

# 2025 Zoning Code Maintenance

## Table of Contents

### ZONING CODE

Article 2 – DEFINITIONS

Article 5 - RH (RESIDENTIAL—HILLSIDE) AND R-1 (RESIDENTIAL—SINGLE-FAMILY) DISTRICTS<sup>[1]</sup>

Article 6 - R-2 (RESIDENTIAL—DUPLEX) DISTRICT<sup>[1]</sup>

Article 8 - R-3 (MULTI-FAMILY—LOW DENSITY) DISTRICT<sup>[1]</sup>

Article 9 - R-4 (MULTI-FAMILY—MEDIUM DENSITY) DISTRICT<sup>[1]</sup>

Article 10 - R-5 (MULTI-FAMILY—HIGH DENSITY) DISTRICT<sup>[1]</sup>

Article 11 - PO (PROFESSIONAL OFFICE) DISTRICT

Article 14 - CB (CENTRAL BUSINESS) DISTRICT

Article 17 - IR (INDUSTRIAL—RESTRICTED) DISTRICT

Article 17A - LII (LIGHT INDUSTRIAL INCUBATOR) DISTRICT

Article 18 - IP (INDUSTRIAL PARK) DISTRICT

Article 29 - REQUIREMENTS FOR AFFORDABLE HOUSING<sup>[1]</sup>

Article 30 - OFF-STREET PARKING AND LOADING<sup>[1]</sup>

Article 31 - SPECIAL USES

Article 32 - SUPPLEMENTARY PROVISIONS

Article 33 - NONCONFORMING LOTS, USES, STRUCTURES AND PARKING<sup>[1]</sup>

Article 36 - EXTERIOR SITE IMPROVEMENTS

Article 37 - ACCESSORY DWELLING UNITS

Article 40 - POWERS AND DUTIES OF PLANNING BODIES<sup>[1]</sup>

Article 41 - COMMON PROCEDURES<sup>[1]</sup>

Article 45 - ARCHITECTURAL PERMITS

Article 48 - FLOOR AREA RATIO FOR SINGLE-FAMILY HOMES

Article 53 - MIXED-USE CORRIDOR ZONING DISTRICT

Article 54 - MUN (MIXED-USE NEIGHBORHOOD) DISTRICT

Article 55 - MUT (MIXED-USE TRANSITIONAL) DISTRICT

Article 57 - MIXED-USE WATERFRONT (MUW) ZONING DISTRICT

ARTICLE 60 - ZONING DISTRICT BOUNDARY MAP

### MUNICIPAL CODE

CHAPTER 2 – ADMINISTRATION

**LEGEND:**

- Text to be removed = ~~strikethrough~~
- Text to be added = double underline
- Editorial notes = ***[bold italic in brackets with blue highlight]***

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## ZONING CODE

### Article 2 – DEFINITIONS

#### 2.2 Definitions.

*Bicycle Parking*

*Long-Term.* A locker, individually locked enclosure such as a bike room, or secure area within a building that provides protection for each bicycle from theft, vandalism, and weather. Long-term bicycle parking facilities typically accommodate bicycle storage for longer than two hours, designed to withstand cutting and prying, and securely anchored to the ground.

*Short-Term.* A stand, rack, or other device that enables the user to secure a bicycle by locking the frame and one wheel of each bicycle parked therein. Short-term bicycle parking facilities typically accommodate bicycle storage for under two hours.

*Building Official.* The Building Official of the City of Redwood City, or the designee of the Building Official.

*Community Development Director.* The Community Development Director of the City of Redwood City, or the designee of the Community Development Director.

*Fire Marshal.* The Fire Marshal of the City of Redwood City, or the designee of the Fire Marshal.

*Food Preparation.* A use for the cooking, processing, packaging, and delivery of food products for off-site consumption. Typical uses include but are not limited to commissary kitchens, catering services and bakeries. Food preparation may be accessory to allowed restaurant uses. This use does not include industrial-scale food processing and packaging plants.

*Health/Fitness Club (land use).*

*Small.* An indoor facility of ~~five two~~ thousand (5,000 ~~2,000~~) square feet or less in size where passive or active exercises and related activities are performed using ~~minimal~~ muscle-building equipment or apparatus for the purpose of physical fitness, improved circulation or flexibility, and/or weight control. Examples of uses include personal training, physical therapy, and yoga studios.

*Large.* A full service fitness center, gymnasium, or health and athletic club, which is over ~~five two~~ thousand (5,000 ~~2,000~~) square feet in size and may include any of the following: sauna, spa or hot tub facilities; weight rooms; indoor tennis, handball, or racquetball courts; physical therapy; aerobic classes and other indoor sports activities; locker rooms and showers.

*Manufactured Home.* Shall have the meaning set forth in California Health and Safety Code section 18007 and shall include units constructed pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.).

*Ministerial Review.* Ministerial review means the use of fixed or objective standards involving little or no discretion by the reviewing authority to decide whether or how an application or permit should be approved. Projects subject to ministerial review are not subject to environmental review under the California Environmental Quality Act (CEQA), conditional use authorization or other similar discretionary entitlements under the Zoning Ordinance, or any appeal process.

*Mobile Home.* Shall mean any dwelling unit transportable in one (1) or more sections, used or designed to be used for living or sleeping purposes or both and which is not equipped with wheels used for the purpose of transporting such unit from place to place whether by motive power or other means. Shall have the meaning set forth in California Health and Safety Code section 18008.

*Recreational Vehicle.* Shall have the meaning set forth in California Health and Safety Code section 18010.

*Research and Development.* A use primarily engaged in the study, testing, engineering, design, analysis, or experimental development of products, processes, or services related to current or emerging new technologies. Research and development may include manufacturing (including prototype manufacturing), fabricating, processing, assembling, or ~~storage~~ storing of products or materials, or similar related activities, where such activities are accessory to research, development or evaluation. Related administrative uses such as finance, marketing, sales, accounting, purchasing, or corporate offices; provisions of services to others on- or off-site; and related educational uses may also be included, provided they remain accessory to the primary uses of "research and development," and are consistent with any limitations on accessory uses for the applicable zone district. ~~Typical "research and development" uses may include, but are not limited to, computer software and hardware firms, electronic research firms, biotechnical firms, and pharmaceutical research laboratories.~~ Research and Development is classified into two land use types:

*Research and Development, Laboratory Type (land use).* A research and development use for which the research and development components require that devotes a substantial amount of floor space to wet or dry laboratories and/or equipment for testing, product research and development, or prototype manufacturing. Typical laboratory research and development uses may include, but are not limited to,

aerospace, auto and robotic technologies, biotechnology, life sciences, medical devices/instrumentation, nanotechnology, pharmaceutical, chemical or other similar advanced technology laboratories.

*Research and Development, Office Type (land use).* A research and development use that for which the research and development components primarily occurs in an office setting using computers and related electronic equipment, with generally less than 25 percent of the space devoted to laboratories, laboratory area or research equipment, testing or manufacturing. Laboratories within this subtype shall not exceed biosafety level 2. ~~other than computers and other related electronic equipment.~~ Typical office type research and development uses may include, but are not limited to, automation, artificial intelligence, computer software development, computer research, computer simulation firms, and similar emerging fields.

*Retail Sales, Second Hand Store (land use).* A retail establishment that buys and sells used products that may include clothing, furniture and household goods, jewelry, household appliances, musical instruments, business machines and office equipment, hand tools, and similar items. This does not include used book stores, antique stores, sales of used farm or construction equipment, junk dealers, scrap/dismantling yards, sales of used cars or other vehicles, or pawn shops.

*Urban Lot Split.* See Chapter 30, Article XII Section 30.30 of Article II of the Municipal Code (Urban Lot Splits Parcel Map).

*Watercourse, Protected.* A perennial or intermittent river, stream, creek, watercourse, waterway or channel within the incorporated limits of the City, which specifically includes and is limited to the following: (a) Cordilleras Creek upstream of Highway 101, and (b) Redwood Creek and its tributaries upstream of Highway 101 to Bradford Street and upstream of El Camino Real. A segment of a watercourse located within these defined boundaries but located within concrete channels or culverts, as may be determined by the Engineering and Construction Division, is not considered a protected watercourse.

**[All other definitions and graphics included in this article are to remain the same.]**

## **Article 5 - RH (RESIDENTIAL—HILLSIDE) AND R-1 (RESIDENTIAL—SINGLE-FAMILY) DISTRICTS<sup>[1]</sup>**

**[Only change is to Section 5.10]**

### **5.10 - SB 9 Projects.**

This Section is intended to implement the provisions of Government Code Section 65852.21 to allow SB 9 Projects in single-family residential zones.

**A. Number of Dwelling Units.**

1. A lot that was not previously issued a parcel map for an urban lot split as defined in Article XII Section 30.30 of the Municipal Code may develop an SB 9 Project and, in addition, may apply for the development of accessory dwelling units.
2. A lot created through a parcel map for an urban lot split as defined in Article XII Section 30.30 of the Municipal Code may develop up to two (2) dwelling units on the lot. The units may include an SB 9 Project, junior accessory dwelling unit(s), and accessory dwelling unit(s), or some combination thereof that does not result in more than two (2) dwelling units on the lot.

**B. Development Standards.** Except as otherwise provided, SB 9 Projects shall comply with the objective zoning standards, objective subdivision standards and objective design review standards of the underlying zoning district unless the standard would have the effect of physically precluding the construction of up to two (2) units or that would physically preclude either of the two (2) units from being at least eight hundred (800) square feet in floor area. The City shall waive or modify any standard if that standard would have the effect of physically precluding the construction of two (2) units of at least eight hundred (800) square feet each; any modifications of development standards shall be the minimum modification necessary to avoid physically precluding the construction of two (2) units of eight hundred (800) square feet each. The following exceptions to the requirements of the underlying zoning district apply:

1. Height. The maximum building height for SB 9 Projects shall be consistent with the underlying zoning district requirements ~~except that SB 9 Project structures encroaching within the rear setback area, as identified in Section 5.7, shall not exceed twenty (20) feet in height when that portion of the SB 9 Project has a flat roof, or twenty four (24) feet in height with a pitched roof (with the additional four (4) feet solely devoted to roof pitch).~~
2. Setbacks. SB 9 Projects shall be set back from the side and rear property lines as provided below:
  - i. Side: Four (4) feet.
  - ii. Rear: Four (4) feet.
  - iii. No setback shall be required for an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.
3. Parking. For parking standards, see Section 30.5.A.2.
4. Floor Area Ratio. Where applicable, SB 9 Projects that propose to develop a single-family dwelling shall comply with the floor area ratio requirements in Article 48 (Floor Area Ratio for Single-Family Homes) of the Zoning Ordinance. SB 9 Projects that propose any other type of dwelling shall not be subject to a limit on floor area ratio.

~~**C. Allowable Demolition.** No more than twenty-five percent (25%) of the existing exterior structural walls shall be demolished if a tenant has occupied the site in the last three (3) years.~~

~~**CD. Location Restrictions.** An SB 9 Project is prohibited on a site that is identified in Government Code Section 65913.4(a)(6) subparagraphs (B) to (K) and as summarized below:~~

1. Farmland.
2. Wetlands.

3. Hazardous waste site.
4. Under conservation easement.
5. Lands identified for conservation.
6. Habitat for protected species.
7. Within a Very High Fire Hazard Severity Zone, except for sites excluded from specified hazard zones by the City, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
8. Within a delineated earthquake fault zone, unless the development complies with the applicable seismic protection building code standards identified in Government Code Section 65913.4(a)(6)(F).
9. Within a special flood hazard area subject to inundation by the one percent (1%) chance of flood as determined by the Federal Emergency Management Agency (FEMA), except as provided in [Government Code] Section 65913.4(a)(6)(G).
10. Within a regulatory floodway, as determined by FEMA, except as provided in [Government Code] Section 65913.4(a)(6)(H).

**DE. Eligibility.**

1. An SB 9 Project shall not require demolition or alteration of any of the following types of housing:
  - i. Affordable Housing. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
  - ii. Rent Control. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
  - iii. Rental. Housing that has been occupied by a tenant in the last three (3) years.
2. Ellis Act. An SB 9 Project is prohibited on a parcel on which an owner of residential real property has exercised the owner's rights under Government Code Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within fifteen (15) years before the date that the development proponent submits an application.
3. Historic. An SB 9 Project is prohibited in the following instances:
  - i. Where where the site is a contributing structure within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a City or county ordinance.
  - ii. A parcel individually listed as a historical resource included in the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a property individually designated or listed as a city or county landmark under a city or county ordinance.

**EF. Replacement Housing.** If an existing dwelling unit is proposed to be demolished, the applicant will comply with the replacement housing provisions of Government Code Section 66300(d).

**EG. Affidavit of Prior Tenancies.** If the application for a SB 9 Project proposes to alter or demolish any existing housing, the owner of the property on which the SB 9 Project is proposed shall sign an affidavit, in the form approved by the City Attorney, stating that the property meets the eligibility requirements identified in Sections DE(1) and (2) and shall provide a comprehensive history of the occupancy of the units to be altered or demolished for the past three (3) years.

**GH. Short Term Rental Prohibited.** Rental of any units created pursuant to this Section must be for a term longer than thirty (30) days.

**HI. Sufficient to allow Separate Conveyance.** An applicant for an SB 9 Project shall not be rejected solely because it proposes adjacent or connected structures, provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

**IJ. Ministerial Process.** An application for an SB 9 Project will be considered ministerially through a building permit, without discretionary review or a hearing, if the SB 9 Project meets all of the requirements under this Section 5.10 and Government Code Section 65852.21. An application for an SB 9 Project that does not meet the requirements shall be rejected.

**JK. Findings for Denial.** The City may deny a proposed SB 9 Project that meets all of the requirements identified in this Section 5.10 and Government Code Section 65852.21 if the Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed SB 9 Project would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

**KL. Enforcement.** The provisions of this Section shall be enforced as provided in Article 50 of the Zoning Code.

(Ord. No. [1130-386](#), § 4(Exh. A), 7-24-23)

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## **Article 6 - R-2 (RESIDENTIAL—DUPLEX) DISTRICT<sup>[1]</sup>**

***[Only change is to Section 6.4]***

### **6.4 - Minimum Lot Size, Frontage, and Width.**

The following standards apply:

A. The minimum lot size is five thousand (5,000) square feet.

B. The minimum lot frontage is thirty-five (35) feet.

C. The minimum average lot width is fifty (50) feet.

D. Additional requirements for lot subdivisions with an average slope of more than five percent (5%) are located in Section [32.2](#) (Supplementary Lot Area Requirements for Sloping Sites).

(Ord. No. [1130-386](#), § 4(Exh. A), 7-24-23)

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## Article 8 - R-3 (MULTI-FAMILY—LOW DENSITY) DISTRICT<sup>[1]</sup>

**[Only change is to Section 8.4]**

### 8.4 - Minimum Lot Size, Frontage, and Width.

The following standards apply:

- A. The minimum lot size is five thousand (5,000) square feet.
- B. The minimum lot frontage is thirty-five (35) feet.
- C. The minimum average lot width is fifty (50) feet.
- D. Additional requirements for lot subdivisions with an average slope of more than five percent (5%) are located in Section 32.2 (Supplementary Lot Area Requirements for Sloping Sites).

(Ord. No. [1130-386](#), § 4(Exh. A), 7-24-23)

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## Article 9 - R-4 (MULTI-FAMILY—MEDIUM DENSITY) DISTRICT<sup>[1]</sup>

**[Only changes are to Section 9.4 & 9.7]**

### 9.4 - Minimum Lot Size, Frontage, and Width.

The following standards apply:

- A. The minimum lot size is five thousand (5,000) square feet.
- B. The minimum lot frontage is thirty-five (35) feet.
- C. The minimum average lot width is fifty (50) feet.
- D. Additional requirements for lot subdivisions with an average slope of more than five percent (5%) are located in Section 32.2 (Supplementary Lot Area Requirements for Sloping Sites).

(Ord. No. [1130-386](#), § 4(Exh. A), 7-24-23)

### 9.7 Setback and Open Space Requirements.

- A. Definitions and Modifications.** For further information on how to measure a setback and modifications to setback requirements, see Section 32.3 (Supplemental Setback Requirements).
- B. Applicability.** Setbacks in this Section apply to main buildings. See Article 36 for further information on setbacks for fences, accessory structures, or other types of improvements.
- C. Front Setback.** Structures must be set back a minimum of fifteen (15) feet from the front property line; carport entrances and garage doors must be set back a minimum of twenty (20) feet. ~~Buildings of three (3) or more stories must have a minimum setback of one-half (½) the height of the building.~~
- D. Side Setback.**

1. **Interior Side Yard.** One-story structures must be set back a minimum distance of ten percent (10%) of the lot width at each interior side yard. In no case shall the minimum required setback be less than four (4) feet or more than six (6) feet. For two-story requirements, see Section 32.3 (Supplemental Setback Requirements).
2. **Exterior (Street-Side) Side Setback for Corner Lots.** For corner lots, structures must be set back from the street side lot line a minimum of twenty-five percent (25%) of the lot width. In no case shall the minimum required setback be less than twelve and one-half (12.5) feet or more than fifteen (15) feet. ~~Buildings of three (3) or more stories must have a minimum setback of one-half (½) the height of the building.~~

**E. Rear Yard Setback.** Structures must be set back twenty (20) feet from the rear property line.

**F. Open Space Requirements.** See Section 32.9 (Open Space Requirements) for additional open space requirements.

(Ord. No. 1130-386, § 4(Exh. A), 7-24-23)

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## Article 10 - R-5 (MULTI-FAMILY—HIGH DENSITY) DISTRICT<sup>[1]</sup>

**[Only changes are to Sections 10.4 & 10.7]**

### 10.4 - Minimum Lot Size, Frontage, and Width.

The following standards apply:

- A. The minimum lot size is five thousand (5,000) square feet.
- B. The minimum lot frontage is thirty-five (35) feet.
- C. The minimum average lot width is fifty (50) feet.
- D. Additional requirements for lot subdivisions with an average slope of more than five percent (5%) are located in Section 32.2 (Supplementary Lot Area Requirements for Sloping Sites).

(Ord. No. [1130-386](#), § 4(Exh. A), 7-24-23)

### 10.7 - Setback and Open Space Requirements.

- A. Definitions and Modifications.** For further information on how to measure a setback and modifications to setback requirements, see Section 32.3 (Supplemental Setback Requirements).
- B. Applicability.** Setbacks in this Section apply to main buildings. See Article 36 for further information on setbacks for fences, accessory structures, or other types of improvements.
- C. Front Setback.** Structures must be set back a minimum of fifteen (15) feet from the front property line; carport entrances and garages doors must be set back a minimum of twenty (20) feet. The fifth story and above shall have minimum setback of one-half (½) the height of the building.

~~Buildings of three (3) or more stories must have a minimum setback of one-half (½) the height of the building.~~

**D. Side Setback.**

**1. Interior Side Yard.** One-story structures must be set back a minimum distance of ten percent (10%) of the lot width for each interior side yard. In no case shall the minimum required setback be less than four (4) feet or more than six (6) feet. For two-story requirements, see Section 32.3 (Supplemental Setback Requirements).

**2. Exterior (Street-Side) Side Setback for Corner Lots.** For corner lots, structures must be set back from the street side lot line a minimum of twenty-five percent (25%) of the lot width. In no case shall the minimum required setback be less than twelve and one-half (12.5) feet or more than fifteen (15) feet. The fifth story and above shall have minimum setback of one-half (½) the height of the building. ~~Buildings of three (3) or more stories must have a minimum setback of one-half (½) the height of the building.~~

**E. Rear Yard Setback.** Structures must be set back twenty (20) feet from the rear property line.

**F. Open Space Requirements.** See Section 32.9 (Open Space Requirements) for additional open space requirements.

(Ord. No. 1130-386, § 4(Exh. A), 7-24-23)

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## Article 11 - PO (PROFESSIONAL OFFICE) DISTRICT

**[Only changes are to Section 11.2 & 11.4]**

### 11.2 Permitted Uses.

The following uses are permitted in the P.O. District if conducted entirely within a building:

- A. Professional offices;
- B. Medical offices or medical clinics, including pharmacies within medical clinics with a gross floor area of less than two thousand five hundred (2,500) square feet;
- C. Family child care homes, within residential structures, as set forth in Article 39 (Child Care);
- D. Child care centers of up to sixty (60) children;<sup>1</sup>
- E. Any use not explicitly listed in this Section is prohibited, except that the Zoning Administrator may permit any use not listed herein if the use is determined to be a similar and/or compatible use to any use herein and meets the purpose and intent of the Zoning District.

Footnotes:

- 1. In accordance with applicable San Carlos ALUCP Safety Compatibility policies and State law.

(Ord. 1130, eff. 7-10-64: Ord. 1130.241, eff. 7-17-85: Ord. 1130.275, eff. 2-27-91: Ord. 1130.310 § 20, eff. 4-12-01: Ord. 1130.320, eff. 8-13-03: Ord. 1130.327 § 8, eff. 12-1-03)

(Ord. No. 1130-383, § 4(Exh. A), 4-12-21; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

#### **11.4 Conditional Uses.**

The following uses are permitted in the PO District subject to first securing a Use Permit therefor:

- A. Business or financial offices;
- ~~B. Medical offices or medical clinics with a gross floor area of two thousand five hundred (2,500) square feet or more;~~
- ~~C. Prescription pharmaceutical dispensaries within medical clinics; provided, however, that said dispensaries shall be located entirely within the main building, and shall not be provided with outside entrances or signs, and provided, further, that sales therefrom shall be conducted without display of products or advertising displays;~~
- ~~B. D.~~ Schools and studios for arts, crafts, photography, music, and dance;
- ~~C. E.~~ Private clubs, lodges, and fraternities;
- ~~D. F.~~ Parking lots and garages, as defined in Article 2;
- ~~E. G.~~ Public or quasi-public uses, except corporation yards, storage or repair yards, or warehouses;<sup>1</sup>
- ~~F. H.~~ Any permitted or conditionally permitted use when conducted primarily outside a building;
- ~~G. I.~~ Any other use not otherwise listed in this Section, which is determined by the Zoning Administrator, after a public hearing, to be a similar and/or compatible use to any conditionally permitted uses in this Section, and is consistent with the purpose and intent of this Article;
- ~~H. J.~~ Child care centers of more than sixty (60) children.<sup>1</sup>

Footnotes:

1. In accordance with applicable San Carlos ALUCP Safety Compatibility policies and State law.

(Ord. 1130, eff. 7-10-64: Ord. 1130.100, eff. 7-23-69: Ord. 1130.186, eff. 12-6-78: Ord. 1130.189, eff. 2-21-79: Ord. 1130.241, eff. 7-17-85: Ord. 1130.275, eff. 11-27-91: Ord. 1130.320, eff. 8-13-03: Ord. 1130.327 § 14, eff. 12-1-03)

(Ord. No. 1130-353, § 1(Exh. F), 6-27-11; Ord. No. 1130-383, § 4(Exh. A), 4-12-21; Ord. No. 1130-384, § 4(Exh. A), 4-12-21)

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## **Article 14 - CB (CENTRAL BUSINESS) DISTRICT**

**[Only changes are to Section 14.2]**

### **14.2 Permitted Uses.**

The following uses are permitted in the CB District if conducted entirely within a building:

- A. Retail stores and shops including the incidental sale of beer and wine, retail bakeries, drug, variety, ice cream, hardware, or book stores, but not including liquor stores;
- B. Personal service shops, including beauty, barber, shoe repair, or watch repair shops;

- C. Financial services, title companies, stock exchange, professional, or administrative offices;
- D. Theaters but not including live entertainment or dancing; and indoor commercial recreation uses;
- E. Restaurants and cafes, including the sale of beer and wine, for consumption on the premises, but not including liquor;
- F. Printing, publishing, lithography, photography, blueprinting, or engraving shops and services;
- G. Family child care homes, within residential structures, in accordance with the provisions of Section 39.3;
- H. Residential uses, either condominiums or rental units; provided that open space is provided in accordance with Section 32.9; ~~there shall be a minimum of one hundred (100) square feet of open space per unit. Open space shall be calculated pursuant to Section 32.9, except that private open space shall be considered on a one to one (1:1) basis with common open space;~~
- I. Medical offices or medical clinics with a gross floor area of less than two thousand five hundred (2,500) square feet;
- J. Low-barrier navigation centers;
- K. Child care centers of up to sixty (60) children;<sup>1</sup>
- L. Any use not explicitly listed in this Section is prohibited, except that the Zoning Administrator may permit any use not listed herein if the use is determined to be a similar and/or compatible use to any use herein and meets the purpose and intent of the Zoning District.

Footnotes:

1. In accordance with applicable San Carlos ALUCP Safety Compatibility policies and State law.

(Ord. 1130, eff. 7-10-64: Ord. 1130.241, eff. 7-17-85: Ord. 1130.276, eff. 2-27-91: Ord. 1130.310 § 27, eff. 4-12-01: Ord. 1130.320, eff. 8-13-03: Ord. 1130.321, eff. 8-13-03: Ord. 1130.327 § 8, eff. 12-1-03)

(Ord. No. 1130-383, § 4(Exh. A), 4-12-21; Ord. No. 1130-384, § 4(Exh. A), 4-12-21; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

## Article 17 - IR (INDUSTRIAL—RESTRICTED) DISTRICT

### **[Only change is to Section 17.2]**

#### **17.2 Permitted Uses.**

The following structures and uses are permitted in the IR District:

- A. Machine shops, laboratories, and other establishments used for research, manufacturing, assembly, or repair operations. All such uses shall be conducted within a completely enclosed building;
- B. Warehouses, wholesale businesses, food preparation<sup>1</sup>, and storage or distribution operations. A use permit may be issued to conduct these uses outside a building; otherwise, all such uses shall be conducted within a building;

- C. Cabinet shops, electrical, plumbing, or heating shops, sheet metal shops, upholstery shops, bakeries, canneries, creameries, bottling plants, laundries, and cleaning or dyeing establishments so long as any activities or operations connected therewith which are normally capable of creating noise, odor, glare, or dust are located wholly within a completely enclosed room having no exterior entrance within fifty (50) feet of any street or adjacent property unless such entrance is completely shielded by part of the building from such street or adjacent property.<sup>1</sup> A Use Permit may be issued to conduct these uses outside a building; otherwise, all such uses shall be conducted within a building;
- D. Automobile, truck, trailer, boat, plane, or heavy equipment establishments, including major repair facilities, rental, and sales.<sup>1</sup> A Use Permit may be issued to conduct these uses outside a building; otherwise, all such uses shall be conducted within a building;
- E. Public utility buildings, substations, and service yards.<sup>1</sup> A Use Permit may be issued to conduct these uses outside a building; otherwise, all such uses shall be conducted within a building;
- F. Public or quasi-public uses.<sup>1,2</sup> A Use Permit may be issued to conduct these uses outside a building; otherwise, all such uses shall be conducted within a building;
- G. Family child care homes, within residential structures, in accordance with the provisions of Section 39.3;<sup>1,2</sup>
- H. Laboratory type research and development.<sup>1</sup>
- I. Any use not explicitly listed in this Section is prohibited, except that the Zoning Administrator may permit any use not listed herein if the use is determined to be a similar and/or compatible use to any use herein and meets the purpose and intent of the Zoning District.

Footnotes:

- 1. In accordance with applicable San Carlos ALUCP Safety Compatibility policies and State law.
- 2. In accordance with applicable San Carlos ALUCP Noise Compatibility policies and State law.

(Ord. 1130, eff. 7-10-64: Ord. 1130.37, eff. 1-19-66: Ord. 1130.46, eff. 4-20-66: Ord. 1130.275, eff. 2-27-91: Ord. 1130.310 § 36, eff. 4-12-01: Ord. 1130.320, eff. 8-13-03: Ord. 1130.327 § 8, eff. 12-1-03)

(Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

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## Article 17A - LII (LIGHT INDUSTRIAL INCUBATOR) DISTRICT

***[Only change is to land use table in Section 17A.2]***

### 17A.2 Use Regulations.

- 1. Allowed Uses.** Table 17A-2 indicates the uses permitted (P), conditionally permitted with a Use Permit (C), permitted as an accessory use (A), and not permitted (—) in the Light Industrial Incubator Zoning District.
- 2. Uses Not Allowed.** Any other use not explicitly addressed in Table 17A-2 is prohibited, except that the Zoning Administrator may permit or conditionally permit any use not addressed in Table 17A-2 if

the use is determined to be a similar and/or compatible use to any use in Table 17A-2 and meets the purpose and intent of the Zoning District.

**3. Outdoor Uses.** All uses, unless stated otherwise, shall be conducted entirely within a building.

**4. Applicable Regulations.** Where the last column in the table ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this Zoning Ordinance may also apply.

Table 17A-2 Allowed Uses for Light Industrial Incubator Zoning District	P: A: C: —:	Permitted by Right Permitted as Accessory Use Conditional Use; Use Permit Required Not Allowed
Land Use		Specific Use Regulations
Industry, Manufacturing & Processing, Warehousing Uses		
Electronic Equipment Facilities	—	
Handicraft/Custom Manufacturing	P	Accessory office uses limited to 50 percent of the gross floor area of the primary use.
Industrial, Limited	P	Accessory office uses limited to 50 percent of the gross floor area of the primary use.
Personal Storage (Mini-Storage)	P	
Research and Development, Laboratory	P	Accessory office uses limited to 50 percent of the gross floor area of the primary use.
Warehousing	P	
Office		
Administrative, Business, Finance Service Offices	C	
Professional and Research and Development Offices	P/C	Permitted up to 10,000 square feet per lot. More than 10,000 sq. ft. requires a Use Permit.
Medical Clinic	—	
Medical Office	—	
Personal & Business Services		
Animal-Related Uses	C	
Business Services	P	
Business, Wholesale	P	
Maintenance and Repair Services	P	
Child Care Center In conjunction with adjoining business	A	See Article 39 (Child Care Facilities)
Child Care Center Not in conjunction with adjoining business	—	
Personal Services, General	A	Maximum of 2,500 square feet per lot. Chapter 18A: Regulation of Massage Businesses

Personal Services, Studio	P	Maximum of 2,500 square feet per lot.
Recreation, Indoor Commercial	<del>C</del> P	
Recreation, Outdoor Commercial	—	
Health/Fitness Club Small ( <del>5,000</del> <u>2,000</u> sq. ft. or less)	P	
Health/Fitness Club Large (Over <del>5,000</del> <u>2,000</u> sq. ft.)	C	
Check Cashing	—	
Restaurants, Eating and Drinking		
Bar/Cocktail Lounge	—	
Restaurant, Drive-Through	—	
Restaurant, Fast Food, Sit-Down, Take-out-service	P	Maximum of 2,500 square feet per lot. <u>Required parking may be reduced to 1 space for each 1.5 seats or 1 space for each 25 sq. Ft. of floor area, whichever is greater.</u>
<u>Food Preparation</u>	<u>P</u>	
Retail		
Retail Sales, General	P/C	Maximum of 2,500 square feet per lot. More than 2,500 square feet requires a Use Permit. Chapter 15, Article III: Tobacco Retail Permit <u>Required parking may be reduced to 1 space for each 125 sq. ft. of floor area.</u>
Retail Sales, Bulk Merchandise	—	
Public or Quasi-Public Uses		
Public or quasi-public uses, not including Cultural Institutions	C	
Schools - Public and Private	C	
Cultural Institution	—	
Parking lots and garages	C	
Vehicle Rental, Sale, and Service Uses		
Vehicle/Equipment Repair, Major	C	
Vehicle/Equipment Service and Repair, Minor	P	
Vehicle/Equipment Sales and Leasing	C	Limits on outdoor storage
Vehicle Service Station	C	See Article 35 (Service Stations)
Vehicle Parts - Retail Sales and Repair	P	

(Ord. No. 1130-359, § 5(Exh. D), 4-8-13; Ord. No. 1130-365, § 4(Exh. A), 10-26-15; [Ord. No. 1130-890](#), § 4(Exh. A), 8-26-24)

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## Article 18 - IP (INDUSTRIAL PARK) DISTRICT

**[Only change is to Section 18.2]**

### 18.2 Permitted Uses.

The following structures and uses are permitted in the IP District:

- A. Administrative, business, and professional offices, the gross floor area of which is less than ten thousand (10,000) square feet;
- B. Research and development (laboratory and office)<sup>1</sup>;
- C. Manufacture of precision instruments and devices, such as electric or electronic equipment and appliances;
- D. Printing, publishing, or lithograph shops, but not including bookstores;
- E. Processing of food products and pharmaceuticals, but not including the production of fish or meat products, sauerkraut, or vinegar or refining of fats or oils;
- F. Manufacture, assembly, processing, or packaging of products from previously prepared materials, such as cloth, plastic, paper, leather, and precious and semi-precious metals and stones, but not including such operations as saw or planing mills, or any manufacturing uses involving primary production of wood, metal, or chemical products from raw materials;
- G. Warehousing and wholesale distribution or storage facilities;
- H. Television or radio studios and stations, but not including transmission or reception towers;
- I. Indoor building materials sales establishments;
- J. Combined retail and wholesale office equipment stores and accessory office supply sales;
- K. Floor covering stores and furniture stores;
- L. Appliance stores, including appliance repair service appurtenant or incidental thereto;
- M. Business or industrial supply, maintenance, or service establishments;
- N. Family child care homes, within residential structures, in accordance with the provisions of Section 39.3.
- O. Food preparation;
- P.Ø. Any use not explicitly listed in this Section is prohibited, except that the Zoning Administrator may permit any use not listed herein if the use is determined to be a similar and/or compatible use to any use herein and meets the purpose and intent of the Zoning District.

#### Footnotes:

- 1. In accordance with applicable San Carlos ALUCP Safety Compatibility policies and State law.

(Ord. 1130, eff. 7-10-64: Ord. 1130.4, eff. 11-18-64: Ord. 1130.28, eff. 8-23-65: Ord. 1130.275, eff. 2-27-91: Ord. 1130.310 § 47, eff. 4-12-01: Ord. 1130.320, eff. 8-13-03: Ord. 1130.327 § 8, eff. 12-1-03)

(Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

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## Article 29 - REQUIREMENTS FOR AFFORDABLE HOUSING

**[Only change is to Sections 29.5 and 29.7]**

### 29.5 - Payment of a Housing Impact Fee.

- A. **Amount.** The base amount of the housing impact fee shall be established from time to time by resolution of the City Council. Fees may be based on a fee per market-rate unit, fee per square foot, or any other reasonable basis. The City Council may review the fees from time to time at its sole discretion and, based on the review, may adjust the fee amount within the range justified by the most recently adopted Nexus Study. However, the housing impact fees shall not exceed the cost of mitigating the impact of nonresidential and residential development projects on the need for affordable housing in the City. The fee amounts approved by the City Council may be adjusted once per fiscal year by the Community Development Director based on the percentage increase in the Engineering News-Record Construction Cost Index for San Francisco, California, provided that any increased adjustment does not exceed the amounts justified by the most recently adopted Nexus Study. Such adjustments will be reflected in the City's Master Fee Schedule.
- B. **Timing of Payment.** Payment of the residential and nonresidential development project housing impact fees shall be due prior to the issuance of the first building permit for the development. The fees shall be calculated based on the fee schedule in effect at the time the building permit is issued.
- C. **Exemptions.** The housing impact fee shall not apply to developers of residential or nonresidential development projects, which fall within one (1) or more of the following categories:
1. **Four (4) or Fewer Dwellings.** The housing impact fee shall not apply to developers of residential development projects consisting of four (4) or fewer dwelling units; the creation of four (4) or fewer parcels, provided that no more than four (4) dwelling units are allowed; or accessory dwellings created under [Article 37](#) of the Redwood City Zoning Code.
  2. **Twenty (20) or More Dwellings.** Residential development projects of twenty (20) units or more (excluding accessory dwelling units) that are required to construct affordable units on site per Section [29.4](#) (Requirements for Inclusion of Affordable Housing) of this Article.
  3. **Nonresidential Development of Five Thousand (5,000) Square Feet or Less.** The housing impact fee shall not apply to developers of nonresidential development projects adding five thousand (5,000) square feet or less of net new square footage.
  4. **Government-Owned.** Residential or nonresidential development projects located on property owned by the state of California, the United States of America, or any of its agencies and used exclusively for governmental or educational purposes.

5. **Damaged or Destroyed.** Any development project proposed to repair or replace a structure that was damaged or destroyed by fire or other calamity, so long as the square footage and permitted use of the structure remains the same, and the planning application for the project is filed within one (1) year of the damage's occurrence. If and to the extent there is a change in the permitted use or an increase in the square footage of the structure, then the housing impact fee shall be calculated based on the net new square footage of the structure at the rate applicable to the type of permitted use (residential or nonresidential).
6. **Demolished Structures.** Any development project proposed to replace a structure previously located on site but which has been demolished, so long as the square footage and permitted use of the structure remains the same, and the planning application for the project is filed within two (2) years of the demolition of the structure being replaced. If and to the extent there is a change in the permitted use or an increase in the square footage, then the housing impact fee shall be calculated based on the net new square footage at the rate applicable to the type of permitted use (residential or nonresidential).
7. **Abandoned Structures.** Any development project proposed to replace a structure located on site but which is not being used for its permitted use and which does not otherwise meet the exemptions under Section [29.5\(C\)\(5\)](#) (Damaged and Destroyed) or [29.5\(C\)\(6\)](#) (Demolished Structures), so long as the square footage and permitted use of the structure remains the same, and the planning application for the project is filed within two (2) years of the last permitted use of the site. If and to the extent there is a change in the permitted use or an increase in the square footage, then the housing impact fee shall be calculated based on the net new square footage at the rate applicable to the type of permitted use (residential or nonresidential).
8. **Vested Right to Proceed.** Residential or nonresidential development projects to the extent they have received a vested right to proceed without payment of housing impact fees pursuant to State law, including those that are the subject of development agreements currently in effect with the City, if such development agreements were approved prior to the effective date of the Ordinance from which this Article is derived and where such agreements expressly preclude the City from requiring payment of the housing impact fee.
9. **Provision of Affordable Housing.** A residential or nonresidential development project may mitigate its impact on the need for affordable housing by providing affordable housing units instead of paying the impact fee, so long as the affordable units are provided in accordance with an affordable housing plan (Section [29.7](#)) and meet all of the standards in Section [29.6](#) and 29.8.A and the developer provides reasonable assurances required by the City that the affordable units will be timely completed.
10. The following specific ~~nonresidential~~ uses, as defined in [Article 2](#): Definitions, are exempt from the payment of the housing impact fee:
  - a. Public Uses, including, but not limited to, public schools, parks, playgrounds, hospitals, and administrative and service facilities;
  - b. Quasi-Public Uses, including, but not limited to, houses of worship, schools and colleges, recreational facilities, cultural institutions and private hospitals;
  - c. Child Care Centers, including Family Child Care Homes;
  - d. Recreational facilities for public use and enjoyment within commercial or industrial developments;

- e. Nursing homes, residential care facilities (General, Senior, and Small),-and skilled nursing facilities;
  - f. Schools, public and private; and
  - g. Property eligible for the California Property Tax Welfare Exemption in that it is (1) used exclusively for charitable purposes, and (2) owned or held in trust by nonprofit organizations operating for those purposes and that have a current tax exempt letter from the Internal Revenue Service or the Franchise Tax Board.
11. Any other uses that may be specified by resolution of the City Council.

(Ord. No. 1130-375, § 4, 6-25-18; Ord. No. [2498](#), § 3(Exh. A), 9-27-21; Ord. No. [1130-387](#), § 4(Exh. A), 7-24-23; [Ord. No. 1130-890](#), § 4(Exh. A), 8-26-24)

**29.7 - Affordable Housing Plan and Agreement.**

**A. Required.** An "affordable housing plan" is required for any residential or nonresidential development project that provides affordable units, either on-site or off-site and for projects applying for any alternative method of compliance under Section [29.8](#). The affordable housing plan shall be in compliance with the Affordable Housing Guidelines and, at a minimum, describe:

1. How the proposed units conform to the requirements of this Article and the City and State Density Bonus law requirements, as applicable;
2. The location, structure (attached or detached), proposed tenure (for-sale or rental), and size of the proposed market-rate (as applicable) and affordable units and the basis for calculating the number of affordable units provided;
3. A floor or site plan depicting the location of the affordable units;
4. A phasing plan that provides for the timely development of the number of affordable units in accordance with Section [29.6](#) (Standards for Affordable Housing);
5. If off-site units, or other alternatives are proposed under Section [29.8](#) (Alternatives), any additional information deemed necessary by the City to support the findings required for approval of such alternatives;
6. If the project includes a development partner(s) of the developer for the provision of the affordable units, on-site or off-site, land donation or other alternative means of compliance, a term sheet describing the principal terms of the arrangements between the developer and development partner(s), including any additional information required in the Affordable Housing Guidelines; and
7. Any other information reasonably requested by the Community Development Director to assist with evaluation of the Affordable Housing Plan under the standards of this Article.

Affordable housing plans are not required if the developer is only paying an affordable housing impact fee, in compliance with the City requirements.

**B. Submittal and Review.** The affordable housing plan must be submitted with the first planning permit application for the residential or nonresidential development project. The affordable housing plan shall be processed concurrently with all other permits required for the residential or nonresidential

development project. Affordable housing plans that meet all of the requirements of this Article shall be approved by the review authority. An affordable housing plan that requests a waiver of any the requirements set forth in this Article shall require approval by the City Council.

**C. Approval of On-site Affordable Units.** The review authority may approve or conditionally approve an affordable housing plan that proposes on-site affordable units if it makes findings, based on substantial evidence, that:

1. The proposed affordable units comply with the applicable standards in this Article, including, without limitation, the requirement that the affordable units be made available for concurrent occupancy per Section 29.6B.
2. The affordable units will mitigate the impact of the project on the need for affordable housing if the units are being provided under the Affordable Housing Impact Fee program.

**D. Approval of Off-Site Affordable Units.** If a developer proposes off-site affordable housing units, land donation, or any other alternative method of compliance under Section [29.8](#), in the affordable housing plan, the review authority may approve proposal if the review authority is able to make the above findings in Subsection C (Approval of On-Site Affordable Units) and the proposal meets all of the following conditions:

1. Financing or a viable financing plan, which may include public funding sources, is in place for the proposed affordable housing units;
2. The proposed location is suitable for the proposed affordable housing, is consistent with the Housing Element, general plan, and zoning, and will not cause residential segregation; and
3. The proposed affordable units comply with the applicable standards in this Article, including, without limitation, the requirement that the affordable units be made available for concurrent occupancy per Section 29.6B.

**E. Amendments.** The approved affordable housing plan may be amended prior to issuance of any building permit for the residential or nonresidential development project. A request for a minor modification of an approved affordable housing plan may be granted by the Community Development Director if the modification is substantially in compliance with the original affordable housing plan and conditions of approval. Other modifications to the affordable housing plan shall be processed in the same manner as the original plan.

**F. Agreements.** As a condition of approval, affordable housing agreements acceptable to the Community Development Director and executed by the City Manager, in a form approved by the City Attorney, shall be recorded against the residential or nonresidential development project prior to approval of any final or parcel map, or issuance of any building permit, whichever occurs first. The affordable housing agreement shall specify the number, type, location, size, and phasing of all affordable units, provisions for income certification and screening of potential purchasers or renters of units, and resale control mechanisms, including the financing of ongoing administrative and monitoring costs, consistent with the approved affordable housing plan, as determined by the Community Development Director. The form of the affordable housing agreement may vary depending on the way the provisions of this Article are satisfied for a particular development project. The affordable housing agreement shall be recorded against the property in the form of a resale or rental restrictions, deeds of trust, option agreements, or regulatory agreement, as applicable, ~~in a form approved by the City Attorney and executed by the City~~

Manager to ensure the continued affordability of the affordable units and implementation of the local preference required under this Article. The agreement securing the affordable units required under the Ordinance must at all times remain a lien recorded in first lien priority and may not be subordinated to any lien securing a mortgage or indebtedness or other security financing interest without the prior written consent of the City Manager City Council, who may, at their discretion, refer the request to the City Council for approval. Such ~~which~~ consent can be withheld at the City's sole and absolute discretion. Approval of an affordable housing agreement is a condition of any discretionary or ministerial permit for any development project to which this Article applies, unless the developer is only paying an affordable housing impact fee, in compliance with the City requirements.

(Ord. No. 1130-375, § 4, 6-25-18; Ord. No. [2498](#), § 3(Exh. A), 9-27-21; Ord. No. [1130-387](#), § 4(Exh. A), 7-24-23)

## Article 30 - OFF-STREET PARKING AND LOADING[1]

**[Only change is to Sections 30.2, 30.4, 30.5, 30.6, 30.18 and ADDED 30.19]**

### **30.2 - Required Number of Parking Spaces— P-Downtown (Downtown Precise Plan) District Downtown Parking Zone.**

In the P-Downtown (Downtown Precise Plan) District, off-street parking spaces for vehicles shall be provided in accordance with the schedule in the Downtown Precise Plan. In all zoning districts in connection with every use of property and for each building site located within the area which shall be known as the Downtown Parking Zone as established by resolution of the City Council, and which is delineated on the map entitled "Downtown Parking Zone," on file in the office of the City Clerk available for public inspection, there shall be provided off-street parking spaces for vehicles according to the following schedule:

(Wherever square feet of floor area is indicated, it shall mean gross square footage.)

#### **~~A. Residential Uses.~~**

- ~~1. Dwellings, containing two (2) bedrooms or more:
  - ~~a. Minimum Required: one and a half (1.5) parking spaces per dwelling unit;~~
  - ~~b. Maximum Allowed: three (3) parking spaces per dwelling unit.~~~~
- ~~2. Dwellings, containing one (1) bedroom:
  - ~~a. Minimum Required: one (1) parking space per dwelling unit;~~
  - ~~b. Maximum Allowed: two (2) parking spaces per dwelling unit.~~~~
- ~~3. Dwellings, studio apartments:
  - ~~a. Minimum Required: three-quarters (0.75) of a parking space per dwelling unit;~~
  - ~~b. Maximum Allowed: one and a half (1.5) parking spaces per dwelling unit.~~~~

4. ~~The minimum requirements in subsection (A)(1) through (A)(3) above may be reduced if it can be shown to the satisfaction of the Zoning Administrator that fewer parking spaces than those required above are necessary due to the nature of the project. In considering such a reduction through the project approval process, the Zoning Administrator shall look at factors including, but not limited to, the project's design, location, affordability and unit size.~~

**~~B. Motels or Hotels.~~**

1. ~~Minimum Required: One (1) parking space for each living or sleeping unit, plus additional parking spaces for other uses such as restaurants, lounges, if present, according to the requirements herein for such other uses.~~
2. ~~Maximum Allowed: One (1) parking space for each living or sleeping unit, plus additional parking spaces for other uses such as restaurants, lounges, if present, according to the requirements herein for such other uses.~~
3. ~~Shared Parking Bonus: All shared parking spaces shall count as two (2) parking spaces toward the fulfillment of the minimum requirement.~~

**~~C. Commercial Uses (all other uses permitted within the applicable zone district).~~**

1. ~~Minimum Required: six (6) parking spaces per one thousand (1,000) square feet of gross floor area.~~
2. ~~Maximum Allowed: six (6) parking spaces per one thousand (1,000) square feet of gross floor area.~~
3. ~~Shared Parking Bonus: All shared parking spaces shall count as two (2) parking spaces toward the fulfillment of the minimum requirement.~~

(Ord. No. 1130-353, § 3(Exh. C), 6-27-11)

### **30.4 - Required Number of Parking Spaces—Mixed-Use Zoning Districts.**

**A. Applicability.** The required number of parking spaces set forth in Section 30.5 (Required Number of Parking Spaces—Outside of the P-Downtown (Downtown Precise Plan) District~~Downtown Parking Zone~~ and Mixed-Use Zoning Districts) shall apply to all development within mixed-use districts outside of the P-Downtown (Downtown Precise Plan) District~~Downtown Parking Zone~~ unless otherwise set forth in this Section. Whenever the requirements, standards, regulations, or other provisions of this section conflict with the requirements, standards, regulations, or other provisions set forth in Section 30.5, the requirements, standards, regulations, or other provisions ~~in this of~~ Subsection, 30.4 shall govern.

**B. Residential Parking Spaces Required.** For any residential development located in a mixed-use district, one (1) space is required for every dwelling unit, except for Single Room Occupancy Facilities, Low Barrier Navigation Centers, Group Homes, Housing exclusively for Senior/Elderly persons who are age sixty (60) and over, and Housing exclusively comprised of Affordable Housing Units as defined in Article 32.19, including manager's units for which no parking is required., and for Group Homes,

for which one-half (0.5) space is required for every bedroom. Group Homes shall have at minimum one (1) space and where a fractional space would be required, the number of spaces provided shall be rounded down (e.g. for a Group Home with five (5) bedrooms, two (2) spaces shall be provided). Tandem parking is permitted if the tandem spaces serve the same dwelling unit.

**C. Bicycle Parking Required.** The required number of bicycle parking spaces shall be determined as set forth in Section 30.19 Bicycle Parking the underlying zoning district as provided in Sections 53.6, 54.6, and 55.8 of the Zoning Code.

**D. Live/Work Parking Spaces Required.** For any development located in a mixed-use district, parking spaces for live/work units shall be required as follows:

1. Resident Parking. One (1) space per live/work unit.
2. Client Parking. One (1) space per one thousand (1,000) square feet of nonresidential floor area.
3. Existing Building Exception. The review authority may reduce the parking requirement for the reuse of existing buildings with limited parking.

**E. Marina Parking Spaces Required.** A parking study shall be submitted that demonstrates how parking demand will be met with the proposed supply. This study is subject to review and approval of the Director.

**F. Shared-Use Parking on Multiple Sites.** Sites with multiple uses having different peak demand times may share parking. A parking study shall be submitted that demonstrates how parking demand will be met with a shared parking arrangement. This study is subject to review and approval of the review authority.

**G. Designated Parking for Low-Emitting and Carpool Vehicles.** Designated parking shall be provided for any combination of low-emitting, fuel-efficient, electric and carpool/vanpool vehicles, as indicated in the table below. The following characters shall be painted on the parking surface, or equivalent signage shall be provided at each such space: CLEAN AIR VEHICLE. If pavement painting is provided, it shall be visible when a vehicle is parked in the space.

(Ord. No. 1130-353, § 3(Exh. C), 6-27-11; Ord. No. 1130-359, § 8(Exh. G), 4-8-13; Ord. No. 1130-373, § 5, 5-21-18; Ord. No. 1130-381, § 4(Exh. A), 1-27-20; Ord. No. 1130-386, § 4(Exh. A), 7-24-23; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

### **30.5 - Required Number of Parking Spaces—Outside of the P-Downtown (Downtown Precise Plan) District Downtown Parking Zone and Mixed-Use Zoning Districts.**

In all districts in connection with every use of property and for each building site outside of the P-Downtown (Downtown Precise Plan) District Downtown Parking Zone and Mixed-Use Zoning Districts, there shall be provided off-street parking spaces for vehicles according to the following schedule, except as provided in district regulations:

(Wherever square feet of floor area is indicated, it shall mean gross square footage.)

#### **A. Residential Uses.**

1. Single-Family Dwellings. Two (2) spaces per unit which may be covered or uncovered. The spaces shall be located on a paved area and may be located in any setback. Tandem configurations for multiple parking spaces associated with an individual unit are permitted.

2. SB 9 Project. One (1) off-street parking space per unit is required. Either covered or uncovered parking spaces may be provided. Uncovered parking is subject to size requirements in Subsection 30.6.A of the Zoning Code. Covered parking is subject to minimum size requirements in Section 30.6.B and subject to zoning district setbacks. No off-street parking is required for either of the following:
  - a. Parcels located within one-half (½) mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.
  - b. There is a car share vehicle within one (1) block of the parcel.
3. ~~[Reserved].~~ Affordable Housing and Senior Housing. No parking is required for housing exclusively for Senior/Elderly persons who are age sixty (60) and over and housing exclusively comprised of Affordable Housing Units as defined in Article 32.19, including manager's units.
4. Dwellings, duplex. One (1) space per unit. Tandem parking is permitted if the tandem spaces serve the same dwelling unit.
5. Multifamily Dwellings. One (1) parking space is required per dwelling unit. Tandem parking is permitted if the tandem spaces serve the same dwelling unit.
6. Group Homes Residential. No parking is required. One (1) space for each bedroom, but not less than three (3) spaces.

#### **B. Commercial Uses.**

1. Automobile service stations, auto repair, or machinery sales and services garages: One (1) space for each five hundred (500) square feet of floor area, or three (3) spaces per bay, whichever is greater.
2. Professional, business or administrative offices and financial services are subject to the following parking requirements. Radius distances are measured from the northerly-most corner of the Sequoia Station building adjacent to the Caltrain station building. If any part of a parcel is within the described circle, it is deemed entirely within the circle.
  - a. Within the downtown core (one thousand five hundred (1,500) ft. radius), requires one (1) space for every three hundred (300) square feet of gross floor area.
  - b. Outside of the downtown core (more than one thousand five hundred (1,500) ft. radius), requires one (1) space for every two hundred fifty (250) square feet of gross floor area for uses generating fewer than one hundred (100) PM peak hour trips. Uses generating one hundred (100) or more PM peak hour trips require one (1) space for every three hundred (300) square feet of gross floor area.
3. Bowling alleys: Five (5) spaces for each bowling lane plus additional spaces for other uses such as restaurants, pool or billiard parlors, if present, according to the requirements herein for such other uses.
4. Dance, assembly, or exhibition halls without fixed seating: One (1) space for each fifty (50) square feet of floor area used for dancing assembly, or exhibition space.
5. Funeral homes and mortuaries: One (1) space for each five (5) seats in the chapel, plus one (1) space for each parlor room, plus one (1) space for each employee.

6. Furniture or appliance stores, including repairs: One (1) space for each five hundred (500) square feet of floor area.
7. Hotels and motels: One (1) space for each living or sleeping unit, plus additional spaces for other uses such as restaurants, lounges, if present, according to the requirements herein for such other uses.
8. Medical or dental offices and clinics: One (1) space for each two hundred (200) square feet of floor area.
9. Personal services, such as beauty shops and barber shops: One (1) space for each two hundred (200) square feet of floor area.
10. Pool or billiard parlors: Two (2) spaces for each table.
11. Restaurants, but not including fast food restaurants, lounges, and night clubs: One (1) space for each three (3) seats.
12. Restaurants, fast food: One (1) space for each three (3) seats, or one (1) space for each fifty (50) square feet of floor area, whichever is greater.
13. Retail stores and shops: One (1) space for each two hundred (200) square feet of floor area.
14. Theaters, auditoriums, and assembly halls with fixed seating: One (1) space for each three and five-tenths (3.5) seats.
15. Health/fitness facilities - small (~~five two~~ 5,000 ~~2,000~~) square feet or less): one (1) space for each two hundred fifty (250) square feet of floor area; Health/fitness facilities - large (over ~~five two~~ 5,000 ~~2,000~~) square feet): one (1) space for each two hundred (200) square feet of floor area;
16. Live/work unit: two spaces per unit.

### **C. Industrial Uses.**

1. Industrial or manufacturing plants: One (1) space for every two (2) employees on the maximum working shift, but in no case less than one (1) space for each six hundred (600) square feet of floor area.
2. Warehouses: One (1) space for each two (2) employees on the maximum work shift, plus one (1) space for each one thousand (1,000) square feet of floor area.
3. Research and development (laboratory type and office type): One (1) space for every two hundred fifty (250) square feet of gross floor area devoted to office and administrative use; plus one (1) space for every two (2) employees on the maximum work shift (but in no case less than one (1) space for each six hundred (600) square feet of gross floor area) for areas devoted to laboratory, manufacturing or assembly use; plus one (1) space for every one thousand (1,000) square feet of gross floor area devoted to warehouse use.

### **D. Miscellaneous Uses.**

1. ~~Churches, synagogues, houses~~ Places of religious worship, with fixed seating: One (1) space for each three and five-tenths (3.5) seats in the main meeting room; or if no fixed seats, one (1) space for every fifty (50) square feet; plus if classrooms are present, one (1) space for every fifteen (15) classroom seats.

2. Hospitals, but not including out-patient clinics: One (1) space for each patient bed, plus one (1) space per employee on the largest shift. Hospitals which have more than ten (10) employees on the largest shift shall have ten percent (10%) of required parking designated for carpool and/or vanpool parking.
3. Sanitariums, convalescent homes, and nursing homes: One (1) space for each six (6) patient beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each employee.
4. Schools: Schools enrolling students in the tenth (10th) grade or below shall provide one (1) space for each classroom and administrative office, plus one (1) space for every one hundred (100) square feet in the auditorium. Schools enrolling adults and students in the eleventh (11th) grade and above shall provide one (1) space for each student over sixteen (16) years in age.
5. Emergency Shelters: One (1) space for each five (5) beds and two (2) additional spaces provided that, consistent with Government Code Section 65583(4)(a), parking is not provided at a ratio greater than for residential or commercial uses within the same zone.
6. Mixed-Use, combining residential with commercial uses: One (1) space for each residential unit for studio or one (1) bedroom units, one and one-half (1½) spaces for two (2) bedroom or larger units; plus a minimum of seventy-five percent (75%) of the normally required commercial parking as otherwise required in this article, if residential spaces are made available to the commercial tenants and customers, and subject to the approval of the Zoning Administrator upon application submitted in the manner provided by this Section.
7. Child Care Centers: One (1) parking space is required per employee, plus one (1) additional space for every fifteen (15) employees.
8. Low Barrier Navigation Centers: No parking is required.

**E. Uses Not Specifically Mentioned.**

1. In the event off-street parking space requirements have not been established by this article for any proposed use of any structure of land, the owner of the property shall apply to the Zoning Administrator for a determination of the required number of spaces prior to the commencement of the use or the obtaining of a building permit in connection therewith.
2. Applications shall be filed and acted upon in the same manner as provided for in the case of Use Permits. In the event the proposed use requires the obtaining of a Use Permit, the Zoning Administrator shall determine the required number of spaces in connection with the action on the Use Permit and no separate application shall be required. If the Zoning Administrator determines that the proposed use is similar to a use for which parking requirements are established by this article, such requirements shall be applicable; otherwise, the Zoning Administrator shall establish the parking requirements.

**F. Decrease in Parking Spaces.**

1. In all "C" Districts, "I" Districts, "PO" Districts, and "PF" Districts, for those uses which require parking, two (2) spaces may be eliminated for every off-street bicycle parking area that allows for the long-term storage of at least five (5) bicycles. However, no more than twenty percent (20%) of required parking spaces shall be eliminated pursuant to this section.

2. In "CN" zones, two (2) off-street parking spaces may be eliminated for every off-street parking area that allows for the long-term storage of at least five (5) bicycles. However, no more than ten percent (10%) of the required parking shall be eliminated pursuant to this section.

(Ord. No. 1130-353, § 3(Exh. C), 4-8-13; Ord. No. 1130-359, § 8(Exh. G), 4-8-13; Ord. No. 1130-366, § 4, 12-7-15; Ord. No. 1130-367, § 5, 6-13-16; Ord. No. 1130-369, § 4, 4-24-17; Ord. No. 1130-383, § 4(Exh. A), 4-12-21; Ord. No. 1130-386, § 4(Exh. A), 7-24-23; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

### **30.6 - Size and Spaces. [PARKING].**

**A. Standard spaces:** A standard parking space shall have a minimum width of not less than eight and one-half (8½) feet and minimum length of not less than eighteen (18) feet, exclusive of EV charging equipment. Parking layout and aisle dimensions shall be designed in accordance with Redwood City Engineering Standards.

1. SB 9 Projects. Uncovered spaces as part of SB 9 Projects on driveways shall have a minimum width of eight and one-half (8.5) feet and a minimum length of twenty and one-half (20.5) feet.
2. Parking lots must be designed such that backing out into a public street is not a necessity for ordinary turning movements.

**B. Garage and carport sizes:**

1. A standard enclosed two (2) car garage shall be a minimum of nineteen (19) feet wide by twenty and one-half (20½) feet deep in the clear interior dimension. A standard enclosed one (1) car garage shall be a minimum of ten (10) feet wide by twenty and one-half (20½) feet deep in the clear interior dimension;
2. A carport shall provide for the required parking space(s) clear of any obstructions, subject to the additional spacing requirements outlined in subsection (B)(3) of this section;
3. No required off-street parking space shall be situated within one (1) foot of any wall or vertical obstruction above curb height. Structural columns between adjacent parking spaces are excluded from this requirement when such columns are located at least three (3) feet, but not more than five (5) feet, from either or both ends of the respective parking spaces.

**C. Carpool and Vanpool:** Professional, business or administrative offices and financial services occupying thirty thousand (30,000) square feet or more shall reserve at least ten percent (10%) of the required spaces for carpool and/or vanpool parking. All designated carpool and vanpool spaces shall be clearly marked with signs and pavement markings indicating that they are for employee carpools and vanpools only. With the exception of requirements for the location of handicapped parking spaces, all designated carpool and vanpool parking spaces shall be located as close as possible to the main entrance(s) of the building served by the required parking area.

~~**D. Bicycle Parking:**~~

- ~~1. In all "C" Districts, "I" Districts, "PO" Districts, and "PF" Districts, there shall be no less than one (1) bicycle parking space per five thousand (5,000) square feet of floor area. For those uses which require carpool parking, two (2) carpool spaces may be eliminated for every off-~~

~~street bicycle parking area that allows for the storage of five (5) bicycles. However, no more than twenty percent (20%) of designated carpool parking spaces shall be eliminated and substituted for bicycle parking.~~

- ~~2. In "CN" zones, two (2) off-street parking spaces may be eliminated for every off-street parking area that allows for the storage of at least five (5) bicycles. However, no more than ten percent (10%) of the required parking shall be eliminated and substituted for bicycle parking.~~
- ~~3. All designated bicycle parking areas shall be clearly marked and equipped with facilities necessary for protecting and securing bicycles.~~

**D. E. Motorcycle Parking.** Every parking area with parking for one hundred (100) cars or more shall have five percent (5%) of its required parking spaces designated for motorcycle parking. Motorcycle spaces must be a minimum of 4 feet wide and 6 feet long.

(Ord. No. 1130-353, § 3(Exh. C), 6-27-11; Ord. No. 1130-364, § 15(Exh. L), 8-24-15; Ord. No. 1130-367, § 5, 6-13-16; Ord. No. 1130-386, § 4(Exh. A), 7-24-23)

Editor's note(s)—Ord. No. 1130-367, § 5, adopted June 13, 2016, amended § 30.6 to read as set out herein. Previously § 30.6 was titled "Size and Spaces."

### **30.7 - State Preemption.**

**A. Required Number of Parking Spaces—Within One-Half Mile of a Major Transit Stop**

1. No off-street parking is required for any use or District contained in this Article that is located within one-half (1/2) mile of a major transit stop, as defined in in Public Resources Code Section 21064.3, except as the City is expressly allowed to require in accordance with Government Code Section 65863.2. In accordance with Government Code Section 65863.2

**B.** In the event of a conflict between this Article and State law, State law shall prevail.

(Ord. No. 1130-386, § 4(Exh. A), 7-24-23)

### **30.18 - Improvements for Parking and Loading Facilities.**

**[30.18 A unchanged]**

- B.** Every off-street parking and loading facility in existence upon the effective date of this article, and every off-street parking and loading facility constructed and used on and after said effective date, shall be improved, constructed, maintained, and operated in accordance with the following minimum requirements:

**[1 & 2 are unchanged]**

3. Every off-street parking and loading facility located in any nonresidential district and adjoining any parcel of land located in any R District shall be separated from such parcel by a solid wall, view-obstructing fence, compact evergreen hedge, or similar such device, constructed or installed to the maximum height allowed for fences in such adjoining R District wherever such maximum allowable height is six (6) feet or

less, or to a minimum height of six (6) feet wherever such maximum allowable height for fences exceeds six (6) feet. However, no such wall, fence, hedge, or device shall exceed the maximum allowable height for fences and walls specified in Section ~~36.3 31.8~~; provided, further, that such wall, fence, hedge, or device shall comply with the provisions of Section 29.75 of the Redwood City Code, relating to hazards or impediments to the progress or vision of persons traveling on public streets.

**[4-6, and 8 are unchanged]**

7. Parking lots shall be improved with landscaping, and permanently maintained by the property owner, in accordance with the following standards:
  - a. Landscaping shall be installed as determined by the following schedule:

Number of Parking Spaces	Minimum % Parking Lot in Landscaping
1—5	5%
6—74	10%
75+	15%

- b. Landscaped areas shall be distributed throughout the parking lot or as appropriate, based on the lot configuration, to minimize the amount of directly connected impervious areas. Concave (rather than convex) landscape forms are encouraged to receive runoff from impervious areas and to allow for infiltration and/or detention;
    - c. Landscaping and shade trees shall be contained in planters and tree wells bordered by a six (6)-inch high concrete curb or equivalent approved by the City, so as to be protected from automobile overhang;
    - d. ~~Shade trees shall be required at the rate of one (1) tree per each required five (5) parking spaces. Trees shall be a minimum of fifteen (15) gallon can size and be of a variety that will provide shade upon reaching maturity; Provide Shade. To improve climate resilience, provide shade for surface parking lots, vehicular roadways and driveways, and pedestrian pathways. Tree plantings shall conform to the following:~~
      - i. For surface parking along the perimeter of a site, provide one fifteen-gallon tree per three (3) spaces, distributed on the perimeter of the parking area.
      - ii. For surface parking areas not located along the perimeter of the site, provide one fifteen-gallon tree per five (5) spaces, distributed in the parking field. The selected tree species shall have a crown diameter for thirty (30) or more feet at maturity.
      - iii. For vehicular roadways and driveways outside of parking areas and pedestrian pathways, provide one fifteen-gallon tree for each thirty (30) feet of roadway/driveway/pathway length.
      - iv. Each tree shall be installed in structural soil that is not less than three (3) feet deep and not less than sixteen (16) square feet in area.
      - v. Tree plantings shall be irrigated or be watered by hand for not less than three years.
    - e. Landscaped areas and planters shall be developed with a permanent irrigation system approved by the City; and shall be maintained permanently, and kept free of all weeds, debris, and litter.

**[30.18.C is unchanged]**

**30.19 - Bicycle Parking.**

**A. Purpose.** The purpose of this section is to provide requirements for the quantity, design, and placement of bicycle parking.

**B. Applicability.** The requirements in this Section relating to Short-Term Bicycle Parking and Long-Term Bicycle Parking, as defined in [Article 2.2 Definitions](#), apply to:

1. New development projects (new construction)
2. Substantial Commercial Remodeling or Substantial Residential Remodeling as defined in Municipal Code Section 18.235.
3. New public assembly and meeting facilities and open space such as parks, libraries, community centers, etc.

Any building or establishment that voluntarily provides bicycle parking shall meet the Features, Access, Location, and Protection requirements and Bicycle Parking Design requirements.

**C. Required Number of Bicycle Parking Spaces.**

Table 30.19 describes the number of bicycle parking spaces required by use. If the the required number of spaces results in a fractional space, the number of required spaces shall be rounded up. In the event of a discrepancy between the requirements of Table 30.19 and the Bicycle Parking Requirements in the Downtown Precise Plan, Table 30.19 requirements shall apply.

<b><u>Table 30.19: Required Number of Bicycle Parking Spaces</u></b>				
<b><u>USE</u></b>	<b><u>P-Downtown (Downtown Precise Plan) District</u></b>		<b><u>Outside of the P-Downtown (Downtown Precise Plan) District</u></b>	
	<b><u>Long-Term</u></b>	<b><u>Short-Term</u></b>	<b><u>Long-Term</u></b>	<b><u>Short-Term</u></b>
<b><u>Residential Uses</u></b>				
<b><u>Single-Family to 3 units</u></b>	<u>1 space per dwelling unit</u>	<u>None</u>	<u>1 space per dwelling unit</u>	<u>None</u>
<b><u>4 to 24 units</u></b>	<u>1 space per dwelling unit</u>	<u>4 spaces</u>	<u>0.5 space per dwelling unit</u>	<u>4 spaces</u>
<b><u>25 or more dwelling units</u></b>	<u>1 space per dwelling unit</u>	<u>8 spaces</u>	<u>0.5 space per dwelling unit</u>	<u>4 spaces</u>
<b><u>Commercial Uses</u></b>				
<b><u>Office; Research and Development (Office Type);</u></b>	<u>1 space per 2,000 sq. ft.</u>	<u>1 space per 2,000 sq. ft.</u>	<u>1 space per 2,000 sq. ft.</u>	<u>1 space per 2,000 sq. ft.</u>
<b><u>Research and Development (Laboratory Type)</u></b>	<u>1 space per 20,000 sq. ft.</u>	<u>1 space per 5,000 sq. ft.</u>	<u>1 space per 20,000 sq. ft.</u>	<u>1 space per 10,000 sq. ft.</u>

<b><u>Medical Office/ Hospital</u></b>	<u>1 space per 10,000 sq. ft. (for projects over 50,000, 1 space per 20,000)</u>	<u>1 space per 2,000 sq. ft.; (for projects over 50,000, 1 space per 10,000)</u>	<u>1 space per 10,000 sq. ft.; (for projects over 50,000, 1 space per 20,000)</u>	<u>1 space per 5,000 sq. ft.; (for projects over 50,000, 1 space per 10,000)</u>
<b><u>Parking Lots and Standalone Garages</u></b>	<u>1 space per 10,000 sq. ft.</u>	<u>1 space per 20,000 sq. ft.</u>	<u>1 space per 20,000 sq. ft.</u>	<u>None</u>
<b><u>Restaurant, Bar/Cocktail Lounge, Night Club</u></b>	<u>1 space per 5,000 sq. ft.</u>	<u>1 space per 2,000 sq. ft.</u>	<u>1 space per 10,000 sq. ft.</u>	<u>1 space per 2,000 sq. ft.</u>
<b><u>Retail/Personal Services</u></b>	<u>1 space per 5,000 sq. ft.</u>	<u>1 space per 2,000 sq. ft.</u>	<u>1 space per 10,000 sq. ft.</u>	<u>1 space per 2,000 sq. ft.</u>
<b><u>Health/Fitness Facilities</u></b>	<u>1 space per 4,000 sq. ft.</u>	<u>1 space per 2,000 sq. ft.</u>	<u>1 space per 4,000 sq. ft.</u>	<u>1 space per 2,000 sq. ft.</u>
<b><u>Industrial, Warehouse</u></b>	<u>1 space per 20,000 sq. ft.</u>	<u>1 space per 10,000 sq. ft.</u>	<u>1 space per 20,000 sq. ft.</u>	<u>1 space per 10,000 sq. ft.</u>
<b><u>Lodging (Hotel, Motel)</u></b>	<u>1 space per 3 rooms</u>	<u>8 spaces</u>	<u>1 space per 10 rooms</u>	<u>4 spaces</u>
<b><u>Care Uses</u></b>				
<b><u>Residential Care Facility (General and Senior)</u></b>	<u>1 space per 10 employees</u>	<u>1 space per 20,000 sq. ft.</u>	<u>1 space per 20 employees</u>	<u>1 space per 20,000 sq. ft.</u>
<b><u>Child-Care Centers</u></b>	<u>1 space per 20 employees</u>	<u>1 per 20 students</u>	<u>1 space per 20 employees</u>	<u>1 space per 20 students</u>
<b><u>Group Homes and Low Barrier Navigation Centers</u></b>	<u>0.5 space per bed</u>	<u>1 space per 10,000 square feet</u>	<u>0.5 space per bed</u>	<u>1 space per 10,000 square feet</u>
<b><u>Education, Public Assembly, and Recreation Uses</u></b>				
<b><u>Schools</u></b>	<u>1 space per 10 employees</u>	<u>1 space per 10 students</u>	<u>1 space per 20 employees</u>	<u>1 space per 20 students</u>
<b><u>Assembly and Meeting Facility (Places of Worship)</u></b>	<u>1 space per 5,000 sq. ft.</u>	<u>1 space per 10,000 sq. ft.</u>	<u>1 space per 10,000 sq. ft.</u>	<u>1 space per 20,000 sq. ft.</u>
<b><u>Assembly and Meeting Facility (Public and Quasi-Public; Libraries, Community Centers)</u></b>	<u>1 space per 10,000 sq. ft.</u>	<u>1 space per 3,000 sq. ft.</u>	<u>1 space per 30,000 sq. ft.</u>	<u>1 space per 5,000 sq. ft.</u>
<b><u>Open Space</u></b>	<u>None</u>	<u>1 space per 10,000 sq. ft.</u>	<u>None</u>	<u>1 space per 10,000 sq. ft.</u>

<b>(Parks and Sports Fields)</b>				
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1. Uses Not Specifically Mentioned in Table 30.19 above.

a. In the event bicycle parking space requirements have not been established by this article for any proposed use, the owner of the property shall apply to the Zoning Administrator for a determination of the required number of spaces prior to the commencement of the use or the obtaining of a building permit in connection therewith.

b. Applications shall be filed and acted upon in the same manner as provided for in the case of Use Permits. In the event the proposed use requires the obtaining of a Use Permit, the Zoning Administrator shall determine the required number of bicycle spaces in connection with the action on the Use Permit and no separate application shall be required. If the Zoning Administrator determines that the proposed use is similar to a use for which bicycle parking requirements are established by this article, such requirements shall be applicable; otherwise, the Zoning Administrator shall establish the parking requirements.

**D. Features, Access, Location, and Protection.**

1. Long-term Bicycle Facilities.

a. Long-term bicycle facilities shall be covered, lockable enclosures or bicycle rooms with permanently anchored bicycle racks for bicycles; and/or a set of lockable, permanently anchored bicycle lockers. Bicycle rooms provided for residential and office tenants shall have outlets for e-bike charging.

b. Access to long-term bicycle parking facilities within a building shall be located on the ground floor and shall have the following features:

i. Paved access from the bicycle parking facilities to an adjoining public right-of-way or sidewalk/walkway.

ii. Direct access from bicycle parking facilities to the exterior paved access or, if located off an internal building hallway, the hallway shall be at least five (5) feet wide and no longer than fifty (50) feet in length.

iii. Bicycle parking facilities' doors shall be equipped with a door with a push button door opener and self-closing mechanism. If the bicycle parking facilities are located off an internal building down a hallway, the external door to the external paved access shall also have an automatic open and closing mechanism.

2. Short-term Bicycle Facilities.

a. Bicycle racks shall provide two points of contact to bicycle frames to be compatible with U-locks and cable locks. Bicycle racks shall support bicycles in a stable upright position so that a bicycle, if bumped, will not fall down.

b. Location.

- i. When bicycle racks are required for short-term use, they shall be located within one hundred (100) feet of the primary entrance of the building or site.
- ii. If short-term bicycle facilities are installed on the public right-of-way, they shall be located within the public sidewalk parallel to the curb and not more than 3 feet from the curb (i.e. within the furniture zone). There shall be a minimum of 5 foot clearance on sidewalks after the bike rack installation and between the rack and the back of sidewalk to allow for pedestrian pathway.
- iii. If short-term bicycle facilities are installed on private property, they shall not be blocked by solid fencing/wall or dense planting so as to be readily visible to passers-by and shall be:
  - (1) Located within 5 feet of the public sidewalk or;
  - (2) Located within a publicly accessible courtyard or pedestrian passageway or;
  - (3) Located within a publicly accessible parking structure within 10 feet of a primary pedestrian entry.

**E. Bicycle Parking Design Requirements.** For additional bicycle parking design requirements, including but not limited to site layout, design standards on short-term parking, long-term parking, bicycle lockers, bicycle corrals, and bicycle rooms, see Engineering Standards.

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## Article 31 - SPECIAL USES

### 31.1 - Purpose.

To provide regulations and provisions for miscellaneous unique uses which cannot properly be provided for in the district regulations.

(Ord. 1130, eff. 7-10-64; Ord. No. 1130-359, § 9(Exh. H), 4-8-13)

### **31.2 – ~~Reserved. Building Intensity Limits for Residential Care Facilities and Skilled Nursing Facilities.~~**

~~Nursing homes; residential care facilities, senior; residential care facilities, general; and skilled nursing facilities shall be considered commercial for the purposes of determining building intensity and subject to applicable FAR limits. The maximum number of beds or suites shall not be restricted with residential density maximums. All other development standards shall apply. New residential care facilities and senior care facilities shall be consistent with applicable policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport (ALUCP) and State law; see Section 32.10 (San Carlos Airport Land Use Compatibility Plan Consistency).i(Ord. No. 1130-359, § 9(Exh. H), 4-8-13; Ord. No. 1130-384, § 4(Exh. A), 4-12-21; Ord. No. 1130-386, § 4(Exh. A), 7-24-23)iiEditor's~~

note— Ord. No. 1130-384, § 4(Exh. A), adopted Apr. 12, 2021, amended the title of § 31.2 to read as herein set out. The former § 31.2 title pertained to Assisted Living Facilities.

**[Editor's Note: 31.2 Building Intensity Limits for Residential Care Facilities and Skilled Nursing Facilities moved to Section 32.11]**

### **31.3 - Short-Term Rental Use ~~Incidental to a~~ Permanent Primary Residence.**

**A. Purpose.** The purpose of this section is to:

1. Allow limited short-term rental home-sharing uses while preventing the loss of housing stock;
2. Preserve residential character and establish operating standards to reduce potential noise, parking, traffic, property maintenance and safety impacts on adjacent neighbors; and
3. Provide a registration process for the City to track and enforce these requirements as needed and ensure appropriate collection of transient occupancy taxes.

**B. Definitions.** For purposes of this section, the following definitions shall apply:

1. **Adjacent Properties.** The dwelling units located next to the dwelling unit in which the short-term rental is located.
2. **Host.** Any person who is the owner of record of residential real property or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof, for short-term rental either through a hosting platform or individually as an operator.
3. **Hosting Platform.** A means through which a host may offer a dwelling unit, or portion thereof, for short-term rental. A hosting platform includes, but is not limited to, an internet-based platform that allows a host to advertise and potentially arrange for temporary occupation of the dwelling unit, or portion thereof, through a publicly searchable website, whether the short-term renter pays rent directly to the host or to the hosting platform.
4. **Principal ~~Primary~~ Residence.** A principal primary residence is exactly one dwelling unit where a person has been physically present and that the person regards as home. A person may only have one (1) principal primary residence at any given time. To qualify as a principal residence, a dwelling must be the person's true, fixed, and permanent home and principal establishment to which he/she, whenever absent, intends to return. Presence in the dwelling, vehicle registration, voter registration, bank accounts, and state income tax filings are among the factors to be considered in determining residency. Evidence of a person's primary residence includes, but is not limited to, documentation from income tax statements or a driver's license. If a property has more than one (1) dwelling unit, each dwelling unit shall be considered a separate residence subject to the principal primary residence requirement. Accessory dwelling units shall not be considered a principal primary residence for purposes of Section 31.3.
5. **Short-Term Rental (STR).** The use or possession of or the right to use or possess any room or rooms, or portions thereof in any principal dwelling unit for residing, sleeping or lodging purposes for less than thirty (30) consecutive calendar days, counting portions of days as full calendar days.

- 6. Short-Term Renter.** A person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of less than thirty (30) consecutive calendar days, counting portions of calendar days as full calendar days.
- 7. License Number.** License Number means the short-term rental permit or registration number issued by the municipality.
- C. Permitted Use.** Short-term rental uses shall be permitted in any principal ~~primary~~ residence except Single Room Occupancy Facilities and Group Homes subject to the requirements of this Section, including compliance with the operating standards, registration, Transient Occupancy Tax payments, and recordkeeping obligations. Except as provided for in this Section, all other short-term rental uses shall be prohibited, except for existing short-term rentals in accessory dwelling units that were registered with the City prior to January 1, 2020.
- D. Operating Standards.** The following operating standards shall apply to short-term rentals:
- 1. Legal Dwelling.** Short-term rentals may only occur within legal dwelling units.
  - 2. Limitation on Listings.** Short-term rentals shall not have more than one (1)~~2~~ listings for the same principal ~~primary~~ residence on the same days.
  - 3. License Number Depicted.** Any and all short-term rental advertisements (including on all hosting platforms) shall depict the City-issued short-term rental permit number in a visible location.
    - a. Hosts shall not advertise or accept bookings for any short-term rental without a valid license number displayed in the listing.
    - b. Hosting Platforms shall remove or deactivate listings that fail to display a valid license number upon notice from the municipality.
  - 43. Annual Limit.** A principal ~~primary~~ residence may be occupied as a short-term rental for no more than one hundred twenty (120) days per calendar year where no host is present. There shall be no limit on the number of days a principal ~~primary~~ residence may be occupied as a short-term rental where the host is present. For purposes of this Section 31.3, a host is considered present when they are on the premises at all times between the hours of 10:00 p.m. and 6:00 a.m.
  - 54. Local Contact Person.** Hosts shall identify to all guests and all occupants of adjacent properties a local contact person to be available twenty-four (24) hours per day, seven (7) days per week during the term of any unhosted stay. The designated local contact person shall:
    - a. Respond within sixty (60) minutes to complaints regarding the condition or operation of the dwelling unit or the conduct of guests; and
    - b. Take remedial action to resolve such complaints.
  - 65. Parking.** No additional parking shall be required for short-term rentals. Existing on-site parking spaces shall be made available to short-term renters.
  - 76. Special Event.** Weddings, corporate events, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.

## E. Registration and Annual Renewal.

1. **Application.** Prior to advertising or making available the ~~principal~~ primary residence for renting, hosts shall register their ~~principal~~ primary residence as a short-term rental with the City. This registration shall be submitted on a form prepared by the City and shall include the name and contact information of the host, the address of the ~~principal~~ primary residence being used for short-term rental, the contact information for the local contact person, an acknowledgement of compliance with the requirements of the City's Zoning Ordinance, Municipal Codes, applicable health and safety standards, a signed "Declaration Affirming Intent to Reside in Dwelling", and other information as requested. Additionally, proof of principal residence shall be provided in the form of two of the following, one of which is a picture identification: voter registration, water or sewer utility bill, home deed, income tax statements, vehicle registration, or a driver's license.
2. **Fee.** The registration ~~form shall be accompanied by a~~ requires a filing fee in an amount established by resolution of the City Council and updated from time to time.
3. **Application Completeness and Requirements.** The submitted information shall be used to determine whether to register the short-term rental. The host will be notified if an application is incomplete. If the host fails to timely submit the required information to demonstrate compliance with requirements, or fees necessary to complete the application, the application shall expire and be deemed withdrawn.
4. **Decision.** ~~The City Manager or his/her designee~~ The City Tax Administrator, or their designee, shall be responsible for approving short-term rental registration applications. After an application is deemed complete, registration shall be approved where:
  - a. The host demonstrates the ability to meet the requirements of this chapter,
  - b. The subject ~~principal~~ primary residence is not the subject of an active compliance order or administrative citation from the City in the past twelve (12) months, and
  - c. A short-term rental registration for the ~~principal~~ primary residence has not been denied or revoked in the prior twenty-four-month period.
5. **Validity.** An approved registration shall be valid and payable on a fiscal year basis. An approved registration shall be personal to the host and shall automatically expire upon sale or transfer of the dwelling unit. No registration may be assigned, transferred, or loaned to any other person.
6. **Annual Renewal.** A registration may be renewed annually upon payment of registration renewal fees and all required transient occupancy tax remittance associated with the short-term rental. The host shall submit such information concerning the short-term rental activity as may be required to enable the tax collector to verify the amount of tax paid. If the host failed to pay their transient occupancy tax for the previous year, the application for renewal shall be denied. Annual renewal further requires that the host maintains principal residence at the same dwelling unit as the short-term rental; submittal of evidence of permanent residence shall be required at the time of renewal. In lieu of documentary evidence, a host may submit a sworn affidavit of permanent principal residency on a form approved by the City. An affidavit may be accepted for no more than 2 consecutive renewal cycles unless otherwise determined by the City. Failure to renew prior to the expiration date will result in expiration of the registration.

7. **Requirements Not Exclusive.** The issuance of a short-term rental registration shall not relieve any person of the obligation to comply with all other provisions of this code applicable to the use and occupancy of the property.
  8. **Administrative Policy.** ~~The City Manager or his/her designee~~ The City's Tax Administrator shall have the authority to develop administrative policies to implement the intent of this Chapter.
- E. **Transient Occupancy Tax (TOT).** Transient occupancy taxes must be collected for short-term rentals and paid to the City pursuant to Chapter 32, Article IV of the Redwood City Code. Collection of transient occupancy taxes for short-term rentals shall be the responsibility of the host. The hosting platform shall collect TOT when they have signed a voluntary collection agreement (or equivalent) with the City.
- F. **Enforcement.**
1. **Revocation of Registration.** A short-term rental registration issued under the provisions of this Section may be revoked by the ~~Zoning Administrator~~ Administrative Officer after notice and hearing as provided for in this Section, for any of the following reasons:
    - a. Fraud, misrepresentation, or false statements contained in the application;
    - b. Fraud, misrepresentation, or false statements made in the course of carrying on a short-term rental as regulated by this Section;
    - c. Any violation of any provision of this Section or of any provision of this code; or
    - d. Any violation of any provision of federal, state or local laws.
  2. **Revocation Hearing.** Before revoking a short-term rental registration, the ~~Zoning Administrator~~ Administrative Officer shall give the responsible host notice in writing of the proposed revocation and of the grounds thereunder, and also of the time and place at which the host will be given a reasonable opportunity to show cause why the registration should not be revoked. The notice may be served personally upon the host or may be mailed to the host at the last known address or at any address shown upon the application at least ten (10) days prior to the date of the hearing. Upon conclusion of the hearing the ~~Zoning Administrator~~ Administrative Officer may, for the grounds set forth herein, revoke the registration.
  3. **Appeal from Denial or Revocation of Registration.** Any host whose application has been denied or registration has been revoked shall have the right to an administrative appeal before ~~the City Manager or~~ a designated hearing officer. An appeal shall be filed in writing on a form provided by the City stating the grounds therefor within ten (10) days of the decision. The ~~City Manager or~~ designated hearing officer shall hold a hearing thereon within a reasonable time and the decision shall be final.
  4. **Waiting Period.** Any host whose registration has been ~~denied or~~ revoked shall be ineligible from applying for a new registration for a period of twenty-four (24) months ~~period~~.
  5. **Records of Compliance.** The host shall retain records documenting the compliance with these requirements for a period of three (3) years after each period of short-term rental, including but not limited to records showing payment of transient occupancy taxes by a hosting platform on behalf of a host. Upon reasonable notice, the host shall provide any

such documentation to City upon request for the purpose of inspection or audit to the City Manager or his/her designee.

6. **Violations.** Penalties as provided for in Article 50 (Enforcement) may be imposed for failure to comply with the provisions of this Section.
- a. Any hosting platform or host who violates this Article shall be subject to administrative fines as follows:
    - i. Failure to report in compliance with section H below: up to \$1,000 per day per violation.
    - ii. Failure to display license number: up to \$500 per listing per day.
  - b. Repeated violations of this Section 31.3 may result in the suspension or revocation of short-term rental licenses.
  - c. Refer to Municipal Code Chapter 32 for information on TOT enforcement and compliance.

~~H. **Amnesty Period for Short-Term Rentals.** Notwithstanding any other provision of law, short-term rentals operating on or before the enactment of this Section shall be considered existing, unpermitted uses. An amnesty period of one (1) year after the effective date of the ordinance from which this Section is derived is being offered to allow these existing, unpermitted uses to be legalized by conforming to the requirements of this Section, including compliance with operating standards, registration, and recordkeeping obligations. Transient Occupancy Tax payments continue to be required at all times for short-term rentals and must be collected and paid during the amnesty period. Applications to bring an existing, unpermitted short-term rental use into compliance shall be made on or before one (1) year after the effective date of the ordinance from which this Section is derived. Existing short-term rental uses that do not conform to the requirements of this Section shall cease operation within one year of the effective date of the ordinance from which this section is derived and shall be prohibited from resuming unless and until the use conforms to the requirements of this Section.~~

**H. Hosting Platform Reporting Requirements.** Hosting platforms shall submit reports to the municipality on a quarterly basis. Reports shall be submitted electronically in excel format, or another specified and approved by the municipality if requested, and shall include the following data.

- 1. Physical address of each short-term rental, including 9-digit ZIP code.
- 2. Parcel number, unit number, or web URL of unit posting if requested.
- 3. License number associated with each short-term rental.
- 4. Gross receipts and TOT collected/remitted, if applicable.

(Ord. No. 1130-371, § 5, 3-26-18; Ord. No. 1130-385, § 3(Exh. A), 9-13-21; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

## 31.4 - Live/Work Units.

### A. Purpose. The purpose of this section is to:

1. Provide standards for live/work uses, including the reuse of existing buildings to accommodate live/work uses.
2. Promote a mix of housing options by allowing business operators to live in the same building that contains the commercial activity, particularly for artists, small business owners, and craftsman industries.
3. Allow combined residential uses with commercial or light industrial uses in the same building space, generally with the resident using the combined or adjacent workspace for his or her business. Typical uses include artist lofts, studio spaces, small offices, and similar low-intensity uses, either in new developments or as adaptive reuse of existing structures.
4. Promote jobs/housing balance and reduced vehicle miles traveled (VMT) through the production of live/work units.

### B. Definitions.

*Live/Work Unit.* A dwelling unit that combines a work space and incidental residential occupancy occupied and used by a single household. This use shall be considered commercial for the purposes of determining building setbacks and intensity, and subject to applicable FAR limits.

### C. Use Limitations. Live/work units shall only be permitted where the residential and non-residential uses are both permitted. Furthermore, if live/work units are not permitted in the underlying zoning district, then they shall be considered prohibited. The nonresidential component of a live/work unit shall be a use allowed within the applicable zone, subject to the following additional limitations:

1. **Conditional Uses.** A conditional use permit is required for the following uses:
  - a. Live/Work Units with three (3) or more nonresident employees.
  - b. Industry, Limited.
  - c. Handicraft/Custom Manufacturing.
2. **Changes in Use.** After approval, a live/work unit shall not be converted to a single use without first obtaining City approval and bringing the use up to current building code standards.
3. **Prohibited Uses.** The following uses are prohibited within a live/work unit:
  - a. Vehicle/Equipment Repair, Major.
  - b. Vehicle/Equipment Service and Repair, Minor.
  - c. Research and Development, Laboratory.
  - d. Industry, General.
  - e. Any other activity or use, as determined by the review authority to be incompatible with residential activities and/or to have the possibility of adversely affecting the health or safety of live/work unit residents including dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, waste, or by-products.

**D. Development Standards.**

- 1. Floor Area Requirement.** The floor area shall be a minimum of seven hundred fifty (750) square feet and a maximum of three thousand (3,000) square feet. The nonresidential portion of the live/work unit shall be no more than fifty percent (50%) of the total unit area and comply with California Building, Fire, and Redwood City Municipal Code requirements.
- 2. Access to Units.** Access to each live/work unit shall be provided from shop fronts, directly from the street from common access areas, corridors, or halls.
- 3. Active Frontage.** Living space shall be located in the rear ground level or second floor and above to maintain activity and commercial access along the frontage.
- 4. Residential Facilities.** The residential portion shall meet the requirements of a Dwelling Unit as defined in Article 2.2, having a cooking, sleeping, and sanitary facility, and shall be in conformance with applicable building standards adopted by the City.
- 54. Nonresidential Facilities.** A live/work unit shall be designed to accommodate nonresidential uses, such as ventilation, interior storage, flooring, and other physical improvements commonly found in nonresidential facilities used for the same work activity.
- 65. Mixed-Use Buildings.** If a building contains mixed uses of live/work units and other nonresidential uses, uses other than live/work shall meet all applicable requirements for those uses.
- 76. Parking.** Each live/work unit shall be provided off-street parking and bicycle parking as provided in Article 30 (Off-Street Parking and Loading).
- 87. Open Space.** Outdoor recreation and leisure space is not required for live/work units.

**E. Operating Requirements.**

- 1. Occupancy.** A live/work unit shall be occupied and used only by the operator of the business within the unit, or a household of which at least one (1) member shall be the business operator.
- 2. Business License Required.** All businesses operating within a live/work unit shall comply with the requirements of Municipal Code Chapter 32 (Taxation), Article V (Business Licenses).
- 3. Notice to Occupants.** The owner or manager of any building containing live/work units shall provide written notice to all occupants and users that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in strictly residential areas. State and Federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial or industrial properties in the applicable zone.
- 4. Nonresident Employees.** Up to two (2) persons who do not reside in the live/work unit may work in the unit. The employment of three (3) or more persons who do not reside in the live/work unit may be permitted subject to conditional use permit approval. The owner may be required to provide proof of tax forms verifying the number of employees as deemed necessary by the City.
- 5. Client and Customer Visits.** Client and customer visits to live/work units are permitted.

6. Unit Rental and Sale. No portion of a live/work unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.

(Ord. No. 1130-381, § 4(Exh. A), 1-27-20; Ord. No. 1130-386, § 4(Exh. A), 7-24-23)

**[Section 31.5 unchanged]**

**31.6 - Low Barrier Navigation Centers**

**A. Purpose.** The purpose of this section is to allow the establishment and operation of low barrier navigation centers focused on moving unhoused people into permanent housing that provide temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing and to implement the provisions of Government Code Section 65660 et seq. relating to low barrier navigation centers.

**B. Use.** Low Barrier Navigation Centers that meet the requirements in Government Code Section 65662 are permitted by right in areas zoned for mixed use and non-residential zones permitting multifamily uses.

**D. Application Procedure and Review.**

1. The city shall notify an applicant whether their application for a low barrier navigation center development is complete pursuant to Government Code Section 65943, within 30 days of receipt of an application.
2. The city shall act on the application within 60 days of receipt of a completed application.
3. Applications for low barrier navigation centers are subject to Ministerial Review by the Zoning Administrator pursuant to Government Code Section 65662.

**31.7 - Excavations.**

A. A Use Permit shall be required for the ~~The extraction from or deposit on the earth of rock, stone, gravel, sand, earth, minerals, or similar materials, and the grading of any parcel, shall be permitted in any district subject to first securing a use permit therefor, unless the excavation is performed in conjunction with one of~~ provided that the following activities shall be permitted in any district without a use permit:

1. A building permit has been issued for excavations ~~Excavations for the foundation or basement of any structure, including swimming pools, for which a building permit has been issued;~~
2. A building permit has been issued for construction of a structure that requires excavation of or deposits on the earth of any of the above-mentioned materials in connection with the construction of any structure for which a building permit has been issued.
3. An entitlement or building permit has been issued for a permitted use that requires grading to prepare the site and does not result in a ~~Grading of any parcel of land in preparation for a permitted use where no bank is left standing and exposed more than ten (10) feet in vertical height, or~~

- ~~4.~~ An entitlement or building permit has been issued for a permitted use that requires grading and when less than one thousand (1,000) cubic yards of earth are removed from the parcel.
- ~~53.~~ Grading pursuant to an approved subdivision or a subdivision improvement agreement. in any subdivision when such grading is done to grades approved by the City Council in connection with the approval of a subdivision improvement agreement which includes plans showing the proposed grades to be established.
- B. Any application filed for a use permit in accordance with Article 42 (Use Permits) and pursuant to the terms of this section shall be accompanied by the following:
1. A map showing the natural or existing contours of the site and the proposed contours which shall show the slopes of excavation and fills. The elevations of all points used in determining the contours shall be indicated. Contour lines shall be shown at the following intervals:
    - a. Six (6)-inch contour interval for ground slopes between level and two percent (2%).
    - b. One (1)-foot contour interval for ground slopes between two percent (2%) and five percent (5%).
    - c. Five-foot contour interval for ground slopes exceeding five percent (5%).

~~The elevations of all points used in determining the contours shall be indicated.~~
  2. A preliminary soils report prepared in accordance with Article VIII (commencing at Section 30.49 30.110) of Chapter 30 of the Code of the City of Redwood City.

(Ord. 1130, eff. 7-10-64: Ord. 1130.70, eff. 5-31-67)

### **31.9 - Public Utilities Lines and Structures.**

- A. Public utility distribution lines and poles and underground facilities for local distribution of gas, water, electricity, and telephone service shall be allowed in all districts without obtaining a Use Permit therefor.
- B. Public utility storage and maintenance yards and offices shall be permitted only in the districts wherein such uses and activities are specifically permitted by this article.
- C. Public utilities substations, pumping stations, equipment buildings, and similar facilities whose locations are dictated by the physical factors of the service they perform may be permitted in any district provided that the public utility proposing such an installation in a district where such is not otherwise permitted can demonstrate conclusively to the Zoning Administrator that a necessary public service cannot reasonably otherwise be provided without locating such facility where proposed, and provided further that a Use Permit be obtained in each case.
- D. All proposed gas, water, telephone, and electric transmission lines and facilities, whose main purpose is the transmission of bulk quantities of these services, rather than local distribution to consumers, shall be permitted in all districts provided that a Use Permit be obtained in each case; and provided, further, that no Use Permit granted pursuant to this subsection shall be effective until reviewed and approved by the Council Zoning Administrator, subject to such conditions and modifications deemed appropriate by the Council Zoning Administrator.
- E. Notwithstanding the provisions of Article 42, corporations and public service agencies having powers of eminent domain may apply for Use Permits in advance of acquisition of property rights.

Even though construction has not begun, such permits shall not automatically terminate unless, at the end of ten (10) years, the permittee has acquired less than fifty percent (50%) of the length of the rights-of-way or area of property concerned in the permit granted.

(Ord. 1130, eff. 7-10-64; Ord. 1130.27, eff. 9-15-65; Ord. 1130.186, eff. 12-6-78)

### **31.10 - Reserved. Residential Structures.**

- A. ~~**Demolition or Reduction in Dwelling Units.** Projects that demolish existing residential dwellings must create at least as many dwellings as demolished consistent with Government Code Section 66300 (Housing Crisis Act of 2019).~~
- B. ~~**Non-Residential Use.** Any structure originally designed for use as a dwelling or dwellings, in any district, shall not be used for a non-residential use unless the owner first obtains a use permit for the proposed use.~~

(Ord. 1130, eff. 7-10-64)

(Ord. No. 1130-386, § 4(Exh. A), 7-24-23; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

**[Editor's Note: 31.10 Residential Structure moved to Section 32.6]**

**[Section 31.11-31.12 unchanged]**

### **31.13 - Mobile Homes and Trailers.**

- A. It shall be unlawful for any person to occupy or use any trailer for living or sleeping purposes unless such trailer is either located in a trailer park or is being used as an office for a construction project, a circus, or carnival, while such activities are being conducted; or is otherwise expressly permitted by this Code (including but not limited to temporary occupancy during construction pursuant to a valid building permit, emergency sheltering as authorized by state law, or other temporary use approved in compliance with this Code).
- B. It shall be unlawful for any person to occupy or use any mobile home or manufactured home not installed on a permanent foundation for living or sleeping purposes unless such mobile home is located in a mobile home park or is being used as an office for a construction project, a circus, or carnival, while such activities are being conducted.
- C. No trailer or mobile home, regardless of size or type, shall be parked in a public right-of-way or parked so that it takes up or blocks a required automobile parking space or loading space for more than forty-eight (48) hours.
- D. This section shall not apply to a manufactured home installed on a permanent foundation in compliance with the California Health and Safety Code and Government Code section 65852.3, and such manufactured homes shall be permitted on lots zoned for single-family residential use subject to the same development standards applicable to conventional single-family dwellings in the same zone.

(Ord. 1130, eff. 7-10-64; Ord. 130.263, eff. 8-20-89)

### 31.15 - Accessory Outdoor Commercial Uses.

- A. Purpose.** The purpose of this Section is to permit accessory, customer-oriented outdoor retail, restaurant, and commercial services on private property while ensuring adequate access, parking, landscaping and maintenance.
- B. Definition.** Accessory outdoor uses are retail, restaurant or other personal customer-oriented services that occur outside an enclosed structure and are incidental to an enclosed primary use on the same site. These uses can include outdoor display of goods, dining, and other provision of commercial services.
- C. Applicability.** These regulations apply to all permitted and conditionally permitted uses in commercial and mixed use zoning districts on private property. Uses in residential and industrial zoning districts are regulated individually in each zoning district. Accessory outdoor uses on public property must receive separate approval with an encroachment permit. Food trucks are not regulated by this Section.
- D. Accessory Outdoor Use Requirements.** Accessory outdoor uses are permitted with the following requirements:
- 1. Hours of Operation.** Hours of operation for outdoor services shall not exceed the normal hours of operation of the business.
  - 2. Outdoor Dining and Bars.** Outdoor dining shall be available only for existing restaurants that are current tenants of the shopping center or commercial building.
  - 3. Location.** Accessory outdoor uses may be located on privately owned and maintained pedestrian walkways ~~sidewalks~~ or patio areas, or in parking areas with up to thirty percent (30%) of the total non-accessible spaces. These uses must be contiguous to the commercial structure or walkways immediately adjacent to the commercial structure. Landlords may designate an alternative location for consolidated outdoor dining provided that all State and County requirements are met. Outdoor uses in parking areas must provide safety barriers such as fences, ~~water-filled K-rails~~, or landscape planters.
  - 4. Pedestrian and Bike Access.** Outdoor service areas shall comply with Americans with Disabilities Act access requirements. A minimum six-foot wide path of travel shall be maintained along the building frontage and all pedestrian walkways, and a six-foot radius clearance shall be maintained from any doorway. A six-foot wide emergency egress path shall be maintained at, or between every frontage or occupied space, in fifty-foot intervals.
  - 5. Access to Fire Safety Infrastructure.** Access to fire hydrants, fire hose connections for sprinkler systems, and entrances and exits of all buildings shall not be obstructed at any time by barriers, seating, or displays. Fire lanes shall not be obstructed at any time
  - 6. Outdoor Fixtures.** Furniture, umbrellas, heaters or other equipment shall be moveable and shall not be permanently installed outdoors. Portable heaters must be stored inside when the business is closed. Canopies, tents or other covered structures may require separate approval from the Fire Department.
  - 7. Property Owner Authorization.** The business owner or operator shall obtain written authorization from the property owner for the use of private sidewalks, parking areas, or other areas for outdoor services. Tenants in shopping centers with multiple commercial tenants shall work with the management or property owner to equitably allocate the available sidewalks, patios, and parking areas for all accessory outdoor uses.

- 8. **Maintenance.** The business owner or operator shall be responsible for maintaining the outdoor area in a clean and tidy manner.
- E. **Enforcement.** Without limiting the general provisions set forth in Article 50, the City reserves the right to prohibit an accessory outdoor use that:
  - 1. Creates an obstruction to, or causes congestion of, pedestrian or vehicular traffic due to existing conditions on the property or surrounding public right-of-way; or
  - 2. Represents a danger to the health, safety or general welfare of the public; or
  - 3. Violates the requirements of this Section 31.15 or violates any applicable Health Orders or industry guidance from the State or County.

(Ord. No. 1130-384, § 4(Exh. A), 4-12-21)

**[Section 31.16 unchanged]**

**31.18 - Storage of Junk, Salvage Materials, and Inoperative Vehicles and Machinery.**

Salvage and wrecking yards, as defined in Article 2, are prohibited except where specifically permitted. It shall be unlawful to store or permit to be stored, or to continue to store or permit to be stored after the effective date of this section, junk or salvage materials, as described in Article 2, in any amount except within a completely enclosed building. This provision shall not include the normal storage of scrap materials incidental to a permitted or conditionally permitted use in an IR or GI District, provided the area coverage does not exceed five percent (5%) of the lot area, and provided, further, that such storage area is enclosed by a fence, or other screening device, subject to approval by the Zoning Administrator Architectural Committee.

(Ord. 1130.10, eff. 4-22-70)

(Ord. No. 1130-353, § 1(Exh. F), 6-27-11)

**[Sections 31.19-20 are unchanged]**

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**Article 32 - SUPPLEMENTARY PROVISIONS**

**32.1 - Purpose.**

The provisions in this Article are to supplement existing provisions in other Articles of the Zoning Ordinance. They provide clarifications, exceptions, modifications, and supplementary information to allow for the practical application of the Zoning Ordinance. To supplement, and to provide exceptions and modifications to the provisions of this ordinance where necessary for the practical application of the regulations contained herein.

(Ord. 1130, eff. 7-10-64: Ord. 1130.130, eff. 5-26-71: Ord. 1130.132, eff. 7-7-71: Ord. 1130.273, eff. 11-15-90)

**32.2 - Supplementary Lot Area Requirements for Sloping Sites.**

- A. Minimum lot areas are described in individual Articles for each zoning district. For lots in the R-1, R-2, R-3, R-4, or R-5 districts with an average slope of more than five percent (5%), lots shall meet the minimum size requirement of the zoning district or the additional size requirements in Table 32.2, whichever is greater.

<b>Table 32.2 Minimum Lot Areas for Sloping Sites</b>	
Average Slope (percent)	Minimum Lot Area (square feet)
6	6,200
7	6,400
8	6,600
9	6,800
10	7,000
11	7,600
12	8,200
13	8,800
14	9,400
15	10,000
16	11,000
17	12,000
18	13,000
19	14,000
20	15,000
21	16,000
22	17,000
23	18,000
24	19,000
25	20,000
26	22,000
27	24,000
28	26,000
29	28,000
30	30,000
Above 30% <u>Slope</u> : Creation of any new lot with an average slope exceeding 30 percent requires a Planned Development Permit.	

(Ord. 1130, eff. 7-10-64: Ord. 1130.130, eff. 5-26-71: Ord. 1130.132, eff. 7-7-71: Ord. 1130.273, eff. 11-15-90)

(Ord. No. 1130-363, § 6, 6-22-15)

Editor's note(s)—Ord. No. 1130-363, § 11, adopted June 22, 2015, reads as follows: "This Ordinance shall go into effect on January 1, 2016, per City Council motion at the April 13, 2015 hearing." At the direction of the City, and prior to their effective date, the changes enacted by Ord. No. 1130-363, § 6, have been included as set out herein.

### 32.3 - Supplemental Setback Requirements.

**A. Purpose.** This section provides supplemental information to clarify setback requirements and includes additional setback standards.

**AB. Setback Measurement.** Setbacks are measured at the closest distance from any point on a building or architectural feature to the adjacent property line.

#### **BC. Side Setback (Interior Side Yard)**

**1. Second Story Side Setbacks** In residential zoning districts, second-stories must be set back a minimum of six (6) feet from the side property line. Additional setback is required for portions that exceed thirty-five (35) feet in length or twenty-five percent (25%) of the adjacent lot line length, whichever is less. This additional setback is one-half (½) the wall height along the setback.

**2. Setbacks above Second Story.** In residential zoning districts, any Any structure exceeding two (2) stories in height shall comply with the minimum district setbacks for the first and second stories. The third story and above shall have a minimum setback of ½ the wall height as measured to at the base of the third story.

**D. Distance between Main Buildings.** Whenever a lot has more than one main building, each of the main buildings shall be separated by a minimum setback of 6 feet. The buildings must also comply with all required setbacks of the zoning district.

#### **E. Architectural Features.**

1. Definition. ~~Architectural features.~~ Architectural features include cornices, eaves, bay windows, canopies, fireplaces, chimneys, and unenclosed portions of buildings. Decks, landing places, stairways and balconies qualify as architectural features if they remain unenclosed and do not have a roof or any supporting structural members. Bay windows qualify as an architectural feature if they are cantilevered 24 inches above ground level and do not provide for additional floor area.
2. Architectural features may encroach up to 3 feet into any required yard provided they are set back a minimum of 3 feet from the property line.

**F. Front Yard or Corner Lot Setbacks on a Final Recorded Subdivision Map.** If the final recorded subdivision map provides for greater front yard setbacks or side yard setbacks on the street side of a corner lot or side yard setbacks than required in this ordinance, the most restrictive setbacks are required.

#### **G. Interior Side Yard Exceptions.**

1. Angled Lots. One corner of the first floor of a main structure of a single-family dwelling may have a minimum setback of 4 feet in a residential zoning district when adjacent to, but not parallel with, an angled lot line. The remainder of the building must meet the minimum setback of the zoning district.
2. Nonconformity. Any single family dwelling which is in compliance with the yard setback requirements in effect at the time it was constructed may be enlarged on the first floor so long as the side yard setbacks are a minimum of 5 feet, and the front and rear yard setbacks

are a minimum of 20 feet.

**H. Front Yard Exceptions.** Porches and stoops on the ground floor that are unenclosed on two (2) or more sides may encroach up to 4 feet (excluding stairs) into the required front yard setback area.

**I. Creek Setbacks.** No structure shall be allowed within thirty (30) feet of the center line of any watercourse or within twenty (20) feet of the top of a bank of a watercourse (whichever is further from the centerline of the watercourse) unless all of the requirements listed in Chapter 27A are met. Chapter 27A (Stormwater Management and Discharge Control Program) of the Municipal Code shall supersede this section if there is a conflict.

(Ord. 1130, eff. 7-10-64; Ord. 1130.130, eff. 5-26-71; Ord. 1130.132, eff. 7-7-71; Ord. 1130.230, eff. 10-24-83; Ord. 1130.273, eff. 11-15-90)

(Ord. No. 1130-364, § 17(Exh. M), 8-24-15; Ord. No. 1130-367, § 5, 6-13-16)

### **32.6 - Reserved Residential Structures.**

**A. No Net Loss of Dwelling Units.** Projects that demolish existing residential dwellings must create at least as many dwellings as demolished consistent with Government Code Section 66300 (Housing Crisis Act of 2019).

**B. Conversion to Non-Residential Use.** Any structure originally designed for use as a dwelling or dwellings, in any district, shall not be used for a non-residential use unless the owner first obtains a use permit for the proposed use.

(Ord. 1130, eff. 7-10-64)

(Ord. No. 1130-386, § 4(Exh. A), 7-24-23; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

Editor's note(s)—Ord. No. 1130-364, § 17(Exh. M), adopted Aug. 24, 2015, repealed § 32.6 which pertained to side yard modifications and derived from Ord. 1130, eff. 7-10-64; Ord. 1130.130, eff. 5-26-71; Ord. 1130.132, eff. 7-7-71; Ord. 1130.153, eff. 7-9-75; and Ord. 1130.273, eff. 11-15-90.

**[Editor's Note: 31.10 Residential Structure is moved to Section 32.6]**

### **32.7 - Permitted Exceptions to Height Limitations.**

Maximum height limitations set forth elsewhere in this Ordinance shall not apply to:

A. Church-spires on places of religious worship, belfries, cupolas, domes, fire and hose towers, windmills, chimneys, flag poles, parapet walls, and television reception antennas not exceeding twenty-four (24) inches in diameter or three and one-half (3 ½) square feet in area, elevator penthouses, and mechanical equipment.

- B. Places of public assembly, ~~churches~~places of religious worship, schools, and other permitted public and quasi-public buildings, provided that for each one (1) foot by which the height of such building exceeds the maximum height otherwise permitted in the district, its side and rear yard setbacks shall be increased in width or depth by an additional foot over the side and rear setbacks otherwise required for the district. In no event shall the height of such building exceed seventy-five (75) feet.
- C. Elevator penthouses, stairwell enclosures, and mechanical equipment shall not exceed the maximum height requirement by more than 10 feet.

(Ord. 1130, eff. 7-10-64: Ord. 1130.130, eff. 5-26-71: Ord. 1130.132, eff. 7-7-71: Ord. 1130.273, eff. 11-15-90: Ord. 1130.297, eff. 3-26-97)

**[Section 32.8 unchanged]**

**32.9 - Open Space Requirements.**

- A. **Purpose and Applicability.** ~~The purpose of this Section is to establish usable open space requirements for the R-2, R-3, R-4, and R-5 Districts and other districts as specified. The following usable open space shall be required in the R-2, R-3, R-4, and R-5 Districts: There shall be three hundred (300) square feet of usable open space per dwelling unit.~~
  - B. **Development Standards.**
    - 1. There shall be one hundred twenty-five (125) square feet of usable open space per dwelling unit.
    - 2. Usable open space may consist of outdoor area on the ground, in front, street side, interior side, or rear setback areas or on any balcony, deck, porch or rooftop which is designed and accessible for outdoor living, recreation, pedestrian access or landscaping complying with the following provisions:
      - 1a. Required parking areas and their driveways shall not be included in computing usable open space;
      - 2b. Area included in computing common usable open space shall be accessible to all units in common and no such required space shall be less than three hundred (300) square feet in area and shall have no dimension less than fifteen (15) feet; rooftop gardens and rooftop landscaping, including rooftops above parking structures, may be used to satisfy this requirement;
      - 3c. Private usable open space may be substituted for common usable open space, provided such element of open space either has an area of at least one hundred fifty (150) square feet, with no dimension less than ten (10) feet, if located at ground level, or an area of at least fifty (50) square feet, with no dimension less than six (6) feet, if located above ground level;
      - 4d. Each element of usable open space shall be completely open on at least one (1) side and shall have a clear vertical height of not less than seven (7) feet, and not less than fifty percent (50%) of the total required usable open space shall be unobstructed to the sky;

- 5e. Usable open space shall be improved to support passive or active use by residents. Such open space shall be located on the same lot as the dwelling units for which it is required. The computation of such open space shall include no obstructions other than devices and structures designed to enhance its usability, such as swimming pools, small changing facilities, fountains, planters, benches and landscaping;
- 6f. Where possible, pervious areas set aside as usable open space may also serve as areas for infiltration of stormwater runoff, subject to review and approval by the Engineering and Construction Division. Use of open space areas for stormwater control shall be incorporated into plans to comply with the provisions of Section 32.12 (Stormwater Treatment) of the Zoning Ordinance and Chapter 27A (Stormwater Treatment and Maintenance Program) of the Municipal Code, as that Section and Chapter, respectively, may be amended from time to time.

(Ord. 1130, eff. 7-10-64; Ord. 1130.130, eff. 5-26-71; Ord. 1130.132, eff. 7-7-71; Ord. 1130.273, eff. 11-15-90; Ord. 1130.336 § 25, eff. 1-5-06)

Ord. No. 1130-384, § 4(Exh. A), 4-12-21; Ord. No. 1130-386, § 4(Exh. A), 7-24-23)

**[Section 32.10 unchanged]**

**32.11 – Reserved-Building Intensity Limits for Residential Care Facilities and Skilled Nursing Facilities.**

For the purposes of determining building intensity, nursing homes; residential care facilities, senior; residential care facilities, general; and skilled nursing facilities shall be considered commercial and subject to applicable FAR limits. However, any spaces that meet the definition of a dwelling unit shall be subject to residential density maximums. The maximum number of beds shall not be restricted with residential density maximums. All other development standards shall apply regardless of residential or commercial distinction. New residential care facilities and senior care facilities shall be consistent with applicable policies of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport (ALUCP) and State law; see Section 32.10 (San Carlos Airport Land Use Compatibility Plan Consistency).

(Ord. No. 1130-359, § 9(Exh. H), 4-8-13; Ord. No. 1130-384, § 4(Exh. A), 4-12-21; Ord. No. 1130-386, § 4(Exh. A), 7-24-23)

Editor's note— Ord. No. 1130-384, § 4(Exh. A), adopted Apr. 12, 2021, amended the title of § 31.2 to read as herein set out. The former § 31.2 title pertained to Assisted Living Facilities.

**32.12 - Stormwater Treatment.**

**A. Purpose.** The purpose of the requirements set forth in this section is to provide zoning standards that minimize the quantity of runoff and associated pollutants in stormwater runoff from developed sites to creeks, the stormdrain system and, ultimately, to the San Francisco Bay. Enhanced stormwater quality can be achieved through reduction of impervious surfaces, the protection of watercourses and riparian

vegetation, providing for infiltration of stormwater on-site through vegetation and soils, and with engineered treatment systems.

**B. Applicability and Compliance with Article Chapter 27A.** All new development, additions and reconstruction as outlined below are subject to the provisions of this Section and of Chapter 27A (Stormwater Treatment Measures and Maintenance Program) of the Municipal Code, as that Chapter may be amended from time to time, which outlines technical requirements for stormwater control. Chapter 27A assures engineering review of all applicable plans for compliance with the requirements of the San Mateo County City/County Nationwide Pollution Discharge Elimination System (NPDES) permit, as approved by the San Francisco Bay Regional Water Quality Control Board. ~~The following development is subject to this section and its applicable subsections:~~

- ~~1. — All new development that proposes a net increase in impervious area on a site or that removes and replaces more than fifty percent (50%) of the existing impervious area on a site (but not less than ten thousand (10,000) square feet) shall comply with the provisions of Subsection C (Minimum Pervious Areas) of this Section. Compliance is not required when no net increase in impervious area is proposed and replacement of existing impervious area comprises no more than fifty percent (50%) of the existing impervious area or less than ten thousand (10,000) square feet of impervious area.~~
- ~~2. — All new development that proposes an increase in impervious area and/or replacement of impervious area of more than ten thousand (10,000) square feet on a site, and the total of which comprises fifty percent (50%) or more of the existing impervious area of the site shall comply with the provisions of Subsections D (Infiltration of Stormwater) and E (On-Site Treatment of Runoff) of this Section for the entire site.~~
- ~~3. — All new development that proposes an increase in impervious area and/or replacement of impervious area of more than ten thousand (10,000) square feet on a site, and the total of which does not comprise more than fifty percent (50%) of the existing impervious area of the site, shall comply with the provisions of Subsections D (Infiltration of Stormwater) and E (On-Site Treatment of Runoff) of this Section for the portion(s) of the site where impervious area is added or replaced.~~
- ~~4. — All new development shall comply with the provisions of Subsection F (Creek Protection and Setbacks).~~
- ~~5. — Notwithstanding the above provisions, any project that adds and/or replaces impervious area of one (1) acre or greater shall comply with the provisions of all Subsections C, D, E and F of this Section.~~
- ~~6. — Increases in impervious area and replacement of existing impervious area shall include all (cumulative) development of a site over any five (5) year period, as determined by the Zoning Administrator, to assure compliance in the event of multiple phases of development.~~

**C. Minimum Pervious Areas.** All development as outlined in Subsection (B)(1) of this section shall comply with the minimum pervious area requirements for the pertinent zoning district within which the site is located, subject to the following provisions:

- ~~1. — Pervious area may be comprised of pervious landscape area, vegetated open space or pervious paving materials, subject to the Engineering and Construction Division's determination of the appropriate permeability ratio for such materials. The Engineering and~~

Construction Division shall maintain a listing of acceptable materials and assumed permeability ratios, which may vary depending on site factors.

2. ~~Areas in park strips in the public right-of-way (between the sidewalk and the roadway) or in an easement may be included as pervious area for the site if: (a) the park strip area is paved or is barren (without vegetation) prior to development; and (b) the area is converted to landscaping and is used to capture and treat a portion of the drainage from the site, subject to approval of the Engineering and Construction Divisions.~~
3. ~~Where the replacement of impervious area comprises greater than fifty percent (50%) of the existing impervious area on the site, but no net increase in impervious area is proposed, the Zoning Administrator may allow the use of engineering on-site treatment (in-line filtration or similar means) for stormwater management in lieu of pervious area requirements, subject to approval by the Engineering and Construction Division.~~
4. ~~For land uses that require a high percentage of impervious surface area and that have a potential to generate significant quantities of surface pollutants such as service stations, car washes, automobile repair services or similar uses, the Zoning Administrator may require the use of grease traps, water recycling systems, and/or other means of stormwater protection in lieu of or in addition to pervious area limitations.~~

**D. Infiltration of Stormwater.** ~~Drainage from development sites, and particularly from parking lots, shall be directed to landscape, vegetated swales or other permeable areas for filtration of runoff prior to discharge from the site, unless the Zoning Administrator, with the approval of the Engineering and Construction Division, allows for alternate methods of treatment including, but not limited to, infiltration basins and in-line filtration. Drainage from parking garage surfaces shall be collected and treated prior to discharge from the site or may be directed to permeable areas of the site for treatment, subject to approval by the Engineering and Construction Division.~~

**E. On Site Treatment of Runoff.** ~~All treatment of runoff, whether through site design, source control or stormwater treatment measures, shall require approval by the Engineering and Construction Division consistent with the requirements of Chapter 27A of the Municipal Code, as that Chapter may be amended from time to time. Applicants are advised to review and incorporate stormwater management concepts outlined in relevant publications, such as the "Start at the Source Handbook" and the "Start at the Source Tools" prepared by the Bay Area Stormwater Management Agencies Association (BASMAA). Special treatment measures may be required to assure protection of Sensitive Areas, consistent with the Countywide Stormwater Pollution Prevention Program (STOPPP).~~

**F. Creek Protection and Setbacks.** ~~All areas within thirty (30) feet of the centerline or twenty-five (25) feet of the top of the bank, whichever is greater, of a protected watercourse shall be subject to the following regulations:~~

1. ~~Existing structures shall be maintained so that such structures will not become a hazard to the use, function or physical integrity of the watercourse;~~
2. ~~The stream banks or other land within such setback area shall not be filled, graded or disturbed, and no riparian vegetation shall be removed, except for normal maintenance of vegetation and protective restoration or maintenance to prevent flooding, reduce siltation or otherwise provide for the public health or safety, if approved by the City Engineer or his or her designee;~~

~~3. No development of structures and no addition of new impervious surfaces are allowed within the setback area except for: (1) unpaved trails, or (2) paved trails if approved by the Zoning Administrator and Engineering and Construction Division, unless a Use Permit is approved by the Zoning Administrator, consistent with the findings outlined in Article 42 of the Redwood City Zoning Code and the following additional findings:~~

- ~~a. The development will not disturb riparian vegetation;~~
- ~~b. The development will maintain the stability of the slopes of the creek bank;~~
- ~~c. The development will be designed to avoid discharge of pollutants directly to the watercourse and will assure that the discharge of runoff will be filtered over a minimum of twenty-five (25) feet of vegetation or through other equivalent means to the satisfaction of the Engineering and Construction Division;~~

~~All existing structures and impervious surfaces may remain, subject to the provisions of Article 33 (Nonconforming Lots, Uses, Structures and Parking) of the Zoning Ordinance. Structures within the creek setback may be modified only in accordance with Article 33 and the Use Permit provisions of subsection (F)(3) of this section.~~

(Ord. 1130.336 § 26, eff. 1-5-06)

**[Sections 32.19 - 32.20 unchanged]**

### **32.21 - Conditional Exceptions to Density Requirements for Housing for Seniors/Elderly.**

- A. Criteria for Exceptions to Density Requirements for Housing for Seniors/Elderly.
  - 1. The maximum density otherwise applicable for "RH," "R-1," "R-2," "R-3," "R-4," and "R-5" Zoning Districts may be doubled for housing projects for Senior/Elderly persons containing not less than twenty (20) units. Application for the foregoing density exceptions to zoning district regulations shall be made pursuant to the provisions of Article 46, pertaining to the issuance of planned development permits, and the procedures of said article shall govern the granting of such exceptions.
  - 2. To qualify for this density exception, the Planning Commission must find that:
    - a. The proposed project provides adequate housing for Senior/Elderly persons.
    - ~~b. The proposed project is of the same general character as the housing immediately adjacent to the site of the proposed project.~~
    - be. The proposed project shall be used exclusively for housing for Senior/Elderly persons who are age sixty (60) and over.
- B. **Conditions.** Reasonable conditions in granting exceptions to zoning district density requirements hereunder may be imposed by the Planning Commission; provided, that one (1) such condition shall require that the proposed project shall be used exclusively as housing for Senior/Elderly persons who are age sixty (60) and over. Conditions imposed hereunder shall be recorded in form approved by the City.

- C. **Exclusion.** The provisions of this Section are not applicable for residential care facilities, nursing homes, and skilled nursing facilities or if a proposed project is granted a density bonus under Section 32.19 or 32.20.
- D. **Effect.** Except as to the contrary herein permitted, all other regulations of the zoning district in which a proposed housing project for Senior/Elderly persons is located shall remain in full force and effect.

(Ord. 1130.274, eff. 2-6-91)

(Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

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## **Article 33 - NONCONFORMING LOTS, USES, STRUCTURES AND PARKING<sup>[1]</sup>**

**[Sections 33.1 – 33.3 are unchanged]**

### **33.4 - Conditional Uses.**

Any nonconforming use which is listed as a conditional use in the district in which it is located, shall be and remain a nonconforming use until a Use Permit is obtained, ~~except as provided in Section 42.10.~~

(Ord. 1130.329 § 18, eff. 4-26-04)

**[33.5 – 33.11 are unchanged]**

### **33.12 Replacement of Destroyed or Damaged Nonconforming Structures.**

Notwithstanding the foregoing, any nonconforming structure destroyed or damaged by fire, flood, explosion, wind, earthquake, war, riot, or other public calamity or act of nature, shall not be reconstructed except upon complying with all provisions of this article applicable to the district where the structure is located, except as follows:

- A. If occupied by a conforming use, the structure may be replaced or reconstructed to the same size and extent as before the damage occurred, provided that rebuilding commences not later than two (2) ~~one (1)~~ years after destruction, and so long thereafter as the building permit remains valid;
- B. If occupied by a nonconforming residential use, the structure may be replaced or reconstructed to the same size and extent as before the damage occurred, provided that rebuilding commences not later than two (2) ~~one (1)~~ years after destruction and so long thereafter as the building permit remains valid;
- C. If occupied by a nonconforming nonresidential use, a nonconforming structure damaged to the extent of one-half (½) of its current replacement cost or less may be replaced or reconstructed to the same size and extent as before the damage occurred, provided that rebuilding commences not

later than ~~two (2)~~ one (1) years after destruction and so long thereafter as the building permit remains valid. In the event damage occurs to the extent of more than one-half (½) the current replacement cost, the structure shall not be reconstructed except upon complying with all the provisions of this article applicable to the district in which the structure is located. Current replacement cost means the present day cost to rebuild the entire structure, and shall be determined by the Zoning Administrator;

- D. For purposes of this section, "same size and extent" means with respect to floor area, setbacks, coverage, height, and residential density of the original structure.

(Ord. 1130.329 § 18, eff. 4-26-04)

**[33.13 – 33.25 are unchanged]**

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## Article 36 EXTERIOR SITE IMPROVEMENTS

**[Changes are only to Sections 36.3 and 36.7]**

### 36.3 Fences.

#### A. Definitions.

1. *Fence.* An artificially constructed barrier or wall of any material or combination of materials erected to physically separate properties, provide privacy, or provide security or confinement. Walls are included in the definition of a fence.
2. *Open Fence.* A fence, including any gates in such fence, that permits direct vision through at least eighty percent (80%) of any one (1) square foot segment of vertical fence surface area. Measured surface area does not include major posts, pilasters, or other structures which provide lateral strength. The open area is uniformly distributed along the fence and is not concentrated in one (1) area. No single component or element of the fence, including lamp posts or pilasters, shall be wider than twelve (12) inches.
3. *Solid Fence.* Any fence that does not qualify as an open fence.

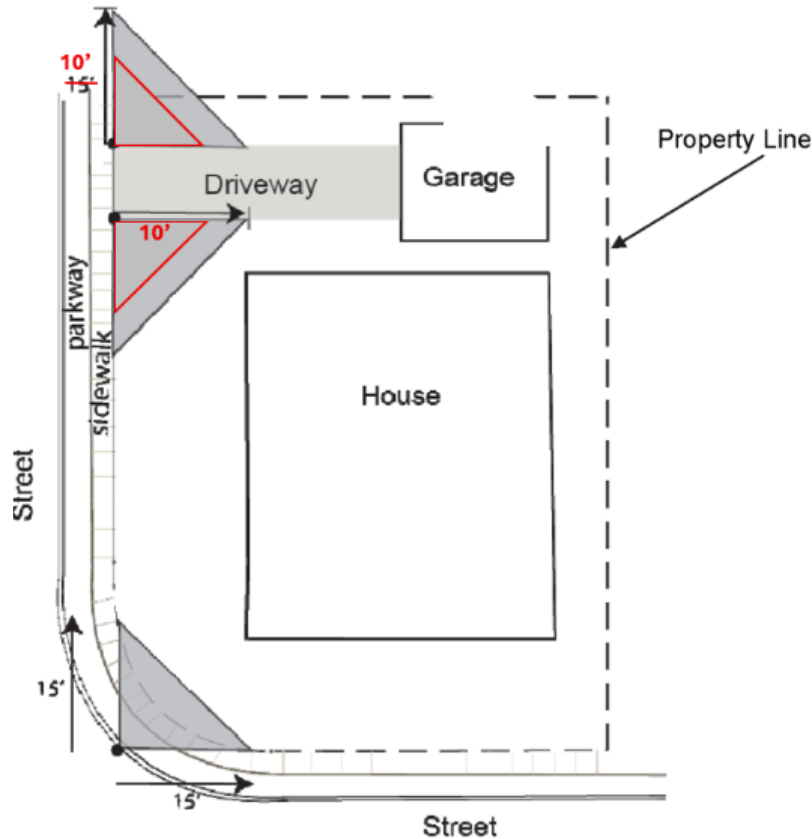
#### B. General Requirements.

1. **Fence Height.** Fence height is measured from the nearest adjoining grade. In the case of differing grades, fences are measured from the lowest adjoining grade. Lattice or other decorative elements are counted toward the total fence height.
2. **Vision Triangles.** In order to ensure visibility and safety, no solid fence or hedge exceeding three (3) feet in height shall be located within the following a fifteen-foot vision triangles on either side of a driveway providing access to required on-site parking or where two (2) streets intersect on the corner (refer to Figure 36.3, Visibility Triangle):
  - a. Within 10 ft. of a driveway providing access to required on-site parking in the residential (R) zoning districts and;

- b.     Within 15 ft. of:
- i. The corner of intersecting streets
  - ii. Driveways in non-residential zoning districts
  - iii. Driveways on the high volume streets listed below.:
    - A. Alameda de las Pulgas (within City Jurisdiction)
    - B. Bay Road (between Chestnut Street and Spring Street)
    - C. Bridge Parkway
    - D. Broadway Street (5th Avenue to Hopkins Avenue)
    - E. Chestnut Street (between Veterans Boulevard and Spring Street)
    - F. East Bayshore Road (between Haven Avenue and Seaport Boulevard)
    - G. Edgewood Road (between Alameda de las Pulgas and western city limits)
    - H. El Camino Real
    - I. Farm Hill Boulevard
    - J. Hudson Street
    - K. Industrial Way (between Whipple Avenue and Cordilleras Creek)
    - L. Jefferson Avenue
    - M. Marine Parkway
    - N. Middlefield Road (within City jurisdiction)
    - O. Redwood Shores Parkway
    - P. Seaport Boulevard
    - Q. Shearwater Parkway
    - R. Shell Parkway
    - S. Twin Dolphin Drive
    - T. Veterans Boulevard
    - U. Whipple Avenue (between Alameda de las Pulgas and East Bayshore Road)
    - V. Winslow Street (between Broadway and Whipple Avenue)
    - W. Woodside Road

Figure 36.3 Vision Triangles

Figure 36.3 Vision Triangles



### 3. Prohibited Materials.

- a. **Residential Zoning Districts.** Electrically charged fences, barbed wire, razor wire or other types of wire fences are prohibited in residential zones.
- b. **Mixed Use Zoning Districts.** Chain link fencing, barbed-wire, razor-wire, and corrugated metal fencing are prohibited in Mixed Use Corridor (MUC), Mixed Use Neighborhood (MUN) and Mixed Use Transitional (MUT) Zoning Districts.

### C. Location—Specific Requirements.

#### 1. Front Yard.

- a. All solid fences located in the required front yard shall not exceed three (3) feet in height.
- b. All combination solid/open fences located in the required front yard shall not exceed five (5) feet in height. Chain link fencing above three (3) feet is prohibited in the front yard in residential zoning districts.
- c. Privately constructed fences are prohibited in the public right-of-way.

2. **Interior Side and Rear.** All fences, regardless of type, are limited to seven (7) feet in height in the side or rear yards. Such height may be increased to ten (10) feet in any district upon

approval of an Architectural Permit, except in the Professional Office (PO) District or any Residential (R) District upon approval of an Architectural Permit.

### 3. Exterior Side (Street Side).

- a. Fences are limited to seven ~~six (76)~~ feet in height in the side yard adjacent to the street on corner lots. The fence must be set back eighteen (18) inches from the sidewalk and meet vision triangle requirements as described in Section 36.3(B). Privately constructed fences are prohibited in the public right-of-way. The privately owned area between the fence and sidewalk must be landscaped and maintained in a healthy and weed-free condition. Chain link fences above three (3) feet in height are prohibited in side yards adjacent to the street in residential zoning districts.

## 36.7 Outdoor Equipment, Decks and Patios.

**[Section 36.7.A is unchanged]**

### B. Outdoor Equipment.

- 1.**Setbacks.** Outdoor equipment such as air conditioning units or pool equipment must be located in the side or rear yard and setback a minimum of three (3) feet from the property line.
- 2.**Rooftop Equipment.** Outdoor equipment may be located on the roof and must be screened on all sides and architecturally consistent with the structure. ~~Rooftop equipment screening shall comply with the underlining Zoning District's maximum height standards.~~
- 3.**Noise.** Regardless of the location where it is installed, outdoor equipment shall not exceed fifty-five (55) dBA in noise level at any point along the property line.
- 4.**Furniture and Landscape Features.** Outdoor furniture and small landscape features such as water features may be located within the setback.

(Ord. No. 1130-364, § 18(Exh. N), 8-24-15; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

**[Entire Article 37 – Accessory Dwelling Unit Ordinance will be repealed and replaced with the following: ]**

## Article 37 - Accessory Dwelling Units

### 37.1 Purpose.

The purpose of this Section is to:

- A. Allow accessory dwelling units on residential properties while respecting the character of the residential neighborhood as allowed consistent with state law.
- B. Increase the variety of housing types that are accessible for all income groups.
- C. Support affordable housing and multi-generational living.

- D. Encourage housing construction or alteration to assist residents with special needs including residents with disabilities.
- E. Create flexibility in the design and location of accessory dwelling units.
- F. Maintain adequate setback requirements and height limitations consistent with state law.
- G. Achieve conformity with state law, which has been revised over the years to reduce barriers in the approval process and create more housing units.

## 37.2 Definitions.

**Accessory Dwelling Unit.** An accessory dwelling unit (ADU) commonly known as a second unit or in-law unit, is an attached or detached residential dwelling unit that is located on the same parcel as an existing or proposed single-family or multifamily dwelling and that provides complete independent living facilities for one or more persons. It shall provide permanent provisions for living, sleeping, eating, cooking, and sanitation facilities. An accessory dwelling unit also includes an efficiency unit, as defined in Section 17958.1 of Health and Safety Code and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

**Junior Accessory Dwelling Unit.** A junior accessory dwelling unit (JADU) is an accessory dwelling unit that has no more than five hundred (500) square feet of interior livable space and contained entirely within an existing or proposed single-family residence with an exterior entrance separate from the main entrance to the proposed or existing home. A junior accessory dwelling unit shall include a kitchen or efficiency kitchen, as defined in Government Code Section 66333, and may include a bathroom, or may share a bathroom with the existing or proposed single-family residence.

**Livable Space.** Interior livable space means space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

**Primary Dwelling or Primary Residence.** A primary dwelling or primary residence is a dwelling unit that is not an accessory dwelling unit or junior accessory dwelling unit.

**State Exemption Accessory Dwelling Units.** State exemption accessory dwelling units are those accessory dwelling units defined in Government Code Section 66323 that are exempt from local design and development standards.

## 37.3 Generally Applicable Provisions

- A. **Accessory Dwelling Units Permitted.** Accessory dwelling units consistent with this Article are allowed on a legal lot zoned to allow single-family or multifamily dwelling residential use and that contains or will contain an existing or proposed single-family dwelling or an existing or proposed multi-family dwelling. For purposes of this Article, a multifamily dwelling is a residential structure with two or more attached primary dwelling units on a single legal lot.
- B. **Junior Accessory Dwelling Units Permitted.** Junior accessory dwelling units consistent with this Article are allowed on a legal lot zoned for single-family residential use that contains an existing or proposed single-family dwelling.
- C. **Density.** Accessory dwelling units and junior accessory dwelling units consistent with this Article shall not count toward the allowed density for the lot upon which the unit is located. Accessory dwelling units and junior accessory dwelling units approved in compliance with

this Article shall be considered a residential use that is consistent with the requirements of the General Plan and zoning ordinance.

- D. **Lots Created through Urban Lot Splits.** No accessory dwelling unit or junior accessory dwelling unit shall be permitted if the legal lot was created by an urban lot split pursuant to California Government Code Section 66411.7 and Municipal Code Article XII, Chapter 30, and if the approval of the accessory dwelling unit or junior accessory dwelling unit would result in more than two dwelling units on the lot.
- E. **Types of Accessory Dwelling Units.** Accessory dwelling units may be attached to an existing or proposed primary residence or accessory structure (attached accessory dwelling unit), detached from any other structure (detached accessory dwelling unit), or located within an existing or proposed dwelling (interior accessory dwelling unit).
- F. **Relation to Standards of Underlying Zoning District.** Accessory dwelling units and junior accessory dwelling units shall conform with the development standards of the underlying zoning district to the extent that those standards are consistent with the provisions of this Article. If the provisions of the underlying zoning district or other Municipal or Zoning Code provisions are inconsistent with the provisions of this Article, the provisions of this Article shall apply.
- G. **No Conflict with State Law.** If any provision of this Article conflicts with applicable state law, state law shall apply and shall supersede the provisions of this Article. Any references to state law include successor provisions.

### 37.4 State Exemption Accessory Dwelling Units.

This section applies to those accessory dwelling units defined in Government Code Section 66323. These accessory dwelling units are subject only to the development standards contained in this section and building code and health and safety requirements. State exemption accessory dwelling units are exempt from all additional development or design standards. Any combination of the following units is permitted.

- A. **Statewide Exemption Accessory Dwelling Units on Lots with a Proposed or Existing Single-Family Dwelling.** Any combination of the following units:
1. **Conversion** - One accessory dwelling unit and one junior accessory dwelling unit per lot if all of the following apply:
    - a. The accessory dwelling unit or junior accessory dwelling unit is within the proposed or existing space of single-family home or existing space of an accessory structure. An accessory dwelling unit may include an expansion of no more than 150 square feet beyond the same physical dimensions as the existing accessory structure to accommodate ingress and egress.
    - b. The accessory dwelling unit has exterior access from the proposed or existing single-family home.
    - c. Side and rear setbacks are adequate for fire and safety.
    - d. The junior accessory dwelling unit complies with the requirements of Section 37.6.

2. One detached, new construction accessory dwelling unit with four-foot side and rear yard setbacks meeting the following standards:

- a. Total floor area of not more than 800 square feet of interior livable space.
- b. Height not exceeding 18 feet if the lot is within one-half mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155. An additional two feet in height may be permitted to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the single-family dwelling. Height not exceeding 16 feet on all other lots.

**B. Statewide Exemption Accessory Dwelling Units Related to Multifamily Dwellings. Any combination of the following:**

1. Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. One dwelling unit shall be allowed within any existing multifamily building and up to 25 percent of the number of existing multifamily dwelling units in any multifamily building may be allowed. For example, if there are 12 existing multifamily dwelling units then up to three accessory dwelling units may be constructed from non-livable space. An accessory dwelling unit shall not be created within livable space in a multifamily structure.

2. Accessory dwelling units detached from an existing or proposed multifamily building meeting the following standards:

- a. Four-foot side and rear yard setbacks.
- b. Height not exceeding 18 feet if the lot is within one-half mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155; or if the existing or proposed multifamily building has more than one story. An additional two feet in height may be permitted to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the single-family dwelling. Height not exceeding 16 feet on lots containing an existing or proposed single-story multifamily building.
- c. On a lot with an existing multifamily building, not more than eight detached accessory dwelling units, except that the number of accessory dwelling units shall not exceed the number of existing units on the lot.
- d. On a lot with a proposed multifamily building, not more than two detached units.

**C. Other Standards Applicable to State Exemption Accessory Dwelling Units.**

Accessory dwelling units and junior accessory dwelling units constructed under this section may be used only for residential use. No accessory dwelling unit or junior accessory dwelling unit constructed pursuant to this section may be rented for a term less than 30 days. At the time of application for an accessory dwelling unit under this section, the property owner shall acknowledge in writing that the accessory dwelling unit cannot be used for residential rentals of less than 30 days.

## 37.5 Development Standards Applicable to Non-Exempt Accessory Dwelling Units. (Local ADUs)

The provisions of this section apply to all accessory dwelling units that are not state exemption accessory dwelling units constructed pursuant to Section 37.4 above.

**A. Number of Units.** One accessory dwelling unit may be constructed pursuant to this section 37.5 on a legal lot zoned to allow single-family or multifamily dwelling residential use and that contains or will contain an existing or proposed single-family dwelling or an existing or proposed multi-family dwelling.

**B. Limitation on Development Standards.** Limits on lot coverage, front yard setback, floor area ratio, open space, and size must permit or shall be waived to allow a detached or attached accessory dwelling unit up to 800 square feet of interior livable space with four-foot side and rear yard setbacks, if the proposed accessory dwelling unit is in compliance with all other applicable development standards.

**C. Lot Coverage.** Accessory dwelling units shall be exempt from lot coverage calculations of the underlying zoning district. For the purposes of this Article, attached garages, carports, and covered porches associated with an accessory dwelling unit shall count towards lot coverage.

**D. Setbacks.**

1. A four (4) foot side and rear yard setback shall be required.

2. No setback shall be required for an accessory dwelling unit located within the existing living area or an existing accessory structure, or an accessory dwelling unit that replaces an existing structure and is located in the same location and to the same dimensions as the structure being replaced. A legal accessory building (including a detached garage) may be converted into an accessory dwelling unit provided the side and rear setbacks are sufficient for fire safety.

3. No structure shall be allowed within thirty (30) feet of the center line of any watercourse or within twenty (20) feet of the top of a bank of a watercourse (whichever is further from the centerline of the watercourse) unless all of the requirements listed in Chapter 27A are met. Chapter 27A (Stormwater Management and Discharge Control Program) of the Municipal Code shall supersede this section if there is a conflict.

4. A six (6) foot setback shall be required from other buildings on the same lot.

**E. Height.**

**1. Attached Accessory Dwelling Unit.**

a. Accessory dwelling units attached to an existing or proposed primary dwelling that comply with the setback requirements for the primary dwelling as set by the underlying zoning district shall be subject to the maximum height requirements of the underlying zoning district if 25 feet or greater.



- J. **Stormwater Treatment.** Accessory dwelling units shall be subject to the requirements of Section 32.12 (Stormwater Treatment).
- K. **Passageway.** A passageway shall not be required in conjunction with the construction of an accessory dwelling unit, unless mandated by other state or federal safety code or standard. A passageway is a pathway that is unobstructed and clear to the sky that extends from the street to the door of the accessory dwelling unit.
- L. **Historic Preservation.** Compliance with the appropriate Secretary of Interior's Standards for the Treatment of Historic Properties shall be required for properties listed in the California Register of Historical Resources.

### 37.6 Junior Accessory Dwelling Units.

- A. **Junior Accessory Dwelling Units.** If a junior accessory dwelling unit is proposed, it shall comply with the requirements of California Government Code Section 66333, as may be amended from time to time, including, but not limited to the following:
1. Shall not exceed five hundred (500) square feet of interior livable space.
  3. Shall be contained entirely within the walls of a proposed or existing single-family residence, including any attached garage.
  4. Shall provide a separate exterior entrance from the main entrance to the proposed or existing single-family residence.
  5. Shall contain a kitchen or an efficiency kitchen that includes cooking appliances, a food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
  6. May share a bathroom with the single-family residence. If the junior accessory dwelling unit shares sanitation facilities with the single-family residence, there must be an interior entry to the main living area of the single-family home in addition to the separate exterior entrance.
  7. Only one junior accessory dwelling unit shall be allowed per lot.
  8. No parking is required for a junior accessory dwelling unit.
- B. If the junior accessory dwelling unit has shared sanitation facilities with the existing structure, the single-family residence in which the junior accessory dwelling unit will be permitted must be owner-occupied. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the junior accessory dwelling unit has separate sanitation facilities, or if the owner is another governmental agency, land trust, or housing organization.
- C. A deed restriction shall be recorded prior to issuance of a certificate of occupancy or final inspection as applicable, providing for a prohibition on the sale of the junior accessory dwelling unit separate from the single-family residence, including a statement that the deed restriction may be enforced against future purchasers, and a restriction on the size and attributes of the junior accessory dwelling unit that conforms with the requirements of Government Code Section 66333.

## 37.7 Building and Code Compliance.

Junior accessory dwelling units and accessory dwelling units shall comply with all applicable building code requirements, except as follows:

- A. Fire sprinklers shall not be required for an accessory dwelling unit or junior accessory dwelling unit if they are not required for the primary dwelling. Fire sprinklers shall not be required for an existing primary dwelling unit as a condition of the approval of an accessory dwelling unit.
- B. The new construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official or enforcement agency makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety or the accessory dwelling unit is converted from unhabitable or nonresidential space.
- C. If the application is to legalize an unpermitted accessory dwelling unit or unpermitted junior accessory dwelling unit that was constructed before January 1, 2020, the City may not deny the application on the basis that the unpermitted accessory dwelling unit or unpermitted junior accessory dwelling unit does not conform with this Article or building standards pursuant to Health & Safety Code Section 17960 *et seq.* However, the City may deny the application for an unpermitted accessory dwelling unit or unpermitted junior accessory dwelling unit constructed before January 1, 2020 if the Building Official makes a finding that correcting a violation is necessary to comply with the standards specified in Health & Safety Code Section 17920.3. This section does not apply to a building deemed substandard under Health & Safety Code Section 17920.3.
- D. The City may not apply a condition of approval requiring the correction of nonconforming zoning conditions.

## 37.8 Utilities and Fees.

### A. Utilities

- 1. An accessory dwelling unit or junior accessory dwelling unit shall not be considered to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the unit was constructed with a new single-family dwelling.
- 2. For an accessory dwelling unit or junior accessory dwelling unit provided pursuant to Section 37.4(A)(1) of this Article, the applicant shall not be required to install a new or separate utility connection directly between the unit and the utility or pay a related connection fee or capacity charge, unless the unit was constructed with a new single-family dwelling, or was separately conveyed under Government Code Section 66341.
- 3. A new or separate utility connection may be required for accessory dwelling units not provided pursuant to Section 37.4(A)(1) of this Article. Any connection fee or

capacity charge shall be proportional to the burden of the unit on the utility, based on either its square feet or the number of drainage fixture unit values.

4. Previously unpermitted accessory dwelling units or previously unpermitted junior accessory dwelling units constructed before January 1, 2020 and permitted under section 37.7(C) are not required to pay connection or capacity charges except when utility infrastructure is required to comply with Health & Safety Code Section 17920.3.
5. No junior accessory dwelling unit or accessory dwelling unit shall be permitted if it is determined that there is not adequate water or sewer service to the property.

**B. Impact Fees**

1. No impact fees shall be imposed on a junior accessory dwelling unit or accessory dwelling unit that is less than 750 square feet in size. For purposes of this Article, "impact fees" shall not include utility connection fees or capacity charges.
2. For accessory dwelling units that 750 square feet or more, any applicable impact fees shall be charged proportionately in relation to the square footage of the primary dwelling unit.

### **37.9 Short-Term Rentals and Sales.**

- A. **Short-Term Rentals.** Accessory dwelling units and junior accessory dwelling units constructed under this Article may be used only for residential use. No accessory dwelling unit or junior accessory dwelling unit constructed pursuant to this section may be rented for a term less than 30 days. At the time of application for an accessory dwelling unit under this section, the property owner shall acknowledge in writing that the accessory dwelling unit cannot be used for residential rentals of less than 30 days. Notwithstanding the foregoing, existing short-term rentals in accessory dwelling units and junior accessory dwelling units that were registered with the City prior to January 1, 2020, may continue to be used as short-term rentals.
- B. **Sales of Accessory Dwelling Units.** The accessory dwelling unit and junior accessory dwelling unit may be rented separate from the primary residence but shall not be sold or otherwise conveyed separate from the primary residence, except that an accessory dwelling unit and primary dwelling may be owned by multiple owners as tenants in common if the primary dwelling and accessory dwelling unit were developed by a qualified nonprofit, as that term is defined in Government Code Section 66340, and if all of the provisions of Government Code Section 66341 are met.

### **37.10 Application Review.**

- A. **Application.** An accessory dwelling unit or junior accessory dwelling unit permit application shall include a building permit application and a completed checklist that demonstrates compliance with the requirements of this Article. The application shall include plans showing the details of the proposed accessory dwelling unit under submittal guidelines established by the Community Development Director. The Community Development Director shall determine compliance with this Article prior to issuance of the building permit for the accessory dwelling unit.
- B. **Review for Completeness.** The City shall review all applications for an accessory dwelling units or junior accessory dwelling unit and provide written notice to the applicant regarding

whether the application is complete within 15 business days of receiving the application. If the permit application is incomplete, the written notice to the applicant must include a comprehensive list of incomplete items and a description of how the permit application can be made complete. The applicant may address the items that are deemed to be incomplete and resubmit the application; each resubmitted application must be reviewed for completeness within 15 business days. Upon review of the resubmitted application, the City shall not require the application to include an item that was not included in the initial list of incomplete items. If the City does not make a timely determination, the application or resubmitted application shall be deemed to be complete.

**C. Review of Application.**

1. The City shall administratively review and approve or deny complete permit applications for accessory dwelling units and junior accessory dwelling units within 60 days from the date the City receives a completed permit application, except that permit applications for pre-approved detached accessory dwelling unit plans that meet the requirements under Government Code Section 65852.27 shall be approved or denied within 30 days from the date that the City receives a complete permit application. If the permit application is denied, the City will provide, within the review period, a complete list of the permit application's deficiencies and describe how the applicant can remedy the permit application. If the applicant requests a delay, the 60-day time period may be tolled through a mutual extension with the City.
2. If the permit application is submitted with an application to construct a new single-family or multi-family dwelling, the City may delay review of the permit application for the accessory dwelling unit or junior accessory dwelling unit until the City approves or denies the permit application for the new primary dwelling. The City shall not issue a certificate of occupancy or approve a final inspection for an accessory dwelling unit or junior accessory dwelling unit before the City issues a certificate of occupancy for the new primary dwelling, unless San Mateo County is subject to a state of emergency as described in Government Code Section 66328.
3. A demolition permit for a detached garage that is to be replaced with an accessory dwelling unit shall be reviewed with the application for the accessory dwelling unit and issued at the same time.

D. **Appeal of Determination of Incompleteness or Denial.** Within 10 days of receipt of a determination of incompleteness or a denied application, the applicant may appeal the Director's decision in writing to the Planning Commission. The Planning Commission's final written determination of the appeal shall be provided to the applicant within 60 business days of receipt of the written appeal. The Planning Commission's decision is final.

## **Article 37 ACCESSORY DWELLING UNITS**

### **37.1 Purpose.**

The purpose of this Section is to:

- A. — Allow accessory dwelling units on residential properties while respecting the character of the residential neighborhood.
- B. — Increase the variety of housing types that are accessible for all income groups.
- C. — Support affordable housing and multi-generational living.
- D. — Encourage housing construction or alteration to assist residents with special needs including residents with disabilities.
- E. — Create flexibility in the design and location of accessory dwelling units.
- F. — Maintain adequate setback requirements and height limitations.
- G. — Achieve conformity with state law, which has been revised over the years to reduce barriers in the approval process and create more housing units.

(Ord. No. 1130-385, § 3(Exh. A), 9-13-21)

### **37.2 Definitions.**

**Accessory Dwelling Unit.** An accessory dwelling unit, commonly known as a second unit or in-law unit, is an attached or detached residential dwelling unit that is located on the same parcel as an existing or proposed single-family dwelling, duplex, or multifamily dwelling and provides permanent provisions for complete independent living, sleeping, eating, cooking, and sanitation facilities. An accessory dwelling unit also includes an efficiency unit, as defined in Section 17958.1 of Health and Safety Code and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

**Junior Accessory Dwelling Unit.** A junior accessory dwelling unit is an accessory dwelling unit that is no more than five hundred (500) square feet in size and contained entirely within an existing or proposed single-family residence with a separate exterior entrance. A junior accessory dwelling unit shall include a kitchen or efficiency kitchen, as defined in Government Code Section 65852.22, and may include a bathroom, or may share a bathroom with the existing or proposed single-family residence. In accordance with Government Code Section 66333, junior accessory dwelling units are permitted only in single-family zoning districts.

(Ord. No. 1130-385, § 3(Exh. A), 9-13-21; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

### **37.3 Development Standards.**

An accessory dwelling unit may be constructed on the same lot as an existing or proposed single-family dwelling, duplex, or multifamily dwelling in residential or mixed-use zoning districts and in precise plan zoning districts that allow residential uses, subject only to applicable building code requirements and the following development standards:

#### **A. Number, Density, and Location.**

**1. Single Family Dwelling—Number.** No more than one (1) accessory dwelling unit and one (1) junior accessory dwelling unit shall be permitted to be located on the same lot that has an existing or proposed single-family dwelling. An accessory dwelling unit and junior accessory dwelling unit may be located in the same primary dwelling.

#### **2. Duplex and Multifamily Dwelling—Number.**

No more than two (2) accessory dwelling units detached from an existing multifamily dwelling unit shall be permitted to be located on the same lot. At least one (1) accessory dwelling unit and up to twenty-five percent (25%) of the total number of existing multifamily dwelling units shall be permitted to be converted from existing non-livable space including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

**3. Density.** Accessory dwelling units and junior accessory dwelling units shall not count toward the allowed density for the lot upon which the unit is located. Accessory dwelling units and junior accessory dwelling units approved in compliance with this Article shall be considered a residential use that is consistent with the requirements of the General Plan and zoning ordinance.

**4. Location.** Accessory dwelling units may be attached to, detached from, or located within an existing dwelling. Junior accessory dwelling units shall be located within the single-family dwelling.

**B. Lot Coverage.** Accessory dwelling units shall be exempt from lot coverage calculations of the underlying zoning district. For the purposes of this Article, attached garages, carports, and covered porches associated with an accessory dwelling unit shall count towards lot coverage.

#### **C. Building Height and Setbacks.**

##### **1. Setbacks.**

a. — A four (4) foot side and rear yard setback shall be required. Accessory dwelling units shall be subject to front yard setbacks applicable to the primary dwelling unless such a requirement would preclude the construction of a Statewide Exemption Accessory Dwelling Unit as is described in Section 37.4.B.

b. — No setback shall be required for an accessory dwelling unit located within the existing living area or an existing accessory structure, or an accessory dwelling unit that replaces an existing structure and is located in the same location and to the same dimensions as the structure being replaced. A legal accessory building (including a detached garage) may be converted into an accessory dwelling unit provided the side and rear setbacks are sufficient for fire safety.

**2. Conversion and Expansion of Converted Structures.** Any expansion of an accessory dwelling unit converted from a legal accessory building or primary dwelling shall be subject to Section 37.3(Development Standards) requirements for an accessory dwelling unit.

**3. Height.**

**a. Attached Accessory Dwelling Unit.**

- i. — Accessory dwelling units attached to an existing or proposed primary dwelling that comply with the setback requirements for the primary dwelling as set by the underlying zoning district shall be subject to the maximum height requirements of the underlying zoning district.
- ii. — Attached accessory dwelling units that encroach within the setback requirements for the primary dwelling set by the underlying zoning district but comply with the setback requirements herein shall not exceed twenty (20) feet when such unit has a flat roof, or twenty four (24) feet when such unit has a pitched roof (with the additional four (4) feet solely devoted to roof pitch).

**b. Detached Accessory Dwelling Unit.** Accessory dwelling units detached from an existing or proposed primary dwelling shall be subject to a maximum height of twenty (20) feet when the accessory dwelling unit has a flat roof, or twenty four (24) feet when such unit has a pitched roof (with the additional four (4) feet solely devoted to roof pitch). Detached accessory dwelling units shall also be subject to the following:

- i. — No more than six hundred (600) square feet of the accessory dwelling unit shall be constructed above the first floor. The remaining allowable square footage shall be constructed on the first floor.
- ii. — Balconies and second story decks shall be located interior to the site and not facing the immediately adjacent side or rear yards.
- iii. — Open stairways shall be located interior to the site and not facing the immediately adjacent side or rear yards, if feasible.

**4. Access.** An accessory dwelling unit shall have independent exterior access and a separate address.

**5. Square Footage.** The maximum allowable square footage for an accessory dwelling unit shall not exceed the area specified below, provided that in no instance may an attached accessory dwelling unit exceed fifty percent (50%) of the total square footage of the existing primary dwelling. Notwithstanding the foregoing, accessory dwelling units subject to Section 37.4 (Statewide Exemption Accessory Dwelling Units) may exceed fifty percent (50%) of the existing primary dwelling square footage to allow up to eight hundred (800) square feet. For the purposes of this Article, square footage for an accessory dwelling unit shall not include garages, carports, and/or covered porches.

**a. Standard Units.** Accessory dwelling units shall not exceed eight hundred fifty (850) square feet, except as specified in subsections (b) and (c) below.

**b. Multiple Bedroom Units.** Accessory dwelling units that include more than one (1) bedroom shall not exceed one thousand (1,000) square feet.

~~**c. Accessible Units.** Units meeting the California Building Code requirements for disabled access are permitted to have up to one thousand two hundred (1,200) square feet.~~

~~**D. Parking.** No additional parking spaces shall be required for accessory dwelling units or junior accessory dwelling units. No replacement parking spaces shall be required if an existing garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit.~~

~~**E. Pervious Area in Front Yard.** The front yard shall be subject to the minimum pervious area and stormwater requirements of the underlying zoning district.~~

~~**F. Stormwater Treatment.** Accessory dwelling units shall be subject to the requirements of Section 32.12 (Stormwater Treatment), including creek protection and setbacks, provided, however, that no Use Permit shall be required in accordance with Article 42.~~

~~**G. Passageway.** A passageway shall not be required in conjunction with the construction of an accessory dwelling unit, unless mandated by other state or federal safety code or standard. A passageway is a pathway that is unobstructed and clear to the sky that extends from the street to the door of the accessory dwelling unit.~~

~~**H. Historic Preservation.** Compliance with the appropriate Secretary of Interior's Standards for the Treatment of Historic Properties shall be required for properties listed in the California Register of Historical Resources.~~

~~**I. Junior Accessory Dwelling Units.** If a junior accessory dwelling unit is proposed, it shall comply with the requirements of California Government Code Section 66333, as may be amended from time to time, including, but not limited to the following:~~

- ~~1. — Shall not exceed five hundred (500) square feet in size.~~
- ~~2. — Shall not be smaller than the size required to allow an efficiency unit pursuant to Health and Safety Code Section 17958.1.~~
- ~~3. — Shall be contained entirely within the walls of a single-family residence.~~
- ~~4. — Shall provide a separate exterior entrance from the single-family home.~~
- ~~5. — Shall contain a kitchen or an efficiency kitchen that includes cooking appliances, a food preparation counter, and storage cabinets that are of reasonable size in relation to the junior accessory dwelling unit.~~
- ~~6. — May share a bathroom with the single-family home.~~
- ~~7. — Shall be owner-occupied. The owner shall reside in either the single-family residence or the newly created junior accessory dwelling unit.~~
- ~~8. — A deed restriction shall be recorded providing for a prohibition on the sale of the Junior Accessory Dwelling Unit separate from the single-family residence, including a statement that the deed restriction may be enforced against future purchasers, and a restriction on the size and attributes that conforms with the requirements of Government Code Section 66333.~~
- ~~9. — Only one (1) junior accessory dwelling unit shall be allowed per lot.~~

~~**J. Building and Fire Code Compliance.** Accessory dwelling units shall comply with all applicable building and fire code requirements. Provided, however, that accessory dwelling units shall not be required~~

to provide fire sprinklers if they are not required for the primary residence. Except however, fire sprinklers may be allowed to address fire code compliance as needed.

**K. Utilities and Impact Fees.**

1. ~~No junior accessory dwelling unit or accessory dwelling unit shall be permitted if it is determined that there is not adequate water or sewer service to the property.~~
2. ~~No impact fees shall be imposed on a junior accessory dwelling unit or accessory dwelling unit that is less than seven hundred fifty (750) square feet in size. For purposes of this Article, "impact fees" shall not include utility connection fees or capacity charges.~~
3. ~~For accessory dwelling units that are seven hundred fifty (750) square feet or more, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling unit.~~

(Ord. No. 1130-385, § 3(Exh. A), 9-13-21; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

**~~37.4 Statewide Exemption Accessory Dwelling Units.~~**

~~Only a building permit shall be required for an accessory dwelling unit or junior accessory dwelling unit in the following circumstances, provided, however, that all of the development standards contained in Sections 37.3(C)(1) and (I) through (K) shall apply and none of the development standards contained in Section 37.3(A), (B), (C)(2) through (5) and (D) through (H) will apply:~~

~~**A. Single Family Conversion.** One (1) accessory dwelling unit and one (1) junior accessory dwelling unit per lot shall be permitted within an existing or proposed single family dwelling if the accessory dwelling unit is within the proposed space of a single family dwelling or existing space of a single family dwelling or accessory structure and has exterior access separate from the primary dwelling and sufficient side and rear setbacks for fire safety. An accessory dwelling unit proposed under this Section may include an expansion of no more than one hundred fifty (150) square feet beyond the same physical dimensions as the existing accessory structure to accommodate ingress and egress.~~

~~**B. Single Family Detached.** New construction of one (1) detached accessory dwelling unit that does not exceed eight hundred (800) square feet and sixteen (16) feet in height shall be permitted with minimum four (4) foot side and rear yard setbacks. The detached accessory dwelling unit may be combined with a junior accessory dwelling unit that is permitted by Section 37.4(A) above.~~

~~**C. Multifamily—Conversion.** At least one (1) accessory dwelling unit and up to twenty-five percent (25%) of the total number of existing multifamily dwelling units shall be permitted to be converted from existing non-livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.~~

~~1.~~

~~**D. Multifamily—Detached.** No more than two (2) detached accessory dwelling units shall be permitted if the accessory dwelling unit(s) is/are located on a lot that has an existing multifamily dwelling, and the unit(s) is/are no more than sixteen (16) feet in height, and do not exceed four (4) foot rear yard and side setbacks.~~

(Ord. No. 1130-385, § 3(Exh. A), 9-13-21)

### **37.5 Short Term Rentals and Sales Prohibited.**

Except as otherwise permitted by State law, an accessory dwelling unit or junior accessory dwelling unit shall not be offered for sale, nor sold, but may be rented for terms longer than thirty (30) days. The short term rental of accessory dwelling units shall not be permitted. Notwithstanding the foregoing, existing short term rentals in accessory dwelling units that were registered with the City prior to January 1, 2020 may continue to be used as short term rentals.

(Ord. No. 1130-385, § 3(Exh. A), 9-13-21; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

### **37.6 Application Review.**

**A. Application.** An accessory dwelling unit permit application shall include a building permit application and a completed checklist that demonstrates compliance with the requirements of this Article. The application shall include plans showing the details of the proposed accessory dwelling unit under submittal guidelines established by the Director. The Director shall determine compliance with this Article prior to issuance of the building permit for the accessory dwelling unit. This decision shall be considered final.

**B. Ministerial Review.** All applications for accessory dwelling units that comply with the requirements under this Article shall be reviewed through a building permit within sixty (60) days after receipt of a complete application if there is an existing single-family dwelling, duplex, or multifamily dwelling on the lot. An application shall be denied if the proposed accessory dwelling unit does not comply with all applicable requirements of this Article. If the application involves an accessory dwelling unit where there is also an application for a new single-family dwelling on the lot, then the Director may delay action on the accessory dwelling unit application to coincide with the single-family dwelling application as long as the Director applies the ministerial review required by this Section to the accessory dwelling unit. Applicants may request a delay or waive the sixty-day approval period.

(Ord. No. 1130-385, § 3(Exh. A), 9-13-21)

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## **Article 40 - POWERS AND DUTIES OF PLANNING BODIES<sup>[1]</sup>**

**[Changes are only to Sections 40.4 and 40.7]**

### **40.4 Planning Commission Powers and Duties.**

The Planning Commission shall have the powers and duties assigned by the City Council, including but not limited to:

- A. Holding a public hearing as required.
- B. Making decisions on applications subject to Planning Commission review.
- C. Making recommendations to City Council on General Plan and Zoning Ordinance amendments, new or amended specific plans or precise plans.

- D. Making determinations or recommendations on applications requiring a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report (EIR).
  - E. Appointing members of the public to the Historic Resources Advisory Committee and Architectural Advisory Committee.
  - F. ~~Appointing a member of the Planning Commission as a member of the Subdivision Committee.~~
- (Ord. No. 1130-368, § 5, 1-9-17)

**~~40.7 Subdivision Committee Powers and Duties~~Reserved.**

~~The Subdivision Committee shall have powers and duties as specified in Municipal Code Section 30.6 (Functions of the Subdivision Committee).~~

(Ord. No. 1130-368, § 5, 1-9-17)

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**Article 41 - COMMON PROCEDURES<sup>[1]</sup>**

**[41.1 – 41.2 are unchanged]**

**41.3 Review of Application.**

**A. Completeness.** Within thirty (30) days of application submittal and fee payment, the Director shall determine whether an application is complete. If an application is incomplete, the Director shall provide written notification to the applicant listing the information or fees necessary to complete the application.

**B. Expiration of Pending Incomplete Application.** If an applicant fails to submit the required materials within ninety (90) days of the Director's written notification of an incomplete application, the application shall expire and be deemed withdrawn. Restarting project review shall require the submittal of a new application with required fees. The Director may grant in writing extensions of the time limits described in this section for good cause.

**C. Time to Decision.** After an application is deemed complete, a decision shall be made on the permit application in accordance with Government Code Section 65950 or other applicable law.

**D. Right to Appeal Development Project Application Completeness Determination.** An applicant may appeal a completeness determination made by the Community Development Director. Appeals must be made in writing to the Planning Commission within 10 calendar days. The Planning Commission shall provide a final written determination on the appeal within 60 calendar days after receipt of the applicant's written appeal. Applicants may request a delay of or waive the 60-day final written determination period through a mutual extension with the City. Appeals will be processed in accordance with Section 41.7 (Appeals) and the Permit Streamlining Act (California Government Code Section 65943).

(Ord. No. 1130-368, § 5, 1-9-17)

#### **41.4 Review Authorities for All Permits.**

Review authorities for permit applications are described in individual permit articles. The following provisions further specify review authority in particular circumstances.

**A. Concurrent Review.** When a project requires approval of multiple permits, all of the permits shall be reviewed concurrently by the highest applicable review authority. The following is the review hierarchy listed from the lowest to the highest authority:

1. Zoning Administrator—no public hearing.
2. Zoning Administrator—public hearing.
3. Planning Commission.
4. City Council.

**B. Planning Commission Review.** In addition to reviewing applications as required in the Zoning Ordinance and Municipal Code, Planning Commission review is also required in the following circumstances:

- 1. Environmental Review.** Planning Commission shall review all applications requiring a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report (EIR).
- 2. New Construction Exceeding Three (3) Stories or ~~Forty-Thirty-Five (45-35) Feet.~~** Planning Commission shall review all applications involving new building construction or building additions exceeding three (3) stories or ~~thirtyforty-five (4535)~~ feet in height.
- 3. Referral.** Planning Commission shall review applications that have been referred by the Zoning Administrator, appealed or called up to the Planning Commission as provided for in Section 41.7 (Appeals) and 41.8 (Call Ups).
- 4. Architectural Permits.** Architectural Permit applications that exceed three thousand (3,000) square feet ~~and~~ or a forty-five (45) percent floor area ratio, ~~whichever is greater,~~ as described in Article 48 (Floor Area Ratio for Single-Family Homes).

**C. City Council Review.** In addition to reviewing applications as required in the Zoning Ordinance and Municipal Code, City Council review is also required for applications that have been appealed or called up to the City Council as provided for in Section 41.7 (Appeals) and 41.8 (Call Ups).

**D. Zoning Administrator Review.** ~~Reviews applications that are subject to Ministerial Review and as otherwise required in the Zoning Ordinance and Municipal Code. In addition to reviewing applications as required in the Zoning Ordinance and Municipal Code, Zoning Administrator is the review authority for:~~

- ~~1. Streamlined Affordable Multi-Family (SB 35). This application is for affordable multi-family housing projects (two (2) or more units) under the State of California ministerial approval process outlined in Government Code Section 65913.4. No public hearing before the Zoning Administrator is required.~~

#### **E. Ministerial Review**

The purpose of this subsection is to implement provisions of State law that require certain application types be reviewed through a Ministerial Review process, as defined in Article 2

and to streamline affordable housing approvals. The Zoning Administrator is the review authority for these applications, and no Zoning Administrator public hearing is required.

1. Streamlined Affordable Multi-Family Housing. This application is for affordable multi-family housing projects (two (2) or more units) under the ministerial approval process outlined in Government Code Section 65913.4.
2. Low Barrier Navigation Centers. This application is for the by-right operation of a low-barrier navigation center in accordance with Section 31.6 and the ministerial approval process outlined in Government Code Section 65660-65668.
3. Supportive Housing. The application is for the by-right development of supportive housing consistent with Article 11 of the Government Code.
4. Affordable Housing on Faith and Higher Education Lands. This application is for by-right residential development in accordance with the ministerial approval process outlined in Government Code Section 65913.16 (Affordable Housing on Faith and Higher Education Lands Act of 2023).
5. Infill Housing in Commercial Zones. This application is for residential development on commercially-zoned lands consistent with Government Code Chapter 4.1 (Affordable Housing and High Road Jobs Act of 2022).
6. Small Lot Subdivisions and Housing. This application is for by-right residential development in association with Government Code Section 65852.28 (Starter Home Revitalization Act of 2021).
7. Other ministerial applications. Any application for other projects for which state law requires the City to utilize a ministerial review process shall be reviewed pursuant to this section.
8. City of Redwood City ministerial review option for 100% affordable housing projects, pursuant to Section 41.15.

**F. E. Applications Not Listed.** In the event a review authority is not specified for a particular application, the Zoning Administrator shall be the review authority.

**[41.5- 41.6 are unchanged]**

### **41.7 Appeals.**

- A. Appeal Period.** Any affected person may appeal a decision within fifteen (15) days of the date of action or as otherwise specified by applicable law.
- B. What May Be Appealed.** Decisions made by the Planning Manager, Community Development Director, Zoning Administrator, ~~Subdivision Committee~~ or Planning Commission may be appealed.
- C. Filing an Appeal.** Appeals shall be filed in accordance with Chapter 1, Article III of the Municipal Code (Procedures on Appeals and Call Ups).

**D. Review Authority.** Decisions by the Zoning Administrator, Planning Manager, or Community Development Director, ~~or Subdivision Committee~~ may be appealed to the Planning Commission. Planning Commission decisions may be appealed to the City Council.

**E. Multiple Actions.** If a project has multiple permit decisions, an appeal of any permit decision shall be considered an appeal of all of the associated permit decisions for the project. For a project requiring an environmental determination, that determination shall also be considered by the review authority considering the appeal.

**F. Appeal Hearing.** Appeals shall be processed and heard de novo by the reviewing body in accordance with Chapter 1, Article III of the Redwood City Municipal Code (Procedures on Appeals and Call Ups).

**G. Finality.** A decision by the Planning Commission on an appeal shall become final fifteen (15) days after the date of the decision unless called up by the City Council. A decision of the City Council becomes final on the date of the decision. Following a final decision on an appeal, reapplication will be governed by Section 41.12 (Reapplication). A person aggrieved by a final decision may seek judicial review by timely appealing to the appropriate court pursuant to California Code of Civil Procedure Sections 1094.5, 1094.6, 1094.8 or other applicable law.

**H. Ministerial Actions.** A decision qualifying for Ministerial Review shall be considered final and is not subject to appeal.

(Ord. No. 1130-368, § 5, 1-9-17)

## 41.8 Call Ups.

**A. Requesting a Call Up.** Call ups may be requested within fifteen (15) days of the date of action. Call ups shall be requested in accordance with Chapter 1, Article III of the Municipal Code (Procedures on Appeals and Call Ups).

**B. Call Up Review Authority.** Except for ministerial actions with no discretionary review, the Planning Commission may call up decisions by the Zoning Administrator, Planning Manager, or Community Development Director, ~~or Subdivision Committee~~. The City Council may call up decisions by the Planning Commission, Zoning Administrator, Planning Manager, or Community Development Director, ~~or Subdivision Committee~~.

**C. Multiple Actions.** If a project has multiple permit decisions, a call up of any permit decision shall be considered a call up of all of the associated decisions for the project. For a project requiring an environmental determination, that determination shall also be considered by the review authority considering the call up. In the event an appeal is filed as well as a call up on the same project, the matters shall be consolidated and acted upon in compliance with this Article.

**D. Call Up Hearing.** Call ups shall be processed and heard by the reviewing body in accordance with Chapter 1, Article III of the Redwood City Municipal Code (Procedures on Appeals and Call Ups).

**E. Finality.** A decision by the Planning Commission on a call up shall become final fifteen (15) days after the date of the decision unless called up by the City Council. A decision of the City Council becomes final on the date of the decision. Following a final decision on a call up, reapplication will be governed by Section 41.12. A person aggrieved by a final decision may seek judicial review by

timely appealing to the appropriate court pursuant to California Code of Civil Procedure Sections 1094.5, 1094.6, 1094.8 or other applicable law.

**F. Concurrent Hearings.** An appeal and call up may be concurrently heard by the reviewing body.

(Ord. No. 1130-368, § 5, 1-9-17; Ord. No. 1130-386, § 4(Exh. A), 7-24-23)

#### **41.9 Permit Expiration and Extension.**

**A. Expiration and Extension.** A permit expires ~~three~~ ~~two~~ (32) years from the effective date. The Zoning Administrator may grant up to two separate one-year extensions upon written request by the applicant prior to expiration of the initial term or the first extension. An applicant must have building permit plans for associated work submitted for review and initial fees paid prior to the second one-year extension request. In no event shall a permit be extended more than five (5) years from the effective date. ~~if the use is not established or if building permits have not been issued for related work. As requested by the applicant, the Zoning Administrator may grant a one-time, one-year extension if the application is made prior to permit expiration.~~

**B. Cessation of Use.** If the use specifically allowed by the permit ceases for a continuous period of six (6) months, the permit may be revoked per Section 42.6 (Use Permit Modification or Revocation).

(Ord. No. 1130-368, § 5, 1-9-17; Ord. No. 1130-384, § 4(Exh. A), 4-12-21)

#### **[41.10 – 41.12 are unchanged]**

#### **41.13 Interpretations.**

**A. Scope of Interpretation.** The Director may make interpretations for uses not listed in any zoning district, applicability of any specific regulation, or interpretation of any other regulation or requirement in this Zoning Ordinance or implementing Precise or Specific Plans.

**B. Requests.** Requests for interpretations of this title and verifications relating to prior approvals or permits shall be made in writing.

**C. Decisions.** Decisions regarding interpretations shall be issued in writing. The Director may make interpretations of the Zoning Ordinance based on the effect of the public health, safety, and welfare on the people and property of Redwood City, and the effect upon the orderly development of the area in question and the City at large.

(Ord. No. 1130-368, § 5, 1-9-17)

#### **41.14 Environmental Review.**

**A. CEQA Incorporation by Reference.** The Guidelines for implementation of CEQA as described in Section 15000 et seq. of the California Code of Regulations shall be followed by the City and are incorporated by reference into these procedures. Incorporation by reference shall include any revisions or amendments to CEQA or the State CEQA Guidelines. If there is a conflict between the procedural provisions of State Guidelines and this Chapter, the Guidelines shall prevail.

**B. Preliminary Review.** The Community Development Director ("Director") or designee, may conduct a preliminary assessment of potential environmental issues. The Director or designee may require the applicant to submit additional information needed to determine the type of environmental review required for the project. An application subject to environmental review pursuant to CEQA shall not be considered ready for environmental determination purposes until the applicant has submitted all studies and other documentation the Director or designee has deemed necessary to determine the type of environmental review required, if any.

**C. Review for Exemption.** If the Director or designee determines that the application is subject to review under CEQA, within thirty (30) days after determining that the application is complete and the applicant has submitted all studies and other documentation the Director or designee has deemed necessary, the Director or designee shall determine if the project is exempt from environmental review pursuant to CEQA and CEQA Guidelines.

1. If the Director or designee has determined that a project is exempt from environmental review under CEQA, such determination shall be announced in any required public notice.
2. Following approval of a project that is exempt from CEQA review, the City may file a notice of exemption with the San Mateo County Clerk. The applicant for a private project shall be responsible for any fees required to file such notice.

**D. Environmental Review.** If the proposed project is not exempt from environmental review under CEQA, the Director or designee shall determine whether to require preparation of an environmental impact report (EIR), negative declaration, or mitigated negative declaration. In order to make this determination, the Director or designee shall prepare, with his/her own staff or by contract with a consultant chosen by the City, an initial study at the applicant's expense. If the Director and project applicant agree that an EIR is necessary, an initial study is not required.

**E. Preparation of an Initial Study.** The Initial Study shall consider all phases of the project, implementation, and operation and may rely upon expert opinion supported by facts, including documentation submitted by the applicant, technical studies, or other substantial evidence to document its findings regarding the project's potential impacts.

**F. Determination of Environmental Significance.** Based on the Initial Study, the Director or designee will make one of the following findings:

1. The project will have "No Significant Impacts" on the environment, and a Negative Declaration will be prepared; or
2. The project plans have been modified or have incorporated mitigation measures to reduce potential environmental impacts to a level of insignificance, and a Mitigated Negative Declaration will be prepared; or
3. The proposed project will have, or may have, significant impact(s) and an EIR will be required.

**G. Preparation of Negative or Mitigated Negative Declaration.** If the Director or designee has determined that the proposed project will not have a significant effect on the environment, the Director or designee, at the applicant's expense, shall prepare a negative declaration for public review. If the applicant has agreed to implement mitigation measures in order to reduce environmental impacts, the Director shall prepare a mitigated negative declaration for public review.

**H. Preparation of a Draft EIR.** If it is determined that an EIR is required, the Director or designee shall prepare, distribute, and post a notice of intent to prepare an EIR. The purpose of this notice is to

inform interested parties that an EIR is being prepared, and to seek guidance about significant environmental issues and mitigation measures that may be explored. The City will prepare or cause to have the draft EIR prepared with a consultant chosen by the City. The applicant shall pay the cost of preparing the EIR and reasonable costs for administering the work of outside consultants.

**I. Public Review of Draft EIR.** Following completion of a draft EIR, the Director or designee shall prepare and post a notice of completion initiating a minimum thirty (30) day public review period or forty-five (45) day review period if the project is subject to review by a State agency. The Director or designee shall mail a notice of the availability of a draft EIR to those requesting such notice in writing, to local and regional agencies, and interested Federal agencies. The City shall make copies of the draft EIR available for public review online, at the City Clerk's Office during regular office hours, and at the Downtown Redwood City Library.

**J. Final EIR.** After the public review period has expired, the City or its consultant will prepare a final EIR for certification by the decision-making bodies responsible for action on the project. The final EIR will consist of the draft EIR, all of the comments received, a list of persons, organizations, and public agencies commenting on the draft EIR, and a response from the City on significant environmental issues raised in the draft EIR and comments.

**K. Responsibility for Action on Environmental Document.** The decision-maker responsible for action on an application for a development permit shall approve the negative declaration or mitigated negative declaration or certify the final EIR prior to the time the project is considered for approval. The decision-maker may decline to approve or certify the environmental document and request further review or analysis if, in its judgment, approval of the negative declaration or mitigated negative declaration or certification of the final EIR would not comply with the requirements of CEQA and applicable State and local environmental review requirements.

**L. Mitigation Monitoring and Reporting Program.** The City shall approve a mitigation monitoring and reporting program (MMRP) for all projects that it approves with a mitigated negative declaration or a final EIR. The purpose of the MMRP is to ensure that the project applicant complies with all required mitigation measures during implementation of the project.

- 1. Submittal and Approval.** The MMRP shall be prepared and considered part of the Mitigated Negative Declaration or EIR.
- 2. Enforcement.** Failure to comply with the conditions and requirements of an approved MMRP shall be considered a violation of the conditions of approval of a project.

**M. Appeals.** Appeals shall occur in the manner described in Section 41.7 (Appeals) and 41.8 (Call Ups), unless the City Council is the approving authority for the project:

### **41.15 Ministerial Review Option for 100% Affordable Housing Projects.**

**A.** A housing project, including a mixed-use project, will be approved ministerially if it complies with the following:

- 1.** One hundred percent (100%) of the housing units, other than the manager's units, are restricted to extremely low-, very low-, low-, or moderate-income households as defined in Section 29.2.
- 2.** The Project enters into an Affordable Housing Agreement with the City in accordance with Article 29 – Requirements for Affordable Housing.

3. The project is a multifamily housing development that contains two or more residential units.
4. The project has at least two-thirds of the square footage designated for residential use. Additional density, floor area, and units, and any other concession, incentive, or waiver of development standards granted pursuant to the State Density Bonus Law in Government Section 65915 shall be included in the square footage calculation. The square footage of the project shall not include underground space, such as basements or underground parking garages.
5. The project complies with State requirements for unit replacement and relocation pursuant to the Housing Crisis Act (California Government Code Section 66300), Chapter 42 of the Municipal Code (Tenant Protection), and any other applicable State and Federal requirements for the demolition and displacement of residents of any existing residential units on site.
6. The project satisfies the requirements specified in Government Code Section 65913.4(a)(6)(B through K).
7. The project does not require the demolition of a historic structure that was placed on a national, state, or local historic register before the date an application was submitted for the project.
8. The project agrees to, as binding conditions of the project approval, measures that address the protection of tribal cultural resources.
9. The project is consistent with the applicable general plan and zoning code, and any density bonus, incentives or concessions, waivers or reductions of development standards pursuant to Section 65915 of the Government Code provided the project will not exceed the height limit established by the zoning code by more than three stories or 33 feet.
10. To the extent permitted by applicable law including fair housing laws, the project shall grant a local preference for the affordable units pursuant to Section 29.6.F (Local Preference).

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## **Article 45 - ARCHITECTURAL PERMITS**

**[Sections 45.1 – 45.3 are unchanged]**

### **45.4 - Findings.**

Decisions regarding an Architectural Permit shall be based upon the findings in this section, except if an Architectural Permit is subject to Ministerial Review, in which case it is not subject to the findings in this section. An Architectural Permit for residential construction on lots of fifteen percent (15%) average slope or more is also subject to the findings in Section [45.5](#) (Additional Findings for Sloping Lots).

- A. The existence of sufficient variety in the design of the structure and grounds to avoid monotony in the external appearance;

- B. The size and design of the structure shall be considered for the purpose of determining that the structure is in proportion to its building site and that it has a balance and unity among its external features so as to present a harmonious appearance;
- C. The extent to which the structure conforms to the general character of other structures in the vicinity insofar as the character can be ascertained and is found to be architecturally desirable;
- D. The extent to which excessive ornamentation is to be used and the extent to which temporary and second-hand materials, or materials which are imitative of other materials, are to be used;
- E. The extent to which natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site are to be retained;
- F. The accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets;
- G. The reservation of landscaping areas for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, separating or screening parking lots from the street and adjoining building sites, and separating building areas from paved areas to provide access from buildings to open space areas;
- H. In the case of any commercial or industrial structure, the review authority shall consider its proximity to any R District and shall consider the effect of the proposed structure upon the character and value of the adjacent R District area;
- I. The provision of permeable areas and drainage design appropriate to capture and treat stormwater runoff prior to its discharge from the site including, but not limited to, the use of vegetated swales, landscape features, permeable pavement materials, infiltration basins or engineered designs.

(Ord. No. 1130-368, § 5, 1-9-17)

## **Article 48 FLOOR AREA RATIO FOR SINGLE-FAMILY HOMES**

**[only change is Section 48.3]**

### **48.3 Definitions.**

For the purposes of this article, the following words and phrases shall have the following meanings:

- A. "Gross Floor Area" means the total covered area of all floors of a single-family dwelling measured to the outside of the stud walls. Gross Floor Area includes attached garages but excludes the following:
  1. Basements that are no more than twenty-four (24) inches above average finished grade;
  2. Detached structures including accessory buildings and accessory dwelling units;
  3. Features as described in Section 32.3 E (Architectural Features);
  4. Attached accessory dwelling units and junior accessory dwelling units; and
  5. Porches and patios on the ground floor that are unenclosed on two (2) or more sides.

(Ord. No. 1130-379, § 5(Exh. A), 8-26-19; Ord. No. 1130-385, § 3(Exh. A), 9-13-21; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

# Article 53 - MIXED-USE CORRIDOR ZONING DISTRICT

[Section 53.1 is unchanged]

## 53.2 Use Regulations

### A. Use Regulations by Sub-District.

**1. Allowed Land Uses.** Table 53-1 indicates the uses permitted (P), permitted with a conditional use permit (C), permitted as an accessory use (A), and not permitted (—) in each of the five (5) Mixed-Use Corridor Zoning Sub-Districts. Any other use not explicitly addressed in Table 53-1 (Allowed Uses for Mixed-Use Corridor Sub-Districts) is prohibited, except that the Zoning Administrator may permit or conditionally permit any use not addressed in Table 53-1 if the use is determined to be a similar and/or compatible use to any permitted, conditionally permitted, or permitted accessory use in Table 53-1 and meets the purpose and intent of the Zoning District. All uses, unless stated otherwise, shall be conducted entirely within a building.

**2. Applicable Regulations.** Where the last column in the table ("Specific Use Regulations") includes a Section number, the regulations in the referenced section apply to the use; however, provisions in other Sections of this Zoning Ordinance may also apply.

Table 53-1 Allowed Uses for Mixed-Use Corridor Sub-Districts	P: Permitted by Right A: Permitted as Accessory Use C: Conditional Use; Use Permit Required —: Not Allowed					
Land Use	MUC -ECR	MUC -VB	MUC -RC	MUC -SB	MUC -GB	Specific Use Regulations
Entertainment						
Bar/Cocktail Lounge	C	C	C	C	C	
Entertainment Establishment	C	C	C	C	C	
Internet Cafe	C	C	C	C	C	
Nightclub	C	C	C	C	C	
Industry, Manufacturing & Processing, Warehousing Uses						
Research and Development, Laboratory	—	P <u>1</u>	—	—	—	

Lodging						
Bed and Breakfast Inn	C	C	C	C	C	
Hotel	C	C	C	C	C	
Long-Term Hotel (Extended Stay)	C	C	—	—	—	
Motel	—	—	—	—	—	
Office						
Office - Business, Government, Professional	P	P	P	P	P	
Office - Medical	<u>C / P</u>	<u>C / P</u>	<u>C / P</u>	<u>C / P</u>	<u>C / P</u>	<u>Permitted only if located within one-half (1/2) mile of a major transit stop, as defined in in Public Resources Code Section 21064.3; otherwise Conditional</u>
Research and Development, Office Type	P	P <sup>1</sup>	P	P	P	
Personal & Business Services						
Personal Services, General	P	P	P	P	P	Chapter 18A: Regulation of Massage Businesses
Personal Services, Studio	P	P	P	P	P	
Check Cashing	C	C	—	—	—	
Child Care Center <sup>1</sup>	P	P	P	P	P	Article 39
Health/Fitness Club Small - <u>5,000</u> <del>2,000</del> square feet or less	P	P	P	P	P	

Health/Fitness Club Large - Over <del>5,000</del> 2,000 square feet	C	C	C	C	C	
Financial Institution and Related Service	P	P	P	P	P	
Maintenance and Repair Services	C	C	—	—	—	
Recreation, Education, and Public Assembly Uses						
Assembly/Meeting Facilities <sup>1</sup>	C	C	C	C	C	Located above first floor only
Cultural Institutions	C	C	C	C	C	
Schools - Public and Private <sup>1</sup>	C	C	C	C	C	
Residential Uses						
Home Occupation	A	A	A	A	A	
Live/Work	C	C	C	C	C	Section <u>31.4</u> 53.2.B.4
Multiple-Unit Dwelling	P	P	P	P	P	
Rooming House	C	C	C	C	C	
Single Room Occupancy Facility	P	P	P	P	P	Section 31.5
Residential Care Uses						
Large Family Child Care Homes	P	P	P	P	P	Article 39 (Child Care)
Family Child Care Home, Small	P	P	P	P	P	Article 39
Low-Barrier Navigation Centers	P	P	P	P	P	
Residential Care, Small	P	P	P	P	P	

Group Home <sup>1</sup>	P	P	P	P	P	
Restaurants, Eating and Drinking						
Restaurant, Accessory Food Service	A	A	A	A	A	
Restaurant, Drive-Through	—	—	—	—	—	
Restaurant, Fast Food	P	P	P	P	P	
Restaurant, Sit-Down	P	P	P	P	P	
Restaurant, Take-Out Service	C	C	C	C	C	
Retail						
Business, Wholesale	C	C	—	C	C	
Liquor Store	C	C	C	C	C	
Retail Sales, Bulk Merchandise	—	—	—	—	—	
Retail Sales, General	P	P	P	P	P	Chapter 15, Article III: Tobacco Retail Permit
Retail Sales, Secondhand Store	C	C	C	C	C	
Tasting Lounge	A	A	A	A	A	
Vehicle Rental, Sale, and Service Uses						
Vehicle/Equipment Rental (with on-site vehicle storage)	P	P	—	—	—	Outdoor storage of vehicles permitted
Vehicle/Equipment Repair	A	A	A	A	A	As an accessory use to automobile sales only.

Vehicle/Equipment Sales and Leasing	P	P	—	—	P	Outdoor storage of vehicles permitted
Vehicle Service Station	C	C	—	—	C	Article 35
Vehicle Parts - Retail Sales and Repair	—	—	—	—	—	
Installation of retail auto accessories (such as alarm, stereo, tires, batteries)	A	A	A	A	A	Installations shall be performed by employees; no installation by customer allowed on-site.

Footnotes:

1. In accordance with applicable San Carlos ALUCP Safety Compatibility Policies and State law.

**[Section 53.2.B is unchanged]**

**[Section 53.3 is unchanged.]**

## 53.4 Open Space Regulations.

### A. Open Space Regulations Applicable to all Sub-Districts.

**1. Residential Open Space Required.** Outdoor recreation and leisure space shall be provided for each residential-only or mixed-use project containing residential uses.

**2. General Residential Open Space Requirements.**

- a. Minimum open space required. The required minimum amount of open space shall be one hundred twenty-five (125) square feet per unit. The minimum open space may be met through a combination of private, common, quasi-public, and/or public open space provided on-site.
- b. Usable open space. All required open space shall be usable. Usable open space shall be improved to support residents' passive or active use. Such open space shall be located on the same parcel as the dwelling units for which it is required. The computation of such open space shall include no obstructions other than devices and structures designed to enhance its usability, such as swimming pools, changing facilities, fountains, planters, benches, and landscaping.
- c. Open space location. Usable open space does not need to be located on the ground. Rooftop gardens and rooftop landscaping, including rooftops above parking structures, may be used to satisfy the open space requirement. The requirement for open space shall not be satisfied through the utilization of required setbacks, parking

areas, driveways, or service areas. Areas designed to accommodate stormwater retention may satisfy a portion of the requirement for open space if additional pedestrian amenities are provided near the space in a manner that fosters usability. Compliance with this requirement shall be evaluated by the responsible review authority in the review process.

- d. Public and Quasi-Public open space. Required open space may be designed so as to be accessible to the public, in addition to residents of a residential or mixed-use project. Public and quasi-public open space shall be accessible and fully visible from the public right-of-way (including street, sidewalk, or trail). Public and quasi-public open space shall be located in front of buildings, and shall not be located where views of the quasi-public space from the public right-of-way would be obstructed by buildings or other structures. The provision of public and quasi-public open space, including restrictions on use and access and other aspects of the management of the space, shall be required at the discretion of the responsible review authority.

**[Sections 53.4.A.3 - 53.4.A.7 are unchanged]**

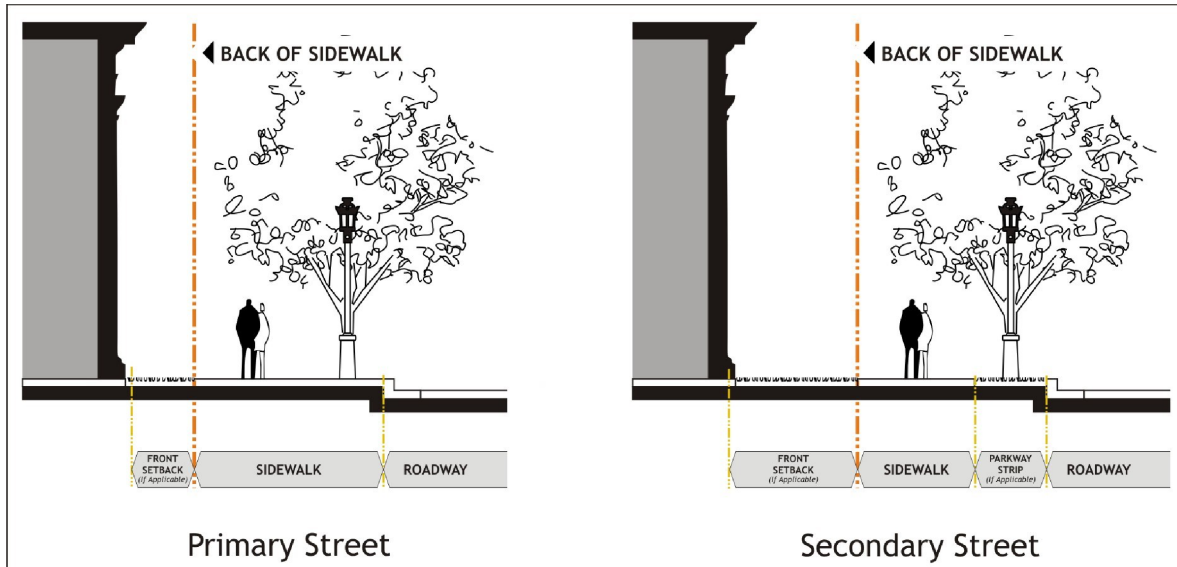
### 53.5 Sidewalk, Setback, and Landscaping Regulations.

#### A. Sidewalk, Setback, and Landscaping Regulations by Sub-District.

##### 1. General Development Standards by Sub-District.

Table 53-2: Sidewalk, Setback, and Landscaping Development Standards						
Development Standards	MUC-ECR ECR (feet)	MUC-VB (feet)	MUC-RC (feet)	MUC-SB (feet)	MUC-GB	Specific Regulations
Sidewalks						
Primary Street sidewalk width (Min) <sup>1</sup>	12	14	12	12	12	Section 53.5.B.3
Secondary Street sidewalk width (Min) <sup>1</sup>	Addressed on a case by case basis.					Section 53.5.B.3.b
Front Setbacks (measured from back of sidewalk)						
Residential (Min)	6	6	6	6	8	Section 53.5.B.2
Residential (Max)	16	16	16	16	18	-
Commercial/Vertical Mixed-Use (Min)	0	2	0	0	4	-
Commercial/Vertical Mixed-Use (Max)	6	6	6	6	8	-
Side Setbacks						

Residential or adjacent to Residential (Min)	5	10	10	5	5	-
Commercial/Mixed-Use adjacent to Residential	5	10	10	10	10	-
Commercial adjacent to Commercial	0	0	0	0	0	-
Rear Setbacks						
Residential (Min)	5	5	5	5	5	-
Mixed-Use (Min)	5	5	5	5	5	-
Commercial when adjacent to residential zoning district or existing residential use	15	15	15	15	15	-
Commercial (Min) when adjacent to nonresidential use	0	0	0	0	0	
Other						
Rear Setback (Min) when adjacent to residential zoning district or existing residential use	15	15	15	15	15	-
Rear Setback (Min) when adjacent to nonresidential zoning district	0	0	0	0	0	
Maximum Building Length	200	200	200	200	300	Section 53.5.B.7
Space between buildings on the same lot	15	15	15	15	15	-
Notes: (1) Primary street shall mean the street after which a sub-district is named. A secondary street shall mean any other street.						



*Arrangement of Sidewalks, Parkway Strips, and Front Setbacks*

**2. Supplemental Development Standards for the MUC-RC Sub-District.**

- a. Creekside Setbacks. Minimum building setback from the Redwood Creek Trail shall be twenty-five (25) feet, or approximately thirty-nine (39) feet from creek top-of-bank.
- b. Creek Stormwater Protection. New development adjacent to Redwood Creek shall provide protection for creeks and riparian vegetation and integrate stormwater best management measures to minimize water quality and erosion impacts to the creek environment.

**[Section 53.5.B is unchanged]**

**53.6 Parking and Storage Regulations.**

**A. Parking and Storage Regulations Applicable to all Sub-Districts.**

**[Subsections 53.6.A.1-3 and 53.6.A.5 are unchanged]**

**4. Bicycle Parking Provision.** Bicycle parking shall be provided for new development consistent with Section 30.19 (Bicycle Parking) ~~this Section.~~

- a. ~~Residential Bicycle Parking. Secure bicycle parking facilities shall be provided for residential units. Minimum capacity shall be one (1) secured parking space per three (3) dwelling units. Acceptable parking facilities shall be located convenient to the street and must include:~~
  - i. ~~Covered, lockable enclosures with permanently anchored racks for bicycles; and/or~~
  - ii. ~~Lockable bicycle rooms with permanently anchored racks; and/or~~
  - iii. ~~Lockable, permanently anchored bicycle lockers.~~

- b. ~~Commercial Bicycle Parking (Tenant). For buildings with over ten (10) tenant occupants, secure bicycle parking shall be provided for five percent (5%) of motorized vehicle parking capacity, with a minimum of one (1) space. Acceptable parking facilities shall be located convenient to the street and must include one or more of the following:~~
  - i. ~~Covered, lockable enclosures with permanently anchored racks for bicycles; and/or~~
  - ii. ~~Lockable bicycle rooms with permanently anchored racks; and/or~~
  - iii. ~~Lockable, permanently anchored bicycle racks.~~
- c. ~~Commercial Bicycle Parking (Visitor). If the project is anticipated to generate visitor traffic, permanently anchored bicycle racks shall be provided within one hundred (100) feet of the primary entrance. Such parking shall be readily visible to passers-by. Bicycle parking shall be provided at five percent (5%) of motorized vehicle parking capacity, with a minimum of one (1) two-bike capacity rack.~~

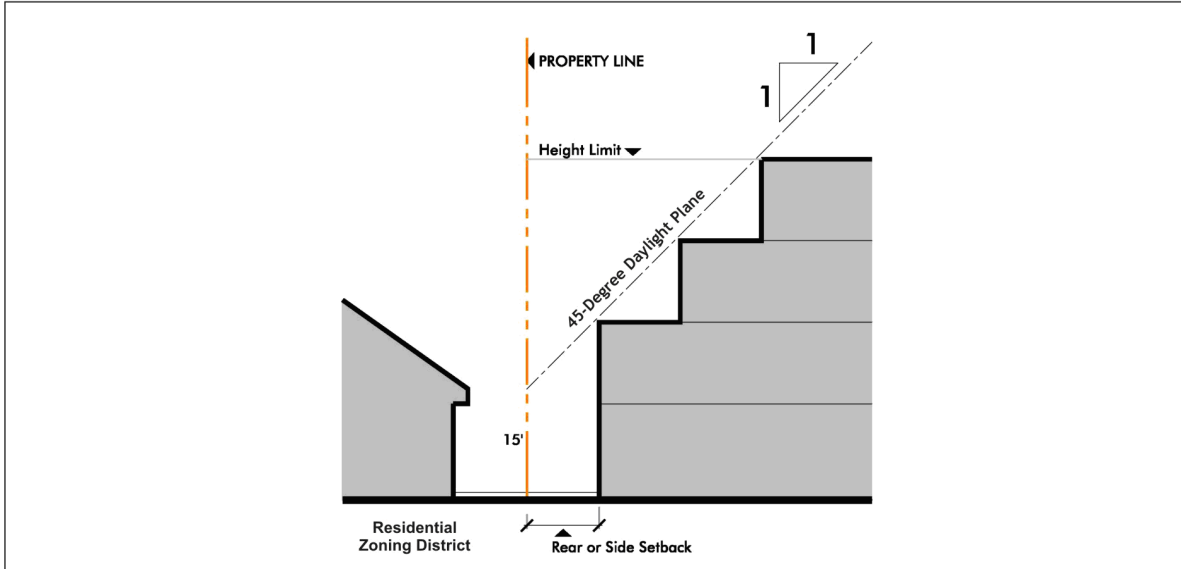
### 53.7 Height, Density, and Intensity Regulations.

**[Sections 53.7.A is unchanged]**

#### B. Height, Density, and Intensity Regulations Applicable to all Sub-Districts.

##### 1. Development Intensity Transition and Sight Lines.

- a. Upper-Story Daylight Plane Stepback Immediately Adjacent to a Residential Zoning District.
  - i. Commercial Buildings shall not intercept a forty-five (45)-degree daylight plane inclined inward from fifteen (15) feet above existing grade at the property line of the parcel immediately adjacent to the residential district boundary line.
  - ii. Residential Buildings shall not intercept a forty-five (45)-degree daylight plane inclined inward from twenty eight (28) feet above existing grade at the property line of the parcel immediately adjacent to the R-1, R-2, and R-3 district boundary line



***Upper-Story Stepback Adjacent to a Residential Zoning District***

- b. Upper-Story Daylight Plane Stepback Immediately Adjacent to Public Open Space or Historic Resources. Buildings shall not intercept a forty-five (45)-degree daylight plane inclined inward from fifteen (15) feet above existing grade at the property line of the parcel adjacent to property line of an immediately adjacent property containing public open space or an historic resource.
- c. Sight Lines. Sight lines into and from neighboring properties shall be minimized.

**[Section 53.7.B.2 - 53.7.B.4 are unchanged]**

**[Section 53.8 is unchanged]**

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**Article 54 - MUN (MIXED-USE NEIGHBORHOOD) DISTRICT**

**[Section 54.1 is unchanged]**

**54.2 Use Regulations**

**A. Permitted Uses.**

**1. Allowed Land Uses.** Table 54-1 indicates the uses permitted (P), permitted with a conditional use permit (C), permitted as an accessory use (A), and not permitted (-) in the Mixed-Use Neighborhood Zoning District. Any other use not explicitly addressed in Table 54-1 is prohibited, except that the Zoning Administrator may permit or conditionally permit any use not addressed in Table 54-1 if the use is determined to be a similar and/or compatible use to any permitted, conditionally permitted, or permitted accessory use in Table 54-1 and meets the purpose and intent of the Zoning District. All uses, unless stated otherwise, shall be conducted entirely within a building.

**2. Applicable Regulations.** Where the last column in the table ("Specific Use Regulations") includes a Section number, the regulations in the referenced section apply to the use; however, provisions in other Sections of this Zoning Ordinance may also apply.

Table 54-1 Allowed Uses for Mixed-Use Neighborhood Zoning District	P: A: C: —:	Permitted by Right Permitted as Accessory Use Conditional Use; Use Permit Required Not Allowed
Land Use		Specific Use Regulations
Entertainment		
Bar/Cocktail Lounge	C	
Entertainment Establishment	C	
Nightclub	-	
Lodging		
Bed and Breakfast Inn	P	
Hotel	P	Hotels in MUN shall be limited to 40 guest rooms/suites.
Long-Term Hotel (Extended Stay)	P	Hotels in MUN shall be limited to 40 guest rooms/suites.
Motel	-	
Office		
Office - Business, Government, Professional	P	
Office - Medical	C / P	<u>Permitted only if located within one-half (1/2) mile of a major transit stop, as defined in in Public Resources Code Section 21064.3; otherwise Conditional</u>
Research and Development, Office Type	C	
Personal & Business Services		
Personal Services, General	P	Chater 18A: Regulation of Massage Businesses
Personal Services, Studio	P	
Check Cashing	C	
Child Care Center <sup>1</sup>	P	Article 39
Health/Fitness Club Small - 5,000 square feet or less	P	
Health/Fitness Club Large - Over 5,000 square feet	C	
Financial Institution and Related Service	P	
Maintenance and Repair Services	C	
Recreation, Education, and Public Assembly Uses		
Assembly/Meeting Facilities <sup>1</sup>	C	<del>Located above first floor only</del>
Cultural Institutions	C	

Schools - Public and Private <sup>1</sup>	C	
Residential Uses		
Home Occupation	A	
Live/Work	C	Section 54.2.B.4 <u>31.4 (Live/Work)</u>
Multiple-Unit Dwelling	P	Section 54.2.B.2
Rooming House	C	Section 54.2.B.2
Single Room Occupancy Facility	C	Section 31.5
Residential Care Uses		
Family Child Care Home, Large	P	Article 39 (Child Care)
Family Child Care Home, Small	P	Article 39
Low-Barrier Navigation Center	P	
Residential Care Facility, Small	P	
Residential Care Facility, Senior <sup>1</sup>	C	
Group Home <sup>1</sup>	P	
Restaurants, Eating and Drinking		
Alcohol Sales - On Sale Outlet	C	
Restaurant, Accessory Food Service	A	
Restaurant, Drive-Through	-	
Restaurant, Fast Food	P	
Restaurant, Sit-Down	P	
Restaurant, Take-Out Service	P	
Retail		
Alcohol Sales - Off Sale Outlet	C	
Business, Wholesale	-	
Liquor Store	C	
Retail Sales, Bulk Merchandise	-	
Retail Sales, General	P	Chapter 15, Article III: Tobacco Retail Permit
Retail Sales, Second Hand Store	C	
Tasting Lounge	A	
Vehicle Rental, Sale, and Service Uses		
Vehicle/Equipment Repair, Major	A	As an accessory use to automobile sales only. See also Section 54.2.B.5
Vehicle/Equipment Service and Repair, Minor	P	Section 54.2.B.5
Vehicle/Equipment Sales and Leasing	P	Outdoor storage/display of vehicles prohibited
Vehicle Service Station	C	Article 35
Vehicle Parts - Retail Sales and Repair	C	
Installation of retail auto accessories (such as alarm, stereo, tires, batteries)	A	Installations shall be performed by employees; no installation by customer allowed on-site.

Footnotes:

1. In accordance with applicable San Carlos ALUCP Safety Compatibility Policies and State law.

**[Section 54.2.B is unchanged]**

**[Section 54.3 is unchanged]**

#### **54.4 Open Space Regulations.**

**A. Residential Open Space Required.** Outdoor recreation and leisure space shall be provided for each residential-only or mixed-use project containing residential uses.

#### **B. General Residential Open Space Requirements.**

**1. Minimum Open Space Required.** The required minimum amount of open space shall be one hundred twenty-five (125) square feet per unit. The minimum open space may be met through a combination of common, private, and/or quasi-public open space provided on-site.

**2. Usable Open Space.** All required open space shall be usable. Usable open space shall be improved to support residents' passive or active use. Such open space shall be located on the same parcel as the dwelling units for which it is required. The computation of such open space shall include no obstructions other than devices and structures designed to enhance its usability, such as swimming pools, changing facilities, fountains, planters, benches, and landscaping.

**3. Open Space Location.** Usable open space does not need to be located on the ground. Rooftop gardens and rooftop landscaping, including rooftops above parking structures, may be used to satisfy the open space requirement. The requirement for open space shall not be satisfied through the utilization of required setbacks, parking areas, driveways, or service areas. Areas designed to accommodate stormwater retention may satisfy a portion of the requirement for open space if additional pedestrian amenities are provided near the space in a manner that fosters usability. Compliance with this requirement shall be evaluated by the responsible review authority in the review process.

**4. Quasi-Public open space.** Required open space may be designed so as to be accessible to the public, in addition to residents of a residential or mixed-use project. Quasi-public open space shall be accessible and fully visible from the public right-of-way. Quasi-public open space shall be located in front of buildings, and shall not be located where views of the space from the public right-of-way would be obstructed by buildings or other structures. The provision of quasi-public open space may be required at the discretion of the responsible review authority.

**[Sections 54.4.C - 54.4.F are unchanged]**

## 54.5 Sidewalk, Setback, and Landscaping Regulations.

**A. General Sidewalk and Setback Regulations.** Table 54-2 prescribes the sidewalk, setback, and landscaping development standards for the MUN Zoning District. Additional regulations are denoted in the right hand column.

Table 54-2 Sidewalk, Setback and Landscaping Development Standards	MUN	Specific Regulations
Sidewalks		
Primary Street sidewalk width (Min) <sup>1</sup>	12 ft	Section 54.5.C
Secondary Street sidewalk width (Min) <sup>1</sup>	Addressed on a case-by- case basis	Section 54.5.C, D
Front Setbacks (measured from back of sidewalk)		
Residential (Min)	6 ft	
Residential (Max)	16 ft	-
Commercial or Vertical Mixed-Use (Min)	0 ft	-
Commercial or Vertical Mixed-Use (Max)	6 ft	-
Side Setbacks		
Residential (Min)	5 ft	-
Commercial or Mixed-Use adjacent to Residential (Min)	10 ft	-
Commercial adjacent to Commercial (Min)	0 ft	-
Rear Setbacks		
Residential (Min)	5 ft	
Commercial or Vertical Mixed-Use when adjacent to residential district or existing residential use (Min)	15 ft	-
Commercial or Vertical Mixed-Use when adjacent to nonresidential use (Min)	0 ft	
Other		
Setback from Joint Powers Board right-of- way (Min)	15 ft	15 ft total setback (not to be additive to other required setbacks).
Maximum Building Length	200 ft	Section 54.5.G.1
Space between buildings on the same lot (Min)	15 ft	Section 54.5.G.2
<sup>1</sup> Primary streets shall be mean El Camino Real, Woodside Road, Middlefield Road, and Broadway. All other streets shall be considered secondary streets.		

**B. Architectural Features Projections into Setbacks.** Lobbies, porches, stoops, and other entry-related architectural features may extend up to four (4) feet into the required front setback area. Fully subterranean parking structures may extend into front setbacks up to street-fronting property lines, provided the parking structures are designed to accommodate surface porches, planters, and/or other such features. Upper-floor balconies may extend up to two feet into the setback area or right-of-way; up to three (3) feet may be considered depending on design and responsible

review authority approval. Where an upper-story daylight plane stepback is required pursuant to Section 54.7.B.1, upper-floor balconies may extend up to two (2) feet past the 45-degree daylight plane; up to three (3) feet may be considered depending on design and responsible review authority approval.

**[Sections 54.5.C – 54.5.J are unchanged]**

## 54.6 Parking and Storage Regulations.

**[Section 54.6.A-C and 54.6.E are unchanged]**

**D. Bicycle Parking Provision.** Bicycle parking shall be provided for new development consistent with Section 30.19 (Bicycle Parking) ~~this Section.~~

**1. Residential Bicycle Parking.** Secure bicycle parking facilities shall be provided for residential units. Minimum capacity shall be one (1) secured parking space per three (3) dwelling units. Acceptable parking facilities shall be located convenient to the street and must include:

- a. — Covered, lockable enclosures with permanently anchored racks for bicycles; and/or
- b. — Lockable bicycle rooms with permanently anchored racks; and/or
- c. — Lockable, permanently anchored bicycle lockers.

**2. Commercial Bicycle Parking (Tenant).** For buildings with over ten (10) tenant occupants, secure bicycle parking shall be provided for five percent (5%) of motorized vehicle parking capacity, with a minimum of one (1) space. Acceptable parking facilities shall be located convenient to the street and must include one (1) or more of the following:

- a. — Covered, lockable enclosures with permanently anchored racks for bicycles; and/or
- b. — Lockable bicycle rooms with permanently anchored racks; and/or
- c. — Lockable, permanently anchored bicycle racks.

**3. Commercial Bicycle Parking (Visitor).** If the project is anticipated to generate visitor traffic, permanently anchored bicycle racks shall be provided within one hundred (100) feet of the primary entrance. Such parking shall be readily visible to passers-by. Bicycle parking shall be provided at five percent (5%) of motorized vehicle parking capacity, with a minimum of one (1) two-bike capacity rack.

## 54.7 Height, Density, and Intensity Regulations.

**[Section 54.7.A is unchanged]**

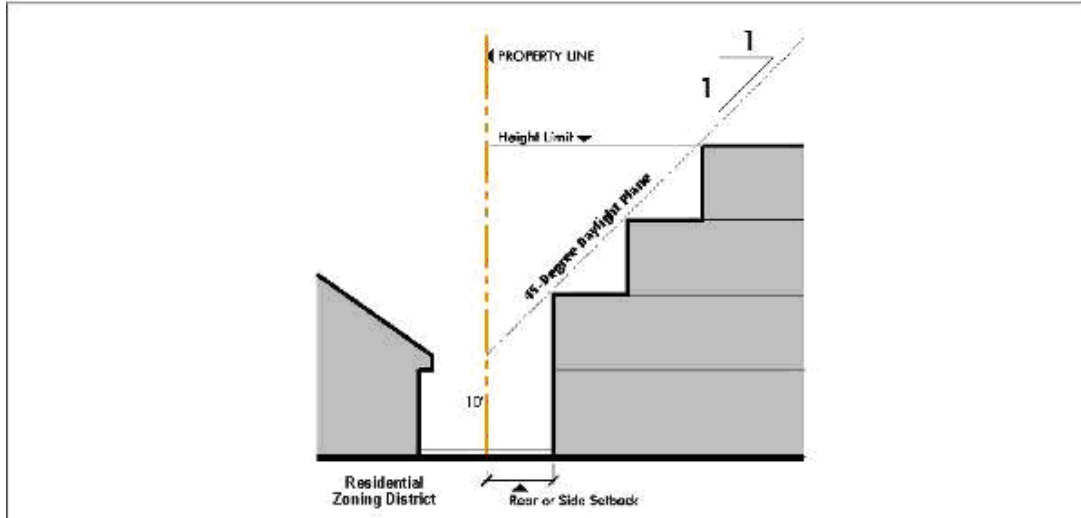
**B. Development Intensity Transition and Sight Lines.**

**1. Upper-Story Daylight Plane Stepback Immediately Adjacent to a Residential Zoning District.**

- a. Commercial Buildings Where a rear or side property line abuts a residential district, buildings in the MUN district shall not intercept a forty-five (45)-degree daylight

plane inclined inward from ten (10) feet above existing grade at the property line of the parcel immediately adjacent to the residential district boundary line.

- b. Residential Buildings shall not intercept a forty-five (45)-degree daylight plane inclined inward from twenty eight (28) feet above existing grade at the property line of the parcel immediately adjacent to the R-1, R-2, and R-3 district boundary line



***Upper-Story Stepback Adjacent to a Residential Zoning District***

- 2. Upper-Story Daylight Plane Stepback Immediately Adjacent to Public Open Space or Historic Resources.** Buildings shall not intercept a 45-degree daylight plane inclined inward from fifteen (15) feet above existing grade at the property line of the parcel adjacent to property line of an adjacent property containing public open space or an historic resource.
- 3. Sight Lines.** Sight lines into and from neighboring properties shall be minimized.

**[Section 54.7.C & 54.7.D are unchanged]**

**[ Section 54.8 is unchanged]**

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## **Article 55 - MUT (MIXED-USE TRANSITIONAL) DISTRICT**

**[Section 55.1 is unchanged]**

### **55.2 Use Regulations.**

- A. Allowed Uses.** Table 55.2 (Use Regulations) indicates the uses permitted (P), conditionally permitted with a Use Permit (C), permitted as an accessory use (A), and not permitted (-) in the Mixed Use Transitional District.

- B. Uses Not Allowed.** Any use not explicitly addressed in Table 55.2 is prohibited, except that the Zoning Administrator may permit or conditionally permit any use not addressed in Table 55.2 if the use is determined to be a similar and/or compatible use to any permitted, conditionally permitted, or permitted accessory use in Table 55.2 and meets the purpose and intent of the Zoning District.
- C. Applicable Regulations.** Where the last column in the table (Specific Use Regulations) includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of the Zoning Ordinance may also apply.
- D. Uses Restricted to Indoor.** Unless otherwise indicated in this Article 55, all uses listed in Table 55.2 must be conducted wholly within a building. Exceptions include accessory uses that activate the space, such as outdoor dining, passive seating, and display of retail goods.
- E. Vehicle/Equipment Service Repair.** All work shall occur within an enclosed building. Outdoor storage and work areas are prohibited. Used or damaged equipment removed from vehicles during the repair process shall be stored indoors or shall be deposited in an approved covered outdoor collection receptacle for appropriate off-site disposal. Service bays shall be screened from direct view from a public right-of-way and private properties. If service bays face a street, they shall be parallel to a secondary street or alley, or adequately screened by structures.

**Table 55.2 Use Regulations**

Uses	MUT	Special Provisions
<b>Residential and Specialty Housing</b>		
Single Family Dwelling	C	
Two-Family Dwelling	C	
Multi-Family Dwelling	P	
Live/Work	P	Section 31.4
Mobile Home Parks	-	
Rooming House	C	
Single Room Occupancy Facility	P	Section 31.5
<b>Retail and Services</b>		
Retail or Service with a Drive Through	-	
Retail Sales, General	P ≤ 5,000 sf C > 5,000 sf	Chapter 15, Article III: Tobacco Retail Permit
Retail Sales, Bulk	-	
Financial Services	C	
Business, Wholesale	-	
Liquor Store	C	
Personal Services, General	P	Chapter 18A: Regulation of Massage Businesses
Personal Services, Studio	P	
Health/Fitness Club, Small - <u>5,000 square feet or less</u>	P	
Health/Fitness Club, Large - <u>Over 5,000 square feet</u>	C	
Animal-Related Uses	C	
Check Cashing	-	

Vehicle/Equipment Service Repair	C	Section 55.2.E
Vehicle/Equipment Sales	-	
Vehicle Service Station	C	Article 35
<b>Restaurant and Entertainment</b>		
Bars	C	
Entertainment Establishment	C	
Nightclub	-	
Restaurant	P	
Restaurant, with a Drive-Through	-	
Recreation, Outdoor Commercial	C	
<u>Recreation, Indoor Commercial</u> <sup>1</sup>	<u>P</u>	
<u>Food Preparation</u>	<u>P</u>	
<b>Office</b>		
Office	P ≤ 10,000 sf C > 10,000 sf	
Research and Development, <u>Office Type</u> <sup>1</sup>	P ≤ 5,000 sf C > 5,000 sf	
Medical	P ≤ 5,000 sf C > 5,000 sf	
<b>Industry, Manufacturing and Processing, Warehousing Uses</b>		
Handicraft/Custom Manufacturing	P	
Industrial, Limited	C	
Personal Storage (Mini-Storage)	-	
Parking Lots and Garages	C	Section 30.18
Research and Development, <u>Laboratory Type</u> <sup>1</sup>	C	
<b>Lodging</b>		
Hotels	C	
Long-Term Hotel (Extended Stay)	C	
Bed and Breakfast	—	
<b>Care Facilities</b>		
Adult Day Programs	C	
Child Care Center <sup>1</sup>	P	Article 39 (Child Care)
Low-Barrier Navigation Center	P	
Residential Care Facility, Small <sup>1</sup>	C	
Residential Care Facility, Senior <sup>1</sup>	C	
Skilled Nursing Facility <sup>1</sup>	C	
Group Home <sup>1</sup>	P	
<b>Civic</b>		
Assembly/Meeting Facilities <sup>1</sup>	C	
Cultural Institutions	C	
Emergency Shelters	-/P	Permitted only in the MUT-S District
Funeral Homes	C	
Hospitals	-	
Schools <sup>1</sup>	C	

Footnotes:

1. In accordance with applicable San Carlos ALUCP Safety Compatibility Policies and State law.

**[Section 55.2.B is unchanged]**

**55.3 Development Standards.**

Required development standards are included in Table 55.3 (Development Standards).

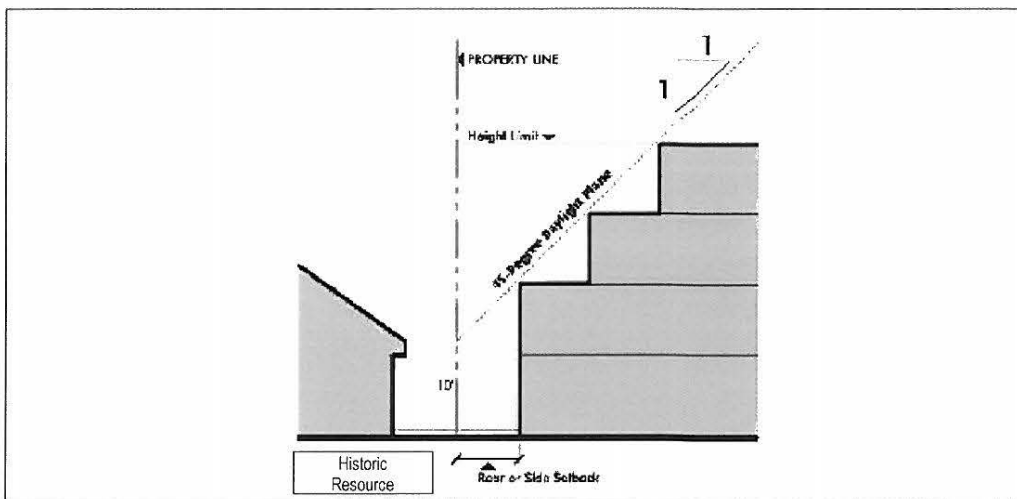
**Table 55.3 Development Standards**

Mixed Use Transitional		Standards: Required	Standards: Community Benefits (CB)	Additional Regulations
Floor Area Ratio (FAR)		2.0 max.	—	Floor area is calculated for commercial uses only and is exclusive of residential square footage.  Eligible projects may request an FAR bonus as described in Article 32.4: Floor Area Ratio (FAR) Bonus.
FAR - Hotels		No Maximum	No Maximum	
Density		40 du/acre max.	60 du/acre max.	Mixed-Use developments shall be subject to both maximum density and maximum FAR requirements, each calculated separately.
Height	Residential	60 ft. max.	—	
	Commercial & Mixed-Use	40 ft. max.	50 ft.—60 ft. max.	CB standards are in 10 ft. increments.
Setbacks	Residential	Front: 6 ft. min.	—	Fully subterranean parking structures may extend into front setbacks up to street-fronting property lines, provided the parking structures are

		Side: 5 ft. min.		designed to accommodate surface porches, planters, and/or other complementary architectural features. Upper-floor balconies may extend up to 2 ft. into the setback area or public right-of-way; up to 3 ft. may be considered depending on design and review authority approval.
		Rear: 15 ft. min.		
	Commercial & Mixed-Use	All setbacks: 0 ft.	—	—
Sidewalk width (Min)		10 ft	—	Section 55.3.3
Setback from Caltrain (Joint Powers Board ROW)		15 ft. min.	—	—
Building Length		200 ft. max.	—	Building façade lengths may exceed maximum limits if projects dedicate a portion of the project property to reintroduce the historic street grid through the development of private streets, pedestrian paseos, or right-of-way dedications for public streets. However, no street-facing building façade length shall exceed 300 ft.
Open Space Requirements		125 sq. ft./unit min.	—	Not required for live/work units.
Pervious Area on the Lot		10% min.	—	Pervious area shall be composed of landscaping, vegetated open space, or permeable paving materials, consistent with the provisions of Section 32.12
Personal Storage		80 cu. ft./unit min.	—	Storage shall be enclosed, lockable, and located outside

		<p>the unit. Storage space may be within: (1) an enclosed garage provided the storage space does not encroach within required parking space(s), or (2) a patio, balcony, or deck provided it is in addition to required open space and does not adversely impact the façade appearance.</p>
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**1. Upper-Story Daylight Plane Stepback Immediately Adjacent to Public Open Space or Historic Resources.** Buildings shall not intercept a 45-degree daylight plane inclined inward from fifteen (15) feet above existing grade at the property line of the parcel adjacent to property line of an adjacent property containing public open space or an historic resource.



Upper-Story Daylight Plane Stepback Immediately Adjacent to Public Open Space or Historic Resources

- 2. Sight Lines.** Sight lines into and from neighboring properties shall be minimized.
- 3. Sidewalk Required.** All projects shall incorporate publicly accessible sidewalks along all streets. Sidewalk width shall be as shown in Table 55.3
  - a. Minimum Sidewalk Width—Measurement.** Minimum sidewalk width shall be measured along the horizontal plane representing the shortest distance between the two (2) edges of the surface area available and retained for pedestrian access. Sidewalk measurement is not related to face of curb, property line, or any other dimension.

- b. Street Trees Required.** Street trees are required along public streets. Street trees shall be spaced not more than forty (40) feet apart, and shall not be spaced less than twenty (20) feet apart. Trees shall be located a minimum of eight (8) [feet] away from primary entrances. Trees shall be spaced no more than three (3) feet from the face of the curb in order to provide shade to both the sidewalk and the roadway, and to provide a physical buffer between pedestrians and traffic. When located within a parkway strip, street trees shall be centered within it. Trees shall be aligned with other trees on the block.
- c. Sidewalk Encroachment.** Street trees, street furniture, and outdoor dining (permitted in accordance with Section 31.15 (Accessory Outdoor Uses)) may be located within the required sidewalk area provided that a minimum five-foot clear path is provided on the sidewalk for unimpeded pedestrian traffic.

**[Section 55.4 and 55.5 are unchanged]**

## **55.6 Open Space Regulations.**

**A. Residential Open Space Required.** Outdoor recreation and leisure space shall be provided for each residential-only or mixed-use project containing residential uses (not including live/work units) as specified in this Section.

### **1. General Residential Open Space Requirements.**

- a. **Minimum Open Space Required.** The required minimum amount of open space shall be one hundred twenty-five (125) square feet per unit. The minimum open space may be met through a combination of private, common, quasi-public, and/or public open space provided on-site. Childcare facilities may apply all or part of its outdoor space towards the general residential open space requirements if it is accessible to the residential tenants on evenings and weekends (when the child care use is not in operation).
- b. **Usable Open Space.** All required open space shall be usable. Usable open space shall be improved to support residents' passive or active use. Such open space shall be located on the same parcel as the dwelling units for which it is required. The computation of such open space shall include no obstructions other than devices and structures designed to enhance its usability, such as swimming pools, changing facilities, fountains, planters, benches, and landscaping.
- c. **Open Space Location.** Usable open space does not need to be located on the ground. Rooftop gardens and rooftop landscaping, including rooftops above parking structures, may be used to satisfy the open space requirement. The requirement for open space shall not be satisfied through the utilization of required setbacks, parking areas, driveways, or service areas. Areas designed to accommodate stormwater retention may satisfy a portion of the requirement for open space if additional pedestrian amenities are provided near the space in a manner that fosters usability. Compliance with this requirement shall be evaluated by the review authority in the review process.
- d. **Public and Quasi-Public Open Space.** Required open space may be designed so as to be accessible to the public, in addition to residents of a residential or mixed-use project.

Public and quasi-public open space shall be accessible and fully visible from the public right-of-way (including street, sidewalk, or trail). Public and quasi-public open space shall be located in front of buildings, and shall not be located where views of the quasi-public space from the public right-of-way would be obstructed by buildings or other structures. The provision of public and quasi-public open space, including restrictions on use and access and other aspects of the management of the space, shall be required at the discretion of the review authority.

**[Section 55.6.A.2-6 are unchanged]**

**[Section 55.7 is unchanged]**

## 55.8 Parking and Storage Regulations.

**[Section 55.8.A-C are unchanged]**

**D. Bicycle Parking Provision.** Bicycle parking shall be provided for new development consistent with Section 30.19 (Bicycle Parking), this Section.

~~**1. Live/Work Bicycle Parking.** Secure bicycle parking facilities shall be provided for live/work units. Minimum capacity shall be one (1) secured parking space per three (3) live/work units. Acceptable parking facilities shall be located convenient to the street and must include:~~

- ~~a. — Covered, lockable enclosures with permanently anchored racks for bicycles; and/or~~
- ~~b. — Lockable bicycle rooms with permanently anchored racks; and/or~~
- ~~c. — Lockable, permanently anchored bicycle lockers.~~

~~**2. Non-Live/Work Bicycle Parking (Tenant).** For buildings with over ten (10) tenant occupants, secure bicycle parking shall be provided for five percent (5%) of motorized vehicle parking capacity, with a minimum of one (1) space. Acceptable parking facilities shall be located convenient to the street and must include one (1) or more of the following:~~

- ~~a. — Covered, lockable enclosures with permanently anchored racks for bicycles; and/or~~
- ~~b. — Lockable bicycle rooms with permanently anchored racks; and/or~~
- ~~c. — Lockable, permanently anchored bicycle racks.~~

~~**3. Non-Live/Work Bicycle Parking (Visitor).** If the project is anticipated to generate visitor traffic, permanently anchored bicycle racks shall be provided within one hundred (100) feet of the primary entrance. Such parking shall be readily visible to passers by. Bicycle parking shall be provided at five percent (5%) of motorized vehicle parking capacity, with a minimum of one (1) two-bike capacity rack.~~

(Ord. No. 1130-381, § 4(Exh. A), 1-27-20)

# Article 57 - MIXED-USE WATERFRONT (MUW) ZONING DISTRICT

**[Section 57.1 is unchanged]**

## 57.2 Use Regulations.

- A. Allowed Uses.** Table 57.2 (Use Regulations for the MUW) indicates the uses permitted (P), conditionally permitted with a Use Permit (C), permitted as an accessory use (A), and not permitted (-) in the Mixed Use Waterfront District.
- B. Uses Not Allowed.** Any use not explicitly addressed in Table 57.2 is prohibited, except that the Zoning Administrator may permit or conditionally permit any use not addressed in Table 57.2 if the use is determined to be a similar and/or compatible use to any permitted, conditionally permitted, or permitted accessory use in Table 57.2 and meets the purpose and intent of the Zoning District.
- C. Applicable Regulations.** Where the last column in the table (Specific Use Regulations) includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of the Zoning Ordinance may also apply.

Table 57.2 Use Regulations for the MUW		
Land Use	MUW	Specific Use Regulations
<b>RESIDENTIAL and SPECIALTY HOUSING</b>		
Single Family Dwelling	C	
Two-Family Dwelling	C	
Multi-Family Dwelling	P	
Live/Work	C	
Mobile Home Parks	—	
Rooming House	C	
<b>RETAIL and SERVICES</b>		
Drive-Through Retail or Service	—	
Retail Sales, General	P	Chapter 15, Article III: Tobacco Retail Permit
Retail Sales, Bulk	—	
Financial Services	P	
Business, Wholesale	—	
Liquor Store	C	
Personal Services, General	P	Chapter 18A: Regulation of Massage Businesses
Personal Services, Studio	P	
Health/Fitness Club, Small	P	
Health/Fitness Club — Large	C	
Animal-Related Uses	C	
Check Cashing	—	
Vehicle/Equipment Service Repair	C	Limited to water-borne vessels and water-dependent uses.
Vehicle/Equipment Rental and Sales	C	Limited to water-borne vessels and water-dependent uses.
<b>RESTAURANT AND ENTERTAINMENT</b>		
Bars	C	
Entertainment Establishment	C	
Nightclub	C	

Marina	C	
Restaurant	P	
Restaurant with a Drive Through	—	
Recreation, Outdoor Commercial	C	
OFFICE		
Office	—	Accessory office is permitted with permitted and conditionally permitted uses
Research and Development, <u>Office Type</u>	—	
Medical Office	—	
LODGING		
Hotels/Motels	C	
Long Term Extended Stay	C	
Bed and Breakfast	C	
CARE FACILITIES		
Child Care Center <sup>1</sup>	P	Article 39 (Child Care)
Low-Barrier Navigation Center	P	
Residential Care Facility, Small <sup>1</sup>	P	
Residential Care Facility, Senior <sup>1</sup>	C	
CIVIC		
Assembly/Meeting Facilities <sup>1</sup>	C	
Cultural Institutions	C	
Emergency Shelters	—	
Funeral Homes	—	
Hospitals	—	
<u>Public Use</u> <sup>1</sup>	<u>C</u>	
Schools <sup>1</sup>	C	

Footnotes:

1. In accordance with applicable San Carlos ALUCP Safety Compatibility Policies and State law.

(Ord. No. 1130-373, § 5, 5-21-18; Ord. No. 1130-383, § 4(Exh. A), 4-12-21; Ord. No. 1130-384, § 4(Exh. A), 4-12-21; Ord. No. 1130-386, § 4(Exh. A), 7-24-23; Ord. No. 1130-890, § 4(Exh. A), 8-26-24)

**[Section 57.3 – 57.5 are unchanged]**

**57.6 Vehicular and Bicycle Parking.**

**A. Vehicular Parking.** Vehicular parking, access, and loading shall conform to the standards in Article 30 (Off-Street Parking and Loading) including Section 30.4 (Mixed-Use Zoning Districts).

**B. Public Parking.** Guest and unassigned parking for projects along the waterfront shall be available for general public parking.

**C. Bicycle Parking.** Bicycle parking shall be provided for new development consistent with Section 30.19 (Bicycle Parking)this Section.

~~**1. Residential.** One (1) secure bicycle parking space shall be provided per every three dwelling units.~~

**2. Commercial.** Buildings or development with over ten (10) employees shall provide secure bicycle parking space equal to at least five percent (5%) of the number of vehicular parking spaces.

**3. Acceptable Secure Bicycle Parking.** Acceptable secure bicycle parking shall include:

- a. Covered, lockable enclosures with permanently anchored racks for bicycles; or
- b. Lockable bicycle rooms with permanently anchored racks; or
- c. Lockable, permanently anchored bicycle lockers.

(Ord. No. 1130-373, § 5, 5-21-18)

## ARTICLE 60 - ZONING DISTRICT BOUNDARY MAP

[Editor's Note: Article 60 regulates the City's Zoning District Boundary Map, which is published digitally on the City's Community GIS portal at [www.redwoodcity.org/GIS](http://www.redwoodcity.org/GIS). The following are informational exhibits to visualize the proposed zoning amendments to rezone two parcels from Mixed Use Waterfront (MUW) to General Commercial – Combining District (CG-R). These exhibits are informational and will not be recorded into the Zoning Code.]

Exhibit A Areas Changing their Zoning to General Commercial – Residential Combining District (CG-R)

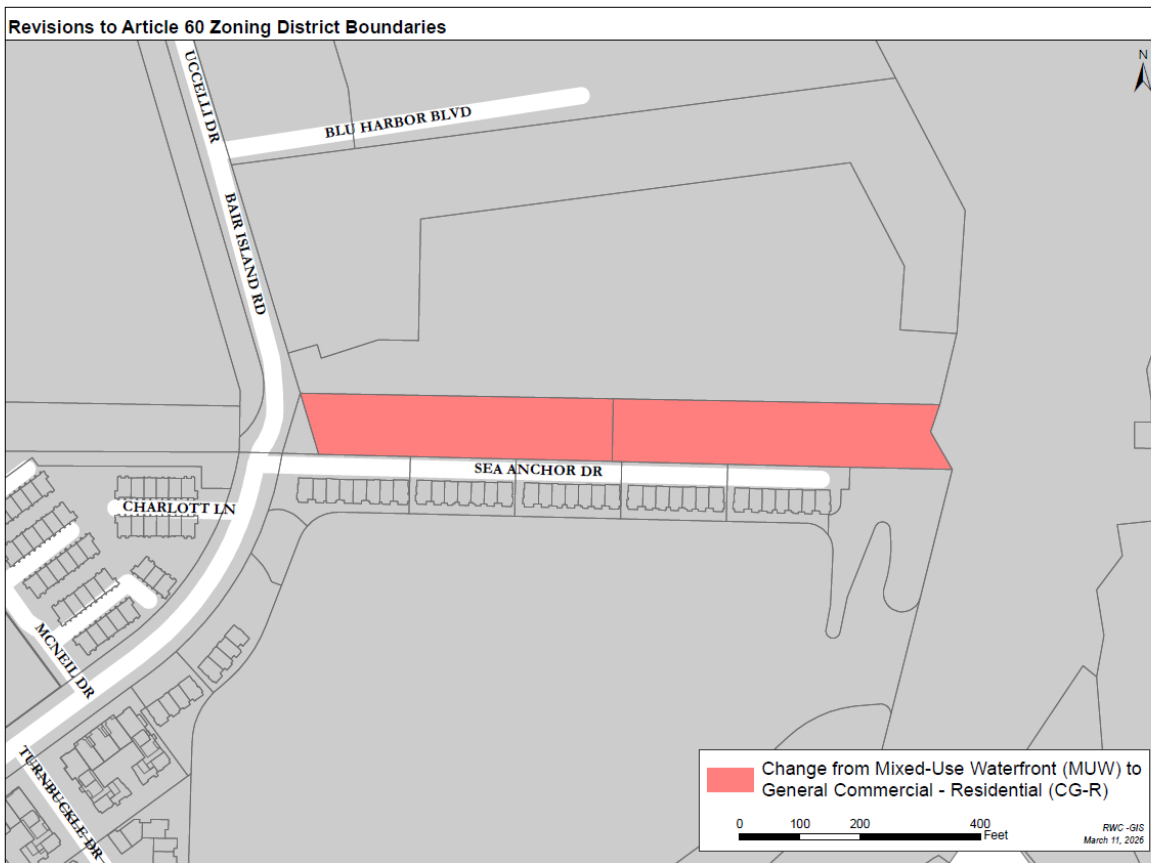


Table A Areas Changing their Zoning to CG-R (General Commercial – Residential Combining District)

Exhibit No.	APN (San Mateo County Assessors, March 2023)	SITUS ADDRESS (San Mateo County Assessors, March 2023)	Existing Zoning	Proposed Zoning	Existing General Plan Land Use	Proposed General Plan Land Use
X	095-030-410	Sea Anchor Dr, Redwood City, Redwood City	MUW	CG-R	Mixed-Use – Waterfront	N/A
X	095-030-420	Sea Anchor Dr & Bair Island Rd, Redwood City	MUW	CG-R	Mixed-Use – Waterfront	N/A

\*\*\*\*\*

## MUNICIPAL CODE

### CHAPTER 2 – ADMINISTRATION

#### ARTICLE IX. - BOARDS, COMMISSIONS, AND COMMITTEES<sup>[5]</sup>

##### DIVISION 2. ESTABLISHMENT OF BOARDS, COMMISSIONS, AND COMMITTEES

##### Sec. 2.110. - ARCHITECTURAL ADVISORY COMMITTEE:

- A. Established; General Objectives. There is hereby established an Architectural Advisory Committee. The general objectives of the Architectural Advisory Committee shall be to provide architectural control for the enhancement of the natural beauty of the environment, to provide the orderly and harmonious appearance of structures and grounds in furtherance of the purpose of Article 45 of the Redwood City Zoning Ordinance, and to obtain perspective from professionals in architectural and related matters.
- B. Composition; Qualifications of Members.
  - 1. The Architectural Advisory Committee shall consist of six (6) members. Five (5) members shall be voting members and count toward the quorum of the Committee ("Voting Members"). A Youth Member may be appointed to a non-voting seat on the Architectural Advisory Committee and will not count towards the quorum of the Committee.
  - 2. Members of the Architectural Advisory Committee shall be appointed by the Planning Commission following oral interview and in consideration of professional qualifications and civic interests as the Planning Commission deems appropriate. In the event that a seat remains vacant following a failed recruitment, the Community Development Director, in consultation with the Planning Commission Chair, may appoint members to the Architectural Advisory Committee.

3. Voting Members must be at least eighteen (18) years of age.
  4. Not less than three (3) Voting Members shall, at the time of their appointment and continuously during their incumbencies, reside or work in Redwood City or within twenty (20) miles of Redwood City's jurisdictional boundary. Up to two (2) Voting Members shall have no locational restrictions.
  5. Voting Members shall be eligible to serve on the Architectural Advisory Committee if they meet at least one (1) of the following qualifications:
    - a. They possess a license in architecture or landscape architecture; or
    - b. They have a minimum of five (5) years verifiable professional work experience in the residential or commercial design field in an architecture, landscape architecture, or urban design role; or
    - c. They have experience in a design related field, including, without limitation, civil engineering or construction ("Design Related Professional"). Not more than one (1) of the Voting Members may be a Design Related Professional.
  6. The Youth Member shall be eligible to serve on the Architectural Advisory Committee if they meet all of the following qualifications:
    - a. They are sixteen (16) to twenty-five (25) years old at the time of appointment;
    - b. They live, attend school, or work in Redwood City or within twenty (20) miles of Redwood City's jurisdictional boundary; and
    - c. They have a demonstrated interest in architecture, landscape architecture, urban design, or any other design related field.
- C. Terms of Member. The term of office each member of the Architectural Advisory Committee shall be four (4) years, expiring on May 31 of the fourth year; provided, however, that appointments of the Committee shall be made such that terms shall expire in even-numbered years.
- D. Powers and Duties.
1. The Architectural Advisory Committee shall advise the Zoning Administrator, Planning Commission, and the City Council on certain architectural matters concerning building architecture and urban design. The Architectural Advisory Committee shall:
    - a. Review new building construction exceeding three (3) stories or ~~forty-five (45) thirty-five (35)~~ feet in height.
    - b. Review requests for Downtown Precise Plan Guideline deviations, in accordance with the Downtown Precise Plan.
    - c. Review projects as otherwise required by the Municipal Code, Zoning Ordinance, or adopted precise plan.
  2. The authority of the Architectural Advisory Committee shall be limited to making recommendations in accordance with the foregoing and the Committee shall not be vested with authority to grant or deny any entitlement or approval.

(Ord. No. 2522, § 4(Exh. A), 2-27-23; Ord. No. 2536, § 3(Exh. A), 5-6-24)

## CHAPTER 5 - ANIMALS AND FOWL

### Article III. FOWL AND RABBITS<sup>4</sup>

Footnotes:

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Prior ordinance history: Ord. No. 698, §§ 1, 2; Ord. No. 735; Ord. No. 803; Ord. No. 855, § 2.

#### DIVISION 1. - GENERALLY

##### Sec. 5.26. KEEPING IN VIOLATION OF ARTICLE DEEMED NUISANCE:

It is hereby declared to be a nuisance for any person or persons other than a licensed veterinarian and except as specifically provided in this Article, and it shall be unlawful to keep, maintain or feed within confined or unconfined areas live chickens, roosters over four (4) months of age, geese, ducks, turkeys, or similar fowl or rabbits; provided that a maximum of five (5) ~~three (3)~~ chickens or three (3) rabbits, or a combination thereof not exceeding five ~~three (53)~~, may be kept, maintained or fed as pets within confined clean coops or cages.

(Ord. No. 1618, § 3, 1-6-75; Ord. No. 1883, § 27, 11-7-83; Ord. No. 1922, § 5, 10-14-85; Ord. No. 2178, § 2, 8-9-99)

**[Division 2 & 3 are unchanged]**

## ARTICLE IV. HORSES, COWS, GOATS AND SHEEP

**[Sections 5.48 are unchanged]**

##### Sec. 5.46. PERMIT TO KEEP—REQUIRED; FEE:

Every person desiring to keep horses, cows, goats or sheep within the City shall apply for a permit to the Building Official or designee ~~Building Inspector~~ and shall tender an annual fee in the sum of ten dollars (\$10.00) for each of the first two (2) horses, cows, goats or sheep and the sum of two dollars fifty cents (\$2.50) for every additional horse, cow, goat or sheep.

(Ord. No. 698, § 3; Ord. No. 1618, § 7, 1-6-75)

##### Sec. 5.47. PERMIT TO KEEP—APPLICATION:

Applications for a permit to maintain horses, cows, goats or sheep shall be in writing and shall give the following facts:

- A. The name of the applicant.
- B. The address of the applicant.
- C. The number of horses, cows, goats or sheep proposed to be kept by the applicant.

- D. A plot plan of the property upon which the horses, cows, goats or sheep are to be kept, together with the proposed location of any stables, corrals and enclosures proposed to be constructed upon the property.

(Ord. No. 698, § 3; Ord. No. 1618, § 7, 1-6-75)

**Sec. 5.48. PERMIT TO KEEP—INSPECTION; ISSUANCE; RENEWAL:**

Immediately upon receipt of the application required by the preceding Section the Building Official or designee Building Inspector shall notify the Health Department, which Department shall inspect the premises and submit its findings to the Building Official or designee Building Inspector. If the Health Department finds that the premises are kept in a clean and sanitary condition, the Building Official or designee Building Inspector shall grant a permit for the keeping of horses, cows, goats and sheep; provided, none of the provisions of this Article, or any other ordinance, shall be violated by the granting of such permit. Such permit shall be renewed annually on or before June 30 of each calendar year.

(Ord. No. 698, § 3; Ord. No. 1618, § 7, 1-6-75)

**Sec. 5.49. PERMIT TO KEEP—TRANSFERABILITY:**

Any permit granted under this Article to keep horses, cows, goats or sheep shall be transferable to successive owners of the same property upon approval of the Building Official, or designee Planning Commission and the Council.

(Ord. No. 698, § 3; Ord. No. 1618, § 7, 1-6-75)

**Sec. 5.50. AREA AND LOCATION REQUIREMENTS OF STABLE, ETC.:**

Horses, cows, goats or sheep may be kept and maintained subject to the following general area and location requirements:

- A. The minimum lot area upon which any horse, cow, goat or sheep may be kept shall be one acre, and two (2) horses, cows, goats, or sheep may be kept on such a parcel.
- B. The minimum distance of any stable building from any neighboring house shall be one hundred feet (100’).
- C. The minimum distance of any stable building from the neighboring property line shall be forty feet (40’).
- D. The minimum distance of any corral from the neighboring property line shall be twenty-five feet (25’).
- E. The minimum distance of any stable building from the residence on the same lot shall be forty feet (40’).
- F. One additional horse, cow, goat or sheep may be kept on each acre in addition to the one acre minimum ~~subject to the requirements of the Planning Commission in each case.~~
- G. The minimum distance of any stable building from any street line shall be seventy-five feet (75’).

(Ord. No. 698, § 3; Ord. No. 1618, § 7, 1-6-75)

**[Sections 5.51– 5.52 are unchanged]**

# CHAPTER 30 – SUBDIVISIONS

## ARTICLE II. - ADMINISTRATION

### Sec. 30.8. REVIEW AUTHORITY:

- A. Table 30-1 establishes the Review Authority for subdivision maps and other approvals required by this Chapter, subject to the additional provisions in subsections B through D below.

**Table 30-1: Review Authority and Role**

	City Engineer	Planning Commission	City Manager	City Council
<b>Minor Subdivisions (less than five (5) lots)</b>				
Tentative Parcel Maps and Vesting Tentative Parcel Maps	Decision	Appeal	—	—
Parcel Maps	Decision	—	Appeal	—
<b>Major Subdivisions (five (5) or more lots)</b>				
Tentative Maps and Vesting Tentative Maps	Recommend	Decision	—	Appeal
<u>Tentative Maps and Vesting Tentative Maps for Condominiums</u>	<u>Recommend</u>	<u>Based upon a project’s permit review authority pursuant to Zoning Code Article 41.4. If only a Condominium Permit is required, Zoning Administrator shall have the Decision authority and Planning Commission shall have the Appeal authority</u>		
Final Maps	Decision	—	Appeal	—
<b>Other Decisions</b>				
Parcel Merger	Decision	—	Appeal	—
Lot Line Adjustment	Decision	—	Appeal	—
Certificate of Compliance	Decision	—	Appeal	—
Reversion to Acreage	Recommend	—	—	Decision
Condominium	Based upon type of subdivision map			

- B. Notwithstanding Table 30-1, if the Review Authority for the decision is the City Engineer or Zoning Administrator, the City Engineer or Zoning Administrator may refer the decision to the Planning Commission at their discretion.
- C. If an application for a subdivision map or other approval regulated by this Chapter is accompanied by one (1) or more applications for other approvals or permits required by the Municipal Code or the Zoning Code, the highest Review Authority shall make the decision on all applications.

- D. The Review Authority for urban lot splits (Article XII) and ministerial approvals for development projects of ten (10) units or less (Article XIII) shall be acted upon ministerially by the City Engineer.

(Ord. No. 2542, § 6(Exh. C), 10-14-24)

**Sec. 30.62. ADDITIONAL REQUIREMENTS FOR CONVERSION TO CONDOMINIUMS:**

In addition to all other provisions of this Article, an applicant for a condominium permit for a proposed conversion shall include in such application the following:

- A. A property report describing the condition and useful life of the roof, foundations, paving, mechanical, electrical, plumbing, walls, floors, and structural elements of all existing buildings and structures. Said report shall also contain an evaluation of noise and energy insulation features of the building in comparison to current State regulations applicable to buildings and structures. Such report shall be prepared by a registered civil or structural engineer, architect, or a licensed general building contractor or general engineering contractor.
- B. A structural pest control report prepared by a licensed structural pest control operator pursuant to Business and Professions Code Section 8516 relating to written reports on the absence or presence of wood-destroying pests or organisms.
- C. Proof of compliance with all tenant notice requirements for conversion in Government Code Section 66427.1.
- D. A report from the Building Department, Fire Department and Community Development Director or Zoning Administrator as to whether the project complies, and the extent or degree of compliance, with current provisions of the City's building regulations, fire codes and the Zoning Ordinance.
- E. A report from the Building Department, Fire Department and Community Development Director or Zoning Administrator as to whether the project complies, and the extent or degree of compliance, with the provisions of the City's building regulations, fire codes and the Zoning Ordinance in existence as of the date of the issuance of the building permit for the construction of any building which is a part of such project.
- F. As a condition precedent to issuance of a condominium permit, the applicant shall pay to the City a fee sufficient to compensate the City for all expenses incurred in administering the permit, and the reports specified in subsections D and E. The amount of this fee shall be set by resolution of the City Council.
- G. Applications for variances, exceptions, exemptions, or other city permits as may be applicable to achieve compliance with this Chapter and City ordinances.

(Ord. No. 2542, § 6(Exh. C), 10-14-24)

**ARTICLE XIII. MINISTERIAL MAPS (~~SB 684~~)**

The City shall ministerially consider, without discretionary review or a hearing, a tentative parcel map and parcel map or a tentative and final map for a housing development project in accordance with the requirements of Government Code Section 66499.41.

(Ord. No. 2542, § 6(Exh. C), 10-14-24)