exception 1) is necessary for compliance with the building and site design requirements; 2) will not jeopardize public safety; 3) promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.15 will be compatible with the neighborhood surrounding the parcel, and 4) will not be detrimental to the public welfare. The Director may require modifications to the proposed exception, including design, location, materials, colors, and landscaping requirements. The Director's decision on an exception authorized by this Section shall not require a public hearing. The Director's decision may be appealed to the Planning Commission.
- 2. Major Design Exception. The Planning Commission, at a public hearing, may grant a Use Permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.
- 3. Public Right-of-Way Improvements Required of Private Development
  - a. Sidewalks
    - (1) Create continuous accessible public sidewalks consistent with the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations). A 5-foot wide uninterrupted path of travel shall be provided, which is free from fixed obstructions, including street trees, bike racks, trash receptacles, poles, and above-grade utilities.
    - (2) Provide a minimum 8-foot-wide sidewalk measured from back of curb.
    - (3) Sidewalks shall be constructed according to specifications that can be obtained from the San Mateo County Department of Planning & Building.
  - b. Street Trees

- (1) Development shall provide street trees along public sidewalks that abut the project, consistent with the provisions of the Department of Public Works' Tree Planting Application. Developments shall provide the maximum number of street trees that are consistent with the Department of Public Works' standards. The number of required trees may be reduced at the discretion of the Director of Community Development.
- (2) Street tree species shall be selected from a street tree list that can be obtained from the Department of Planning & Building.
- (3) Street tree installation shall conform to San Mateo County standards, as established by the Department of Public Works.
- (4) Installed trees shall be watered for at least 3 years by Developer/Property Manager and maintained/replaced by Developer/Property Manager.
- (5) Sidewalks damaged/affected by trees planted as part of development, shall be replaced/repared/maintained by Developer/Property Manager.

c. Curb Cuts and Driveways

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

d. Bike Racks and Refuse Receptacles

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

e. Utilities

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

f. Alleys

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

4. Building and Site Design Standards for Private Development

a. Building Design and Orientation

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

every 100 feet or less.

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

floor for these features shall have an unobstructed (clear) width of not less than four (4) feet.

- (c) The elevation of the lowest residential floor shall be raised above finished grade by at least two (2) feet if within 5 feet of a front property line, and at least one (1) foot if within 10 feet of a front property line.
- (d) At least twenty-five percent (25%) of each residential ground-floor façade shall be comprised of clear windows and/or doors with windows. Ground-floor windows that count toward this requirement shall be clear.
- (e) Windows for residential ground-floor living space shall have a sill height of at least 3 feet above floor level.

b. Building Elements & Materials

(1) Windows

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

(2) Exterior Finishes

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

(d) An anti-graffiti coating shall be applied to the portions of ground floor walls within 15 feet of public sidewalks.

(3) Roofs.

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

(4) Roof-Mounted Mechanical Equipment

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

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

c. Site Features

(1) Walls & Fences

(a) Walls along interior property lines. A masonry wall that is 6 to 8 feet in height shall be erected along any interior side and rear property lines, except within fifteen (15) feet of the street-facing property line.

(b) Where visible and within 15 feet of street-facing property lines, fences shall not exceed 4 feet in height, masonry walls are not permitted, and chain link and corrugated fences are not permitted.

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

(2) Mechanical Equipment

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

(3) Vehicle Access and Parking

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

(4) Refuse and Recycling Collection Areas

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

accompanied by a gate not less than 4 feet in height.

(5) Loading Areas

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

d. Utilities

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

e. Landscaping

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

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

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



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

**SECTION 6568.7. FARMERS MARKET STANDARDS.** Farmers Markets are allowed in the CMU-2 Zoning District subject to a Farmers Market Permit and must meet the following standards:

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

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

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

**TABLE 1 REQUIRED PARKING**

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

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

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

1. Shared Parking

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

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

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

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

## 2. Off-Site Parking

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

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

- (2) Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
- (3) In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.

c. Findings Required. A Use Permit for off-site parking may be approved if the following findings are made, in addition to the findings required in Section 6503:

- (1) The off-site spaces will be available as long as the uses requiring the spaces are in operation;
- (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
- (3) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
- (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
  - (a) A guarantee that there will be no alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand of the revised project and any necessary updates to the written agreement;
  - (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
  - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
  - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or agreement at any time.

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

**SECTION 4.** The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 29.4, "CMU-3" (Commercial Mixed Use-3 District ) is hereby amended to read 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, accounting and other business offices.
2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.
4. Appurtenance. Structural and utility apparatus(es) associated with a principal feature or function.
5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical supports that may be columns or pilasters.
8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building

envelope is the theoretical maximum volume allowed.

10. Building Opening. Any aperture within of a solid wall, which may be used to provide a window, a group of windows, a door, or garage door.
11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.
12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Facade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).
16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.
17. Control Joints. A deep narrow recess provided within ridged materials to direct the location of cracking as thermal expansion and contraction occurs.
18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.
23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.
25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate

the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.

26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.
32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.
33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.
34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
  - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
  - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
  - c. Value-Added Farm Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

36. Finished Grade. The elevation of the finished surface of the ground.
37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.
41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.
42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.
45. Garage Opening. A form of building opening that provides access to motorized vehicles.
46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.
47. Ground-Floor Façade. That part of the façade (exterior wall with associated elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.
48. Interior Corner. A concave corner that projects inward toward the building volume to

which it is associated.

49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade. Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.
53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.
57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating, compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.
58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.
59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close

proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.

62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.
63. Mullion. A narrow length of wood or other material located between window lites, and including a narrow length of material applied to a single pane of glass to simulate individual window lites.
64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution.”
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.
66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.
68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.
69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with

two or more stories.

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

83. Sloped roof. A roof that is not flat, and typically hipped or gabled.
84. Small Collection Facilities for Recyclable Materials. A small collection facility occupies an area of not more than 500 sq. ft., is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.
85. Spandrel Glass. Opaque glass that conceals what is behind it, often used to hide structural building components and utilities.
86. Standing Seam. A manner of joining flat panels with an interlocking edge that stands forward of the principal surface.
87. Stoop. An outside landing immediately adjacent to a building entrance but not sheltered by a roof.
88. Surface parking. Parking that is not enclosed at finished grade.
89. Theaters. Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.
90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto property from a public right-of-way.
92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.
95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.



## **SECTION 6570.4 PERMITTED USES.**

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

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

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

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

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

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

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

4. Building Setbacks and Stepbacks.

a. The minimum building setbacks shall be:

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

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

b. Stepbacks.

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

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5. Setback and Stepback Exceptions.

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

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

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

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

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

8. Signs

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

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

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

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

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

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

2. Major Design Exception. The Planning Commission, at a public hearing, may grant a Use Permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.

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

a. Sidewalks

- (1) Create continuous accessible public sidewalks consistent with the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations). A 5-foot wide uninterrupted path of travel shall be provided, which is free from fixed obstructions, including street trees, bike racks, trash receptacles, poles, and above-grade utilities.
- (2) Provide a minimum 8-foot-wide sidewalk measured from back of curb.
- (3) Sidewalks shall be constructed according to specifications that can be obtained from the San Mateo County Department of Planning & Building.

b. Street Trees

- (1) Development shall provide street trees along public sidewalks that abut the project, consistent with the provisions of the Department of Public Works' Tree Planting Application. Developments shall provide the maximum number of street trees that are consistent with the Department of Public Works' standards. The number of required trees may be reduced at the discretion of the Director of Community Development.
- (2) Street tree species shall be selected from a street tree list that can be obtained from the Department of Planning & Building.
- (3) Street tree installation shall conform to San Mateo County standards, as established by the Department of Public Works.
- (4) Installed trees shall be watered for at least 3 years by Developer/Property Manager and maintained/replaced by



Developer/Property Manager.

- (5) Sidewalks damaged/affected by trees planted as part of development, shall be replaced/repaired/maintained by Developer/Property Manager.

c. Curb Cuts and Driveways

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

d. Bike Racks and Refuse Receptacles

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

e. Utilities

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

f. Alleys

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

5. Building and Site Design Standards for Private Development

a. Building Design and Orientation

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

clear glass and accompanied by: adjacent interior space that is unobstructed by walls or cabinets for a depth of at least 10 feet; and/or a display window case having a depth of at least three (3) feet, and with recessed ceiling lights or ceiling-mounted lights.

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

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

b. Building Elements & Materials

(1) Windows

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

(2) Exterior Finishes

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

(3) Roofs.

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

(4) Roof-Mounted Mechanical Equipment

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

c. Site Features

(1) Walls & Fences

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

(2) Mechanical Equipment

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

(3) Vehicle Access and Parking

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

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

(4) Refuse and Recycling Collection Areas

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

(5) Loading Areas

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

d. Utilities

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

e. Landscaping

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

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

1. Noise. No use will be permitted which generates noise levels that exceed San Mateo County Ordinance Code Noise Control standards (see Ordinance Code Chapter 4.88).
  2. Lighting. All exterior and interior lighting shall be dark-sky compliant and designed and located so that direct rays and glare are confined to the premises, with the exception of lighting on the front building façade which may light the public sidewalk. Flood lights shall be prohibited, unless an applicant demonstrates to the satisfaction of the Community Development Director that such additional lighting is necessary for public health and safety.
  3. Trash and Debris. All trash, boxes, or similar debris shall be picked up on a regular basis and stored in refuse containers that are screened from public view.
  4. Stormwater Management. Projects shall conform to San Mateo County Stormwater Pollution Prevention Program's C.3 Technical Guidance in the design and location of buildings and other site features.
  5. Transportation. Development projects that generate at least 100 average daily trips (ADT) shall adhere to the City/County Association of Governments of San Mateo County (C/CAG) TDM Policy, which requires applicants to submit a TDM Checklist with their development application that lists measures to be implemented to mitigate traffic impacts at desired trip reduction target thresholds. San Mateo County staff will notify C/CAG of any new development project within its purview that is estimated to generate at least 100 ADT within ten days of receipt of an application.
  6. Mitigation Measures. Projects shall implement all applicable mitigation measures contained in the North Fair Oaks Rezoning and General Plan Amendment Project Final EIR (2023).
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**SECTION 6570.8 PARKING.** Projects shall provide parking as required by Chapter 3 of the Zoning Regulations, except as provided below:

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



**TABLE 1 REQUIRED PARKING**

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

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

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

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

1. Shared Parking

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

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

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

## 2. Off-Site Parking

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

written agreement;

- (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
  - (c) A provision that the County may require parking facilities in addition to those originally approved, upon a finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
  - (d) A provision stating that the County, acting through the Planning Commission, may, for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or agreement at any time.
- d. Exceptions. In addition to the ability to obtain a Use Permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6570.8. The Community Development Director may grant an exception to modify the number of bicycle parking spaces required, the location of bicycle parking requirements, and/or the design of bicycle parking, if the applicant demonstrates that at least one of the following conditions exist:
- (1) The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.
  - (2) Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6570.8.

**SECTION 5.** The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 29.3, "NMU-ECR" (Neighborhood Mixed Use District, El Camino Real-5<sup>th</sup> Avenue) is hereby amended to read as follows:

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

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

## **SECTION 6569.1. PURPOSES.**

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

## **SECTION 6569.2. DEFINITIONS.**

1. Administrative, Professional and Business Offices. Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other business offices.
2. Alley. Alleys provide access for service vehicles and parking access, and are not designed for pedestrians.
3. Anti-graffiti coating. A paint or material that prevents paint and ink from bonding to surfaces and allows for easier removal.
4. Appurtenance. Structural and utility apparatus(es) associated with a principal feature or function.
5. Awning. A canopy made of canvas or rigid membrane, which projects from the exterior wall of a building, and helps to shade or shelter a window and/or door.
6. Bars. Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.
7. Bay. A horizontal module related to buildings, usually between two nearest vertical

supports that may be columns or pilasters.

8. Bay Window. A window or group of windows that reside in a structural frame that projects outside of the main volume of a building.
9. Building Envelope. The outermost spatial extent permissible for construction, as determined by height, setback, and stepback requirements combined. A building envelope is the theoretical maximum volume allowed.
10. Building Opening. Any aperture within of a solid wall, which may be used to provide a window, a group of windows, a door, or garage door.
11. Child Care Centers (Institutional Day Care Facilities for Children). Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.
12. Cinder Block. A type of concrete block made with cinder aggregate.
13. Clear Glass. Glass with not less than 90% light transmission in the visible spectrum. Not obscured glass.
14. Commercial and Office Ground Floor Facade. See Ground-Floor Façade, Commercial and Office.
15. Community Centers. Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls” (Section 6201.62.5).
16. Community Gardens. An area of land used to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use, consumption, donation, or occasional sale, by individuals or collectively by members of a group.
17. Control Joints. A deep narrow recess provided within ridged materials to direct the location of cracking as thermal expansion and contraction occurs.
18. Corner Boards. A length of board that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
19. Corner (L-Channel) Metalwork. A length of metal that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
20. Corner Panels. A length of any material that is “L” shaped in cross section and used to conceal outer corners where pieces of material typically meet.
21. Concealed. A covered or hidden building feature.
22. Concealment. The act of covering or hiding a building feature.



23. Concrete Block. A modular building material made of concrete, which can be used structurally.
24. Curb Cut. A break in a vertical curb where there is a short ramp. A curb cut is generally where a driveway meets a public roadway.
25. Cornice. A horizontal projection on the exterior of a building, such as to accentuate the dividing line between a commercial ground-floor façade and upper-story façade, or to accentuate the top of a building when a parapet is used.
26. Display Window. A large window case for the display of merchandise or exhibits, typically located where store abuts a sidewalk.
27. Dwelling, Multiple. A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.
28. Eave. The lower edge of a roof that overhangs the wall below.
29. Educational Facilities. Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students.
30. Envelope. The outermost spatial extent permissible for a building, as regulated by height, setback, and stepback requirements, and is the theoretical maximum volume allowed.
31. Exterior Corridor. A shared passage that provides horizontal building circulation and is open except for floor and railings on one or both sides along its length.
32. Façade. The exterior wall of a building along with its associated windows, entryways, and projections.
33. Façade Area, Upper-Floor. Upper-floor façade area is measured in height from the floor of the second level to the ceiling of the uppermost level, and in width across all façade planes and parallel to the property line.
34. Farmers Markets. An outdoor market at a fixed location, open to the public, operated by a government agency, a non-profit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-Added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.
  - a. Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.
  - b. Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.

- c. Value-Added Farm Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.
- 35. Financial Institutions. Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.
- 36. Finished Grade. The elevation of the finished surface of the ground.
- 37. Flat Roof. A roof that is not steeper than a 1:10 angle of inclination.
- 38. Food and Beverage Stores. Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.
- 39. Food Establishments Specializing in Take-Out Service. Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering.
- 40. Home Occupations. Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations.
- 41. Hotels. Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.
- 42. Indoor Exercise and Leisure Facilities: Small. Facilities of 2,000 sq. ft. or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents including, but not limited to, exercise facilities, dance academies and martial arts studios.
- 43. Indoor Exercise and Leisure Facilities: Large. Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.
- 44. Indoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.
- 45. Garage Opening. A form of building opening that provides access to motorized vehicles.
- 46. Ground-Floor. The inhabited floor of a building located nearest to the finished grade around the building, and not used for parking or storage.

47. Ground-Floor Façade. That part of the façade (exterior wall with associated elements) that is between the level of finished grade and the level of the second floor. The design composition of a ground-floor façade may extend to just below the lowest windows on the second floor.
48. Interior Corner. A concave corner that projects inward toward the building volume to which it is associated.
49. Inhabited Space. Building volumes and site areas where people regularly occupy, but not including circulation, storage, or parking.
50. Intervening Building. A building positioned between two features, such as between a property line and a building that is set back farther from the property line.
51. Ground Floor Façade, Commercial and Office. The façade that encloses a ground-floor use that is within the Commercial and Office Use Classification table for the applicable zoning district.
52. Limited Keeping of Pets. The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.
53. Liquor Stores. A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.
54. Loading Area. Loading areas included sufficient area for truck parking on-site and for truck maneuverability on- and off-site.
55. Lobby. A semi-private antechamber between an outer door and interior parts of a building.
56. Massage Businesses. Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.18.
57. Mechanical Equipment. Utility apparatuses that include air conditioning, heating, compressor, condensers, generators, transformers, and other assemblages with electronic and mechanical components.
58. Medical and Dental Offices. Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.

59. Metalwork. An object made of metal and/or metal pieces.
60. Metal Panel. A section of wall, gate, door, which are thin relative to the thickness of the frame to which they are connected.
61. Mixed-Use Development. A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed-use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.
62. Mobile Vending/Food Carts. Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.
63. Mullion. A narrow length of wood or other material located between window lites, and including a narrow length of material applied to a single pane of glass to simulate individual window lites.
64. Non-Chartered Financial Institution. A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term "non-chartered financial institution" shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term "non-chartered financial institution."
65. Obscured Glass. Glass that makes what is behind it indistinct from visual distortion of from less than 50% light transmission. Obscured glass is typically used to let light into interior space while making the space privacy.
66. Operable Window. A window that can be opened and closed.
67. Other Compatible Uses. Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.
68. Outdoor Retail Sales, Rental or Repair Establishments. Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.

69. Outer Corner. A convex corner that projects away from the building volume to which it is associated.
70. Parapet. A low wall at the edge of a roof, the front of which is typically in line with the façade below.
71. Parking Garage. Parking that is enclosed within a building, or structure with parking with two or more stories.
72. Parking Lots and Parking Garages. Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.
73. Personal Convenience Service Establishments. Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.
74. Pet Sales and/or Grooming Establishments. Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.
75. Pilaster. A vertical pier that is integrated with, and projects slightly forward from, a wall.
76. Porch. An outside landing immediately adjacent to a building entrance and sheltered by a roof.
77. Religious Facilities. Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and temples.
78. Restaurants. Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.
79. Retail Cleaning Establishments. Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry-cleaning pick-up stores with limited equipment and laundromats where coin-operated washers and dryers are provided for self-service to the public.
80. Screened. To conceal, partly conceal, and/or separate an object to eliminate or reduce its visual prominence.

81. Service Area. An open or enclosed area principally used for refuse/recycling service and may also contain mechanical equipment and access by trucks for loading, maintenance, and building operations.
82. Shingle. A thin piece of material laid in overlapping rows to cover the roofs and walls of buildings.
83. Sloped roof. A roof that is not flat, and typically hipped or gabled.
84. Small Collection Facilities for Recyclable Materials. A small collection facility occupies an area of not more than 500 sq. ft., is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.
85. Spandrel Glass. Opaque glass that conceals what is behind it, often used to hide structural building components and utilities.
86. Standing Seam. A manner of joining flat panels with an interlocking edge that stands forward of the principal surface.
87. Stoop. An outside landing immediately adjacent to a building entrance but not sheltered by a roof.
88. Surface parking. Parking that is not enclosed at finished grade.
89. Theaters. Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.
90. Upper-Story Façade. That part of the façade (exterior wall with associated elements) that is between the level of floor of the second floor and the level of the roof.
91. Vehicular Access. A driveway or other means of motor-vehicle approach onto property from a public right-of-way.
92. Vehicle Access, Allowable. Vehicle access that conforms to Vehicle Access and Parking standards, any other San Mateo County requirements, or as may be deemed necessary by the Planning and Building Department.
93. Veneer. A thin outer layer of material that conceals the main body of material.
94. Veterinary Hospitals for Small Animals. Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

95. Walking Distance. For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

**SECTION 6569.3. PERMITTED USES.**

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

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



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

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

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

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

4. Building Setbacks and Stepbacks.

a. The minimum building setbacks shall be:

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

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

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

c. Setback and Stepback Exceptions.

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

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

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

6. Signs

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

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

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

- 1. Minor Design Exceptions. A minor design exception from the standards in this section may be granted by the Director of Planning and Building upon a finding by the Director that the exception 1) is necessary for compliance with the building and site design requirements; 2) will not jeopardize public safety; 3) promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.15 will be compatible with the neighborhood surrounding the parcel, and 4) will not be detrimental to the public welfare. The Director may require modifications to the proposed exception, including design, location, materials, colors, and landscaping requirements. The Director's decision on an exception authorized by this Section shall not require a public hearing. The Director's decision may be appealed to the Planning Commission.
- 2. Major Design Exception. The Planning Commission, at a public hearing, may grant a Use Permit to grant an exception from any provision in this Chapter which is not a minor design exception or minor parking exception.
- 3. Public Right-of-Way Improvements Required of Private Development
  - a. Sidewalks
    - (1) Create continuous accessible public sidewalks consistent with the Americans with Disabilities Act (ADA) and California Building Standards Code (Title 24 of the California Code of Regulations). A 5-foot wide uninterrupted path of travel shall be provided, which is free from fixed obstructions, including street trees, bike racks, trash receptacles, poles, and above-grade utilities.
    - (2) Provide a minimum 8-foot-wide sidewalk measured from back of curb.
    - (3) Sidewalks shall be constructed according to specifications that can be obtained from the San Mateo County Department of Planning & Building.
  - b. Street Trees

- (1) Development shall provide street trees along public sidewalks that abut the project, consistent with the provisions of the Department of Public Works' Tree Planting Application. Developments shall provide the maximum number of street trees that are consistent with the Department of Public Works' standards. The number of required trees may be reduced at the discretion of the Director of Community Development.
- (2) Street tree species shall be selected from a street tree list that can be obtained from the Department of Planning & Building.
- (3) Street tree installation shall conform to San Mateo County standards, as established by the Department of Public Works.
- (4) Installed trees shall be watered for at least 3 years by Developer/Property Manager and maintained/replaced by Developer/Property Manager.
- (5) Sidewalks damaged/affected by trees planted as part of development, shall be replaced/repared/maintained by Developer/Property Manager.

c. Curb Cuts and Driveways

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

d. Bike Racks and Refuse Receptacles

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

e. Utilities

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

f. Alleys

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

4. Building and Site Design Standards for Private Development

a. Building Design and Orientation

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

- (b) An entrance to a ground-floor commercial or office space shall occur every 100 feet or less.
- (c) Doors to a ground-floor commercial or office space shall be recessed at least 3 feet from the front façade.
- (d) Not less than sixty percent (60%) of each ground-floor commercial or office façade shall be comprised of windows with clear glass and/or doors, within the façade area between 2.5 and 8 feet above grade. Ground-floor windows that count toward this requirement shall have clear glass and accompanied by: adjacent interior space that is unobstructed by walls or cabinets for a depth of at least 10 feet; and/or a display window case having a depth of at least three (3) feet, and with recessed ceiling lights or ceiling-mounted lights.
- (a) Ground-floor entrances and windows shall be framed by columns and/or pilasters that are spaced not more than 25 feet apart.
- (b) Ground-floor windows shall be set above a wall that is at least 18 inches in height.
- (c) Ground-floor windows shall be sheltered from above by an exterior awning and/or rigid canopy, which extends horizontally at least three (3) feet from the front façade. The bottom of awnings and canopies shall be at least 8 feet above finished grade.
- (d) A ground-floor commercial or office space shall have a depth of not less than twenty (20) feet as measured from front façade and have a minimum height of 15 feet measured from floor to ceiling.
- (e) The top of a ground-floor commercial or office façade shall be accompanied by a horizontal cornice located between fifteen (15) feet and twenty-five (25) feet of finished grade. To comply with this requirement, the cornice shall extend vertically beyond the façade by not less than three (3) inches and have a height of not less than eleven (11) inches.



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

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

(a) Residential entrances shall have uninterrupted access from a public sidewalk.

(b) Residential entrances shall be accompanied by one of the following: a porch covered entirely by a roof; a stoop with a doorway that is recessed by at least two (2) feet; or an interior lobby. The landing or floor for these features shall have an unobstructed (clear) width of not less than four (4) feet.

(c) The elevation of the lowest residential floor shall be raised above finished grade by at least two (2) feet if within 5 feet of a front property line, and at least one (1) foot if within 10 feet of a front property line.

(d) At least twenty-five percent (25%) of each residential ground-floor façade shall be comprised of clear windows and/or doors with windows. Ground-floor windows that count toward this requirement shall be clear.

(e) Windows for residential ground-floor living space shall have a sill height of at least 3 feet above floor level.

b. Building Elements & Materials

(1) Windows

(a) Exterior windows for inhabited space shall use clear glass having at least 90 percent light transmission within the visible spectrum, and shall not be mirrored or frosted, except for bathroom and utility room windows.

(b) Window glass shall be recessed at least 2 inches from the adjacent trim or from the façade if no trim is used.

(c) Window mullions shall not be behind glass when viewed from the outside.

(d) Rooms with exterior windows shall include at least one operable window, except where fixed windows are required to mitigate noise or air quality impacts.

(2) Exterior Finishes

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

(3) Roofs

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

(4) Roof-Mounted Mechanical Equipment

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

c. Site Features

(1) Walls & Fences

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

(2) Mechanical Equipment

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

(3) Vehicle Access and Parking

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

(4) Refuse and Recycling Collection Areas

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

(5) Loading Areas

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

d. Utilities

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

e. Landscaping

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

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

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

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

#### **SECTION 6569.7. FARMERS MARKET STANDARDS.**

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

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

**SECTION 6569.8. PARKING.** Parking shall comply with all of the provisions of Chapter 3 of the Zoning Regulations, except as provided below:

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

**TABLE 1 REQUIRED PARKING**

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

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



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

1. Shared Parking

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

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

- c. Findings Required. Issuance of a Use Permit authorizing shared parking may reduce the total number of spaces required by this Chapter, if the deciding body issuing the relevant Use Permit makes all of the following findings, in addition to the findings required in Section 6503 of the Zoning Regulations:

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

## 2. Off-Site Parking

- a. Applicability. Subject to this section's requirements and the securing of a Use Permit in accordance with the provisions of Section 6503, required parking may be located on a parcel different than the primary use for which the parking is provided ("off-site parking").
- b. Standards Required. In addition to the procedures established in

Section 6503 of the Zoning Regulations, requests for off-site parking shall comply with this Section's standards and criteria.

- (1) Parking requirements may be satisfied by the provision of parking on another parcel, if dedicated access to the off-site spaces is demonstrated by ownership or a current lease. Changes in ownership, termination of leases that infringe dedicated access to any of the required parking spaces, shall result in revocation of the Use Permit until the parking deficiency is remedied.
- (2) Off-site parking shall be located within a walking distance no greater than 800 feet from the use served, unless the use being served is residential, in which case such off-site spaces shall be located within a walking distance no greater than 400 feet from the use served.
- (3) In the event that a shared parking entity has been formed and is fully operational, the documented parking spaces allocated to the parcel will count toward the vehicle parking requirement. Although allocated to a specified parcel, said spaces need not be specifically reserved for said specified parcel.

c. Findings Required. A Use Permit for off-site parking may be approved if the following findings are made, in addition to the findings required in Section 6503:

- (1) The off-site spaces to be used to satisfy the project's parking obligation will be available as long as the uses requiring the spaces are in operation;
- (2) The peak hours of parking demand from all uses do not coincide in such a way that peak demand is greater than the parking provided;
- (3) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if off-site parking is not provided; and
- (4) A written agreement between the property owner(s) and the County, in a form satisfactory to County Counsel, that includes:
  - (a) A guarantee that there will be no alteration in the uses that will create a greater demand for parking, and a guarantee that any change of use will require immediate written notification to the County Planning and Building Department and a reassessment of the parking demand

of the revised project and any necessary updates to the written agreement;

- (b) A guarantee among the property owner(s) for access to and use of the off-site parking facilities;
  - (c) A provision that the County may require parking facilities in addition to those originally approved, upon finding by the Planning Commission that adequate parking to serve the use(s) has not been provided; and
  - (d) A provision stating that the County, acting through the Planning Commission, may for due cause and upon notice and hearing, unilaterally modify, amend, or terminate the Use Permit and/or agreement at any time.
- d. Exceptions. In addition to the ability to obtain a Use Permit for shared parking or off-site parking, the Community Development Director may grant an exception to modify the number of spaces, size, location, or design of required parking areas upon finding that extenuating and/or unusual circumstances exist that impair compliance with Section 6569.8.

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

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

**SECTION 6.** The San Mateo County Ordinance Code, Division VI, Part One (Zoning Regulations), Chapter 29, Design Review and Site Development Permit, is hereby amended to read as follows:

## **CHAPTER 29. DESIGN REVIEW AND SITE DEVELOPMENT PERMIT**

**SECTION 6566. SITE DEVELOPMENT PLAN REVIEW AND APPROVAL.** The review and approval procedures described in this section 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, as indicated in those chapter of the zoning regulations.

**SECTION 6566.1. 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 6566.2. DESIGN AND ZONING REVIEW.** All design and zoning review and site development permit approval for projects that are located in the CMU-1, CMU-2, CMU-3, NMU-ECR, M-1/NFO or M-1/Edison/NFO zones and that do not require a use permit shall be conducted at the staff level, through the application of ministerial standards, without any requirement for a hearing. Projects requiring a use permit 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. APPLICATION FOR SITE DEVELOPMENT PERMIT.**

1. 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:
  - a. All required components of an application specified in Section 6565.6.
  - b. Plans showing street trees and bicycle parking or other necessary improvements in the public right-of-way.
  - c. Easement dedicating any required setback to be used as a sidewalk by the public.
  - d. A traffic and transit impact analysis.

- e. 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.
- f. 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.
- g. Fees as set by resolution of the Board of Supervisors.
- h. 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.

- 2. 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 6566.4. REVIEW AND APPROVAL PROCEDURES.**

1. 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.
2. 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:
  - a. The project is consistent with all applicable zoning requirements;
  - b. The project is consistent with the design standards in the applicable chapter of the zoning regulations, as described in Section 6566.13, below; and
  - c. A comparative analysis of project environmental impacts with those identified in the North Fair Oaks Community Plan Environmental Impact Report required in Section 6566.3 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.
3. A site development permit must be obtained prior to submitting an application for any necessary building permit.

#### **SECTION 6566.5. AMENDMENT OF SITE DEVELOPMENT PERMIT.**

1. 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.
2. 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 6566.6. EXPIRATION OF SITE DEVELOPMENT PERMIT.**

1. 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.
2. Upon written request of the applicant, the Director may extend the expiration period for site development permits for an additional one year.

**SECTION 6566.7. 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 6565.13.

**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.**

1. **CMU-1, CMU-2, CMU-3, NMU, AND NMU-ECR DISTRICT DESIGN STANDARDS.** Projects within the CMU-1, CMU-2, CMU-3, NMU and NMU-ECR zoning districts shall be subject to the design regulations contained within the respective chapters of the zoning regulations:

NMU:	Zoning Regulations Chapter 21C, Section 6390
CMU-1:	Zoning Regulations Chapter 29.1, Section 6567
CMU-2:	Zoning Regulations Chapter 29.2, Section 6568
NMU-ECR:	Zoning Regulations Chapter 29.3, Section 6569
CMU-3:	Zoning Regulations Chapter 29.4, Section 6570

2. **M-1/NFO AND M-1/NFO EDISON DESIGN STANDARDS.** For projects located in the Industrial Mixed Use- North Fair Oaks (M1/NFO) and Industrial Mixed Use Edison (M-1/NFO/Edison) zoning districts, and which are subject to the provisions of this chapter pursuant to the regulations for those districts, the design standards described below shall apply.

Projects shall be encouraged 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.

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

All projects shall:

- a. 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.

2. Sidewalks, Landscaping and Streetscape Amenities

All projects shall:

- a. 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).
- b. 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.
- c. 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.
- d. Limit alley and service access driveway curb cuts to a maximum of one per project, or one for every 150 linear feet of frontage.

- e. 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.
- f. 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.
- g. Install stormwater planters and bioswales either on site, or within the planting strip area of streets, if minimum paved sidewalk requirements are met.

**SECTION 6566.16 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.

1. Building Design, Layout and Orientation

All projects shall:

- a. Orient buildings, entries and primary façades toward the primary adjoining street. Primary streets include Middlefield Road, El Camino Real, 5<sup>th</sup> 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.

- b. 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.
- c. 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.

- d. For mixed-use buildings on corner parcels, provide a pedestrian-accessible entry at the corner, or entries on both streets.
- e. 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.
- f. Provide space for deliveries and service vehicles, if the project will be serviced by large trucks that cannot be accommodated by on-street parking.
- g. Locate recycling and trash enclosures away from building fronts and major entries, and/or screen such receptacles from view in fixed enclosures.
- h. 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.

## 2. Massing and Scale

All projects shall:

- a. 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.
- b. Use multiple varied vertical and/or horizontal elements to break up massing of buildings.
- c. Provide minimum floor-to-floor heights of 12 feet for commercial uses, with 15 to 20 heights preferred.

## 3. Building Character, Facade Articulation and Fenestration

All projects shall:

- a. 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.

- b. Have no continuous blank walls along street-fronting façades on any streets.
- c. Provide multiple varied building elements, including cornices, lintels, sills, balconies, awnings, porches, and stoops to enhance building façades.
- d. Limit garage entrances on street-facing facades to 22 feet in width.
- e. Provide street-facing garage entries and parking vents with screening using materials that complement the building's overall composition, color palette, and materials.
- f. 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.
- g. Fenestrate all ground floor commercial uses with non-reflective glass windows fronting onto sidewalks.
- h. 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.
- i. 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.

- j. Have no continuous exterior balconies/galleries for circulation that are visible from streets.
- k. 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.
- l. 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.
- m. 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.
- n. 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.

#### 4. Building Materials

All projects shall:

- a. 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.
- b. 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:
  - (1) Brick (brick veneer must be detailed, including careful detailing of corners and seams).
  - (2) Cementitious panels.

- (3) Wood; however, plywood siding, and lower quality hardboard composite sidings may not be used.
- (4) 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.
- (5) Stone, stone veneers and terra cotta tile.
- (6) Metal siding (of sufficient thickness, at the ground floor level, to prevent dents from impacts, and properly coated).
- (7) 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).
- (8) An anti-graffiti coating shall be applied to the portions of ground floor walls readily accessible from public spaces.
- (9) Stucco may not be used exclusively at the ground floor and may not be used for plinths. Mirrored glass may not be used.

## 5. Stormwater Management and Landscaping

All projects shall:

- a. 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.
- b. 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.

- c. Plant medium to large canopy trees in rear and side yards of private development where sufficient space for trees to mature is available.
- d. In landscaped infiltration features, use plants that can withstand pollutants; are effective in pollutant removal, and comply with the Water-Efficient Landscape Ordinance.
- e. Landscape unpaved open areas not committed to stormwater management with water efficient landscaping, consistent with the Water Efficient Landscape Ordinance.

6. Utilities

All projects shall:

- a. 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.

7. 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 6566.3.1.h.

8. 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 6566.17 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.

1. Sidewalks, Landscaping and Streetscape Amenities

All projects shall:



- a. Provide bulb-outs at intersections with cross walks or at mid-block crossings to minimize crossing distance and increase pedestrian visibility where feasible.
- b. 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.
- c. Be allowed to use pavers in place of concrete for sidewalks located in private rights-of-way.

**SECTION 6566.18 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.

1. Building Design, Layout and Orientation

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

- a. 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.
- a. For residential projects, provide stoops, or other types of individual unit entries where feasible.
- b. 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.

2. 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.

3. Parking

All projects shall:

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

4. Alleys/Service Access

All projects shall:

- a. Provide small canopy trees along alleys.
- b. 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.

5. Ecology and Health

All projects shall:

- a. 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 7.** The San Mateo County Ordinance Code, Division VI, Part One, (Zoning Regulations), Section 6565.18, “Standards for the Design of Commercial Structures on Middlefield Road in North Fair Oaks” is repealed in its entirety.

**SECTION 8.** The San Mateo County Ordinance Code, Division VI, Part One, Chapter 2, Section 6115 (Zoning Maps), is hereby amended to change the zoning from R-3/S-5 to CMU-1, R-3/S-5 to CMU-3, and R-1/S-73 to NMU, as shown on the as shown on the maps and associated inventory of parcels included as Attachment A to this ordinance, and incorporated herein by this reference.

**SECTION 9.** 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 10.** The clerk shall publish this ordinance in accordance with applicable law.

**SECTION 11.** This ordinance shall be effective thirty (30) days from the passage date thereof.

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