

**CHAPTER xx. “NMU” DISTRICT**  
**(NEIGHBORHOOD MIXED USE DISTRICT)**

**SECTION xxxx. REGULATIONS FOR “NMU” DISTRICT.** The following regulations shall apply within those areas in North Fair Oaks and other areas of the unincorporated County which are zoned NMU.

**SECTION xxxx.1. PURPOSES.**

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

**SECTION xxxx.2. DEFINITIONS.**

- x. Administrative, Professional and Business Offices

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

- x. Bars

Commercial establishments primarily engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.

x. Community Centers

Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls”(Section 6201.62.5).

x. Day Care Centers (Institutional Day Care Facilities for Children)

Licensed facilities including infant centers, preschools and extended day care facilities, located in buildings that do not contain a dwelling unit, which regularly provide non-medical care, protection, and supervision of children for a period of less than 24 hours a day while parents or guardians are away.

x. Dwelling, Multiple

See Section 6102.31 (Zoning Definitions) for definition.

x. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

x. Food and Beverage Stores

Commercial establishments engaged in the retail sale primarily of various packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, liquor and candy stores, bakeries and delicatessens.

x. **Food Establishments Specializing in Carry-Out or Delivery Service**

***Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption elsewhere, which may include limited seating or drive-through take-out service, but not including businesses engaged exclusively in catering.***

***Question: Does this revised definition go far enough to resolve the issue of “industrial catering operations”, making it clear that they’re not allowed? Do we need to further try and limit the size/scale of such operations? Also, do we want to allow drive through uses at all in this zone?***

x. **Home Occupations**

***Vocations conducted in a dwelling by a resident which are accessory uses incidental to the principal residential use of the dwelling.***

***Question: Do we need to further define and limit the size/scale of home occupations in multi-family residential units?***

x. **Indoor Retail Sales, Rental or Repair Establishments**

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.

x. **Limited Keeping of Pets**

***The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit; or (b) per business establishment.***

***Question: Does this need to be revised to clarify that “doggie day care” and/or “pet sitting” is not allowed?***

x. **Medical and Dental Offices**

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.

x. **Mixed-Use Development**

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

x. **Motor Vehicle Fuel Sales**

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

x. Motor Vehicle Service Stations

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

x. Non-Chartered Financial Institution

See Section 6102.63.1 (Zoning Definitions) for definition.

x. Other Compatible Uses

Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

x. Outdoor Retail Sales, Rental or Repair Establishments

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.

x. Parking Lots and Garages

Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.

x. Personal Convenience Service Establishments

Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.

x. Pet Sales and/or Grooming Establishments

See Section 6102.67.1 (Zoning Definitions) for definition.

x. Religious Facilities

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

x. **Restaurants**

**Commercial establishments which primarily serve prepared food to the general public for immediate consumption on the premises. Restaurants may include a bar.**

**Question: If the restaurant includes a bar, does it then require a use permit like a use that is only a “bar” would? How do we want to address outdoor seating in the zoning regulations?**

x. **Retail Cleaning Establishments**

Commercial establishments engaged in the washing, cleaning or dyeing of clothing, linens and other fabrics including, but not limited to, dry cleaners, laundries and laundromats where coin-operated washers and dryers are provided for self-service to the public.

x. **Small Collection Facilities for Recyclable Materials**

See Section 6102.71.2 (Zoning Definitions) for definition.

x. **Small Indoor Exercise and Leisure Facilities**

Facilities of 4,500 square feet or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to exercise facilities, dance academies and billiard halls (five pool tables or less).

x. **Trade and Vocational Schools**

**Public or private educational facilities and associated grounds offering specialized trade or commercial instruction, but not academic education, above the secondary level.**

**Question: What type and scale of educational facilities are appropriate in this zoning district? Only “trade and vocational schools”? What about “primary and secondary schools”? How would we classify “Kumon” and “Kaplan” and the like? Tutoring facilities? Are any/all educational facilities o.k. in this zone if small scale?**

x. **Veterinary Hospitals for Small Animals**

See Section 6102.83.1 (Zoning Definitions) for definition.

**SECTION xxxx.3. USES PERMITTED.**

<b>PERMITTED USES</b>	<b>REQUIRED PLANNING PERMIT FOR THIS DISTRICT<sup>1</sup></b>
<b><u>RESIDENTIAL USE CLASSIFICATION</u></b>	
<p>X. <u>DWELLINGS</u></p> <ul style="list-style-type: none"> <li>x. Dwelling, Multiple               <ul style="list-style-type: none"> <li>a. Above the ground floor</li> <li>b. Ground floor</li> </ul> </li> </ul>	<p>None</p> <p>Use Permit</p>
<b><u>X. MIXED USE CLASSIFICATION</u></b>	
<ul style="list-style-type: none"> <li>x. Mixed Uses with ground floor commercial and residential above the ground floor</li> <li>x. All other mixed uses</li> </ul>	<p>None</p> <p>Use Permit</p>
<b><u>COMMERCIAL AND OFFICE USE CLASSIFICATION</u></b>	
<p>X. <u>SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES</u></p> <ul style="list-style-type: none"> <li>x. Personal Convenience Service Establishments</li> <li>x. Retail Cleaning Establishments</li> <li>x. Pet Sales and/or Grooming Establishments</li> <li>x. Veterinary Hospitals for Small Animals</li> </ul>	<p>None</p> <p>None</p> <p>None</p> <p>Use Permit</p>
<p>X. <u>RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS</u></p> <ul style="list-style-type: none"> <li>1. Food and Beverage Stores</li> <li>2. Indoor Retail Sales, Rental or Repair Establishments</li> <li>3. Outdoor Retail Sales, Rental or Repair Establishments</li> </ul>	<p>None</p> <p>None</p> <p>Use Permit</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT <sup>1</sup>
<p>X. <u>FOOD SERVICES</u></p> <ul style="list-style-type: none"> <li>x. <i>Bars</i></li> <li>x. Restaurants</li> <li>x. <i>Food Establishments Specializing in Carry-Out or Delivery Service</i></li> </ul>	<p>Use Permit</p> <p>None</p> <p>Use Permit</p>
<p>X. <u>OFFICES, PROFESSIONAL SERVICES</u></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>2</sup></p>
<p>X. <u>INDOOR RECREATION FACILITIES</u></p> <p>Small Indoor Exercise and Leisure Facilities</p>	<p>None</p>
<b><u>INSTITUTIONAL USE CLASSIFICATION</u></b>	
<p>X. <u>NEIGHBORHOOD INSTITUTIONAL FACILITIES</u></p> <ul style="list-style-type: none"> <li>x. Community Centers</li> <li>x. Day Care Centers</li> <li>x. Religious Facilities</li> <li>x. <i>Trade and Vocational Schools</i></li> </ul>	<p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p> <p>Use Permit</p>

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT <sup>1</sup>
<b><u>ACCESSORY USE CLASSIFICATION</u></b>	
X. <u>RESIDENTIAL ACCESSORY USES</u> <i>Home Occupations</i>	None
X. <u>LIMITED KEEPING OF PETS</u> <i>Limited Keeping of Pets</i>	None
<b><u>OTHER USE CLASSIFICATION</u></b>	
X. <b><u>MOTOR VEHICLE-RELATED TRADES AND SERVICES</u></b>  1. <b><i>Motor Vehicle Fuel Sales</i></b>  2. <b><i>Motor Vehicle Service Stations</i></b>	Use Permit  Use Permit
<b><i>Question: Do we want to allow motor vehicle-related services at all in this zone? Are there more appropriate locations?</i></b>	
X. <u>PARKING</u>  Parking Lots and Garages	Use Permit
X. <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> Subject to performance requirements contained in Section 6251(f)(8) of these Zoning Regulations.	