

## **CHAPTER 21C. “CMU” DISTRICT** **(COMMERCIAL MIXED USE DISTRICT, NORTH FAIR OAKS)**

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

### **SECTION 6391. PURPOSES.**

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

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

*(Excluded here - to be amended by Workgroup based on uses allowed)*

**NMU DISTRICT USES PERMITTED (NMU uses provided as a baseline).**

<b>PERMITTED USES</b>	<b>REQUIRED PLANNING PERMIT FOR THIS DISTRICT<sup>1</sup></b>
<b>1. <u>RESIDENTIAL USE CLASSIFICATION</u></b>	
A. <u>DWELLINGS</u> <ol style="list-style-type: none"> <li>1. Dwelling, Multiple               <ol style="list-style-type: none"> <li>a. Above the ground floor</li> <li>b. Ground floor</li> </ol> </li> </ol>	None  Use Permit
<b>2. <u>MIXED USE CLASSIFICATION</u></b>	
<ol style="list-style-type: none"> <li>1. Mixed-use development with ground floor commercial and residential above the ground floor</li> <li>2. All other mixed-use development, including all types of horizontal mixed use development<sup>2</sup></li> </ol>	None  Use Permit
<b>3. <u>COMMERCIAL AND OFFICE USE CLASSIFICATION</u></b>	
A. <u>SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES</u> <ol style="list-style-type: none"> <li>1. Personal Convenience Service Establishments</li> <li>2. Retail Cleaning Establishments</li> <li>3. Pet Sales and/or Grooming Establishments</li> <li>4. Veterinary Hospitals for Small Animals</li> </ol>	Use Permit  None  Use Permit  Use Permit
B. <u>RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS</u> <ol style="list-style-type: none"> <li>1. Food and Beverage Stores</li> <li>2. Liquor Stores</li> </ol>	None  Use Permit

<b>PERMITTED USES</b>	<b>REQUIRED PLANNING PERMIT FOR THIS DISTRICT<sup>1</sup></b>
<ul style="list-style-type: none"> <li>3. Indoor Retail Sales, Rental or Repair Establishments</li> <li>4. Outdoor Retail Sales, Rental or Repair Establishments</li> </ul>	<p>None</p> <p>Use Permit</p>
<p><b>C. <u>FOOD SERVICES</u></b></p> <ul style="list-style-type: none"> <li>1. Bars</li> <li>2. Restaurants</li> <li>3. Food Establishments Specializing in Take-Out Service</li> <li>4. Farmers Markets</li> </ul>	<p>Use Permit</p> <p>None</p> <p>Use Permit</p> <p>Farmers Market Permit<sup>3</sup></p>
<p><b>D. <u>OFFICES, PROFESSIONAL SERVICES</u></b></p> <ul style="list-style-type: none"> <li>1. Administrative, Professional and Business Offices</li> <li>2. Medical and Dental Offices</li> <li>3. Financial Institutions</li> <li>4. Non-Chartered Financial Institution</li> </ul>	<p>None</p> <p>None</p> <p>None</p> <p>Use Permit<sup>3</sup></p>
<p><b>E. <u>INDOOR RECREATION FACILITIES</u></b></p> <ul style="list-style-type: none"> <li>1. Small Indoor Exercise and Leisure Facilities</li> </ul>	<p>None</p>
<p><b>4. <u>INSTITUTIONAL USE CLASSIFICATION</u></b></p>	
<p><b>A. <u>NEIGHBORHOOD INSTITUTIONAL FACILITIES</u></b></p> <ul style="list-style-type: none"> <li>1. Community Centers</li> <li>2. Child Care Centers</li> <li>3. Religious Facilities</li> <li>4. Educational Facilities</li> </ul>	<p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p>

<b>PERMITTED USES</b>	<b>REQUIRED PLANNING PERMIT FOR THIS DISTRICT<sup>1</sup></b>
<b>5. <u>ACCESSORY USE CLASSIFICATION</u></b>	
A. <u>RESIDENTIAL ACCESSORY USES</u> Home Occupations	Home Occupation Certificate <sup>3</sup>
B. <u>LIMITED KEEPING OF PETS</u> Limited Keeping of Pets	None
<b>6. <u>SMALL COLLECTION FACILITIES FOR RECYCLABLE MATERIALS</u></b>	None
<b>7. <u>OTHER USE CLASSIFICATION</u></b>	
A. <u>PARKING</u> Parking Lots and Parking Garages	Use Permit
B. <u>OTHER COMPATIBLE USES</u> Other Compatible Uses	To Be Determined by Community Development Director
<sup>1</sup> Other permits may be required by a combining district, e.g., Design Review approval.	
<sup>2</sup> Horizontal mixed use development is subject to additional standards, as described in Section 6394.8	
<sup>3</sup> Subject to additional performance requirements, including but not limited to those contained in Section 6251(f)(8) of these Zoning Regulations.	

**C-2/NFO USES PERMITTED – HIGHLIGHTED USES ARE NOT INCLUDED IN NMU ZONING; HIGHLIGHTED PERMIT IS DIFFERENT FROM NMU PERMIT**

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT <sup>1</sup>
<p><b>A. <u>RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS (TSW-2)</u></b></p> <ol style="list-style-type: none"> <li>1. Food and Beverage Stores (2.02.40)</li> <li>2. Indoor Retail Sales, Rental or Repair Establishments (2.05.10)</li> <li>3. Outdoor Retail Sales, Rental or Repair Establishments (2.05.20)</li> <li>4. Urban Roadside Stands (2.02.53)</li> </ol>	<p>None</p> <p>None<sup>2</sup></p> <p>Use Permit<sup>2</sup></p> <p>None<sup>2</sup></p>
<p><b>B. <u>FOOD SERVICES (TSW-3)</u></b></p> <ol style="list-style-type: none"> <li>1. Restaurants (2.02.10)</li> <li>2. Food Establishments Specializing in Carry-Out or Delivery Service (2.02.20)</li> <li>3. Bars (2.02.30)</li> </ol>	<p>None<sup>2</sup></p> <p>None<sup>2</sup></p> <p>None<sup>2</sup></p>
<p><b>C. <u>MOTOR VEHICLE-RELATED TRADES AND SERVICES (TSW-5)</u></b></p> <ol style="list-style-type: none"> <li>1. Motor Vehicle Fuel Sales (2.03.10)</li> <li>2. Motor Vehicle Service Stations (2.03.20)</li> </ol>	<p>None</p> <p>None</p>
<p><b>D. <u>MOTOR VEHICLE-RELATED SALES AND MAINTENANCE SERVICES (TSW-6)</u></b></p> <ol style="list-style-type: none"> <li>1. Auto Shops and Garages (2.03.30)</li> <li>2. Motor Vehicle Sales or Rentals (2.03.50)</li> <li>3. Car Washes (2.03.40)</li> </ol>	<p>None</p> <p>None</p> <p>None</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT <sup>1</sup>
<p><b>E. <u>PROFESSIONAL SERVICES (TSW-4)</u></b></p> <ol style="list-style-type: none"> <li>1. Administrative, Professional and Business Offices (2.06.10)</li> <li>2. Medical and Dental Offices (2.06.20)</li> <li>3. Financial Institutions (2.06.30)</li> <li>4. Trade and Vocational Schools (5.01.20)</li> <li>5. Non-Chartered Financial Institutions</li> </ol>	<p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>Use Permit <sup>4</sup></p>
<p><b>F. <u>SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES (TSW-1)</u></b></p> <ol style="list-style-type: none"> <li>1. Personal Convenience Service Establishments (2.06.40)</li> <li>2. Retail Cleaning Establishments (2.01.10)</li> <li>3. Veterinary Hospitals for Small Animals (9.02.30)</li> <li>4. Pet Sales and/or Grooming Establishments (9.02.50)</li> <li>5. Funeral Homes (5.08.30)</li> </ol>	<p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p>
<p><b>G. <u>LIMITED KEEPING OF PETS (ANM-1)</u></b></p> <p>Limited Keeping of Pets (9.01.20)</p>	<p>None</p>
<p><b>H. <u>WHOLESALE TRADES AND SERVICES (TSW-8)</u></b></p> <ol style="list-style-type: none"> <li>1. Indoor and Outdoor Wholesale Establishments (2.05.30)</li> <li>2. Wholesale Cleaning Establishments (2.01.20)</li> </ol>	<p>Use Permit</p> <p>Use Permit</p>
<p><b>I. <u>RADIO, TELEVISION AND TELEPHONE FACILITIES (TCU-2)</u></b></p> <ol style="list-style-type: none"> <li>1. Radio and Television Stations (8.02.10)</li> <li>2. Telephone Communication Facilities (8.02.20)</li> </ol>	<p>Use Permit</p> <p>Use Permit</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT <sup>1</sup>
<p><b>J. <u>NEIGHBORHOOD INSTITUTIONAL FACILITIES (INT-1)</u></b></p> <ol style="list-style-type: none"> <li>1. Elementary and Secondary Schools (5.01.10)</li> <li>2. Religious Facilities (5.02.10)</li> <li>3. Club and Organization Meeting Facilities (5.03.60)</li> <li>4. Institutional Day Care Facilities for Children (Day Care Centers) (5.04.11)</li> <li>5. Institutional Day Care Facilities for Adults (5.04.21)</li> <li>6. Institutional Day Care Facilities for the Elderly (5.04.31)</li> <li>7. Intermediate Care Facilities (5.05.22)</li> <li>8. Skilled Nursing Facilities (5.05.21)</li> <li>9. Fire Stations (5.07.20)</li> <li>10. Cemeteries (5.08.10)</li> </ol>	<p>Use Permit</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>Use Permit</p>
<p><b>K. <u>SPECIALIZED HEALTH CARE FACILITIES (INT-5)</u></b></p> <ol style="list-style-type: none"> <li>1. Skilled Nursing Facilities (5.05.21)</li> <li>2. Intermediate Care Facilities (5.05.22)</li> <li>3. Clinics (5.05.23)</li> <li>4. Medical and Dental Offices (2.06.20)</li> </ol>	<p>None</p> <p>None</p> <p>None</p> <p>None</p>
<p><b>L. <u>EMERGENCY FACILITIES (INT-7)</u></b></p> <ol style="list-style-type: none"> <li>1. Fire Stations (5.07.20)</li> <li>2. Ambulance and Paramedic Services (5.07.30)</li> <li>3. Police Stations (5.07.10)</li> <li>4. Civil Defense Operations (5.07.40)</li> </ol>	<p>None</p> <p>None</p> <p>None</p> <p>None</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT <sup>1</sup>
<p><b>M. <u>COMMUNITY CULTURAL FACILITIES (INT-3)</u></b></p> <p>1. Libraries (5.03.10)</p> <p>2. Community Centers (5.03.50)</p> <p>3. Museums (5.03.20)</p> <p>4. Art Centers (5.03.30)</p> <p>5. Performing Art Centers (5.03.40)</p> <p>6. Interpretive Centers (5.03.70)</p> <p>7. Botanical and Zoological Gardens (5.03.80)</p>	<p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>None</p> <p>Use Permit</p>
<p><b>N. <u>INDOOR RECREATION FACILITIES (REC-1)</u></b></p> <p>1. Indoor Exercise and Leisure Facilities (7.01.10)</p> <p>2. Indoor Theaters (7.01.30)</p> <p>3. Night Clubs with Entertainment (7.01.40)</p> <p>4. Electronic Game Amusement Arcades (7.01.60)</p>	<p>None</p> <p>None</p> <p>None</p> <p>None</p>
<p><b>O. <u>COMMUNITY SOLID WASTE RECYCLING FACILITIES (WMT-2)</u></b></p> <p>1. Small Solid Waste Collection Facilities (4.01.41)</p> <p>2. Large Solid Waste Collection Facilities (4.01.42)</p>	<p>None</p> <p>Use Permit</p>
<p><b>P. <u>PARKING (TSW-11)</u></b></p> <p>Parking Lots and Garages (2.08.10)</p>	<p>None</p>
<p><b>Q. <u>OTHER COMPATIBLE USES (OCU-1)</u></b></p> <p>Other Compatible Uses (10.01.10)</p>	<p>To Be Determined by Planning Director</p>
<p><sup>1</sup>Other permits may be required by a combining district, e.g., Design Review approval.</p> <p><sup>2</sup>A use permit shall be required for off-premise activities.</p> <p><sup>4</sup> Subject to performance requirements outlined in Section 6261(d)(10) of these Zoning Regulations.</p>	

## USES ALLOWED IN OTHER NFO DISTRICTS

(Strikethrough indicates staff's opinion that these uses should not be allowed in CMU District)

### PERMITTED IN CURRENT C-2 WITHOUT A USE PERMIT

- ~~Automobile repair garages, including storage facilities where all operations are conducted in a building enclosed on all sides.~~
- ~~Billiard parlors or pool halls~~
- Bowling alleys.
- ~~Carpenter shops~~
- Dance halls.
- Dancing academies.
- Electrical substations.
- Equipment and tool rental.
- ~~Golf driving ranges and miniature golf courses.~~
- Laundries.
- ~~Lumber yards – including the sale of lumber and wood products but not the milling and planing thereof.~~
- Paint, paper hanging and decorating shops.
- Plumbing shops where all operations are conducted in a building enclosed on all sides.
- Printing shops.
- Sign painting shops.
- Skating rinks.
- Pet sales and/or grooming establishments.
- Veterinary hospitals for small animals.

- Storage of household goods.
- Stores and shops for the conduct of any wholesale business.
- Stores and shops for the sale of used merchandise where all operations are conducted in a building enclosed on all sides.
- ~~Tinsmith shops where all operations are conducted in a building enclosed on all sides.~~
- ~~Used car sales.~~
- Scaffold storage and rental where all operations are conducted in a building enclosed on all sides.
- Maintenance and operation of up to five electronic amusement devices, provided, however, no such amusement device or devices may be located, operated, or maintained to or within three hundred (300) feet of the nearest entrance to or exit from any public or private school of elementary or high school grades.

#### **PERMITTED IN CURRENT C-2 WITH A USE PERMIT**

- ~~Trailer camps.~~
- Electroplating shops.
- ~~Poultry slaughtering.~~
- ~~Outdoor advertising structures or signs as defined in Sections 5202 and 5203 of the Business and Professions Code of the State of California.~~
- Children's amusement devices.
- Roofing contractor's establishments.
- Maintenance and operation of six or more electronic amusement devices, provided, however, no such amusement device or devices may be located, operated, or maintained within three hundred (300) feet of the nearest entrance to or exit from any public or private school of elementary or high school grades.
- ~~Adult bookstores, adult movie houses or adult cabarets subject to the following limitations:~~

- ~~No adult bookstore, adult movie house or adult cabaret shall be located within one thousand (1,000) feet of any other adult bookstore, adult movie house or adult cabaret.~~
- ~~No adult bookstore, adult movie house or adult cabaret shall be located within two thousand (2,000) feet of any nursery school, elementary school, junior high school, high school, public playground or church.~~
- ~~No adult bookstore, adult movie house or adult cabaret shall be located within five hundred (500) feet of any R-1, R-2, or R-3 zoning district in the unincorporated area, or within five hundred (500) feet of any residential zoning district in any adjacent jurisdiction.~~
- Bed and breakfast inns (outside Coastal Zone).

#### **CURRENTLY ALLOWED IN C-1 WITHOUT A USE PERMIT**

- ~~Automobile service stations for only the sale of gasoline, oil, and new accessories, including washing and lubrication services. Used tires accepted in trade on the premises may be resold.~~
- Bakeries but not including the wholesale baking or bakery goods to be sold off the premises.
- Banks.
- Bars.
- Barber shops.
- Beauty parlors.
- Book or stationary stores.
- Clothes cleaning agency or pressing establishment.
- Confectionery stores.
- Conservatories for instruction in music and the arts.
- Dressmaking or millinery.
- Drug store.
- Dry goods or notion store.

- Florist or gift shop.
- Grocery, fruit or vegetable store.
- Hardware or electric appliance store.
- Jewelry store.
- ~~Laundry agency.~~
- Meat market or delicatessen store.
- Offices, business or professional.
- Photographic or camera store.
- Restaurant, tea room, or cafe.
- Shoe store or shoe repair store.
- Tailor, clothing or wearing apparel.
- Theaters.
- Dry cleaning establishments using self-service coin operated machines.
- Bowling alleys.
- Massage establishments.
- Maintenance and operation of up to five electronic amusement devices, provided, however, no such amusement device or devices may be located, operated, or maintained within three hundred (300) feet of the nearest entrance to or exit from any public or private school of elementary or high school grades.
- Reverse vending machines.
- Small collection facilities for recyclable materials, subject to obtaining a building permit, provided there is no additional mechanical processing equipment on site, that collection facilities shall not be located within 30 feet of any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between containers and residential use, that there is no decrease in traffic or pedestrian circulation or the required number of on-site

parking spaces for the primary use, and all litter and loose debris shall be removed on a daily basis.

- Pet sales and/or grooming establishments.
- Limited keeping of pets.

#### **CURRENTLY ALLOWED IN C-1 WITH A USE PERMIT**

- Hospitals, rest homes, sanitariums, clinics.
- Philanthropic and charitable institutions.
- Automobile courts.
- Hotels.
- Any residential use, including accessory buildings and uses. The Planning Director may, on a case-by-case basis, exempt accessory buildings and uses from the use permit requirement.
- ~~• Large collection facilities for recyclable materials.~~
- Bed and breakfast inns (outside Coastal Zone only).
- ~~• Mortuaries.~~
- ~~• Outdoor advertising structures or signs as defined in Sections 5202 and 5203 of the Business and Professions Code of the State of California.~~
- Retail dry cleaning establishments.
- Patio and garden supply sales.
- ~~• Bulk storage plants for liquefied petroleum gas and similar types of home fuels.~~
- Veterinary hospitals for small animals.
- The sale of used merchandise or vehicles.