

## Exhibit C: Proposed Amended Article 6

Note: underline and bolded text represents new text; ~~strike-through~~ text represents text to be eliminated

### Article 6 Commercial and Professional Districts

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**2-600 Specific Purposes**

In addition to the general purposes listed in Article 1, the specific purposes of commercial district regulations are to:

- A. Provide appropriately located areas consistent with the General Plan for a full range of office, retail commercial, and service commercial uses needed by residents, businesses, and visitors in the City and region.
- B. Strengthen the City’s economic base, and provide employment opportunities close to home for residents of the City and surrounding communities.
- C. Create suitable environments for various types of commercial uses, and protect them from the adverse effects of inharmonious uses.
- D. Minimize the impact of commercial development on adjacent residential districts.
- E. Ensure that the appearance and effects of commercial buildings and uses are harmonious with the character of the area or with planned changes in the character of the area in which they are located and that the quality of site and building design enhances the community.

- F. Ensure the provision of adequate off-street parking and loading facilities.
- G. Provide sites for public and semipublic uses needed to complement commercial development or compatible with a commercial environment.

The additional purposes of each C, P, NA, DA, and SA districts are as follows:

CC Commercial Community District. To provide sites for commercial centers containing a wide variety of commercial establishments, including banking and financial establishments and businesses selling home furnishings, apparel, durable goods, and specialty items and generally having a citywide market area. Facilities, such as entertainment, eating-and-drinking establishments, hotels and motels are permitted, subject to certain limitations to avoid adverse effects on adjacent uses.

CN Commercial Neighborhood District. To provide sites for businesses serving the daily needs of nearby residential areas, subject to development standards that prevent significant adverse effects on adjoining neighborhoods. In addition to uses serving nearby residential areas, business and professional offices and residential uses are permitted above the ground floor.

CR Commercial Recreation District. To provide sites for recreation-oriented uses and commercial activities, such as hotels, and restaurants that are compatible with waterfront recreation and open space uses, conveniently located near the marina.

C-RM Commercial-Regional Mall District. To provide for development and operation of large regional shopping malls to encourage the economic stability and viability of regional malls, to recognize the unique characteristics of regional malls with regard to such factors as mix of uses, scale and design, parking, traffic and transit, signage, and other factors, and to promote the economic and fiscal prosperity of the City in accordance with the General Plan.

CS Commercial Services District. To provide sites for commercial services, including automobile sales and services, building materials, contractors' yards, warehousing, storage and similar uses; offices not accessory to a permitted use are excluded.

DA-1 (Downtown Area 1). To implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy for the Downtown retail core area centered on East 14<sup>th</sup> Street between Davis Street and Castro Street. Ground floor retail is required on parcels fronting on East 14<sup>th</sup> Street and Washington Avenue and encouraged on all other parcels in this District. Residential mixed use development is allowed and single use residential development is permitted on parcels not fronting on the East 14<sup>th</sup> Street or Washington Avenue corridors.

DA-2 (Downtown Area 2). To implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy by providing for designated areas on the periphery of the Downtown core where new development shall be sensitive to and

of a scale consistent with adjacent Residential Districts and where mixed use developments are allowed and encouraged but not required.

DA-3 (Downtown Area 3). To implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy in areas immediately adjacent to the Downtown retail core. Infill development shall respect the scale and fabric of the neighborhood while increased building height and higher residential densities are allowed.

DA-4 (Downtown Area 4). To implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy on land located near transit facilities or where sensitivity to increased height and density is not significant. Residential use is required and limited ground-floor retail and office uses are permitted.

DA-5 (Downtown Area 5). To implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy in areas immediately adjacent to the Bay Area Rapid Transit (BART) station where there are opportunities to maximize transit ridership by developing at the maximum feasible densities with minimal impact on neighboring parcels. Residential use is required and limited ground-floor retail and office uses are permitted.

DA-6 (Downtown Area 6). To implement specific provisions of the Downtown San Leandro Transit-Oriented Development Strategy by clustering office uses in the vicinity of Davis Street and San Leandro Boulevard that will benefit from visibility from these streets and the nearby BART station. Off-site and shared parking is encouraged.

NA-1 North Area-1. To provide opportunities for small scale, pedestrian-oriented retail and service uses which serve the neighborhood, encourage mixed use development, especially multi-story mixed developments, minimize auto traffic, and promote new development consistent with existing neighborhood quality. The NA-1 Zoning District will serve to implement the North Area Specific Plan.

NA-2 North Area-2. To provide opportunities for and encourage mixed use development, especially multi-story residential, commercial retail and service-oriented uses, and promote new development consistent with existing neighborhood quality. The NA-2 Zoning District will also serve to implement the North Area Specific Plan.

P Professional Office District. To provide opportunities for offices at appropriate locations, subject to development standards and landscaping requirements that prevent significant adverse effects on adjacent uses. Retail activity is not appropriate.

PHD Professional High Density Office Districts. To provide opportunities for high density office development adjacent to downtown to support downtown retail activity. Ground-floor retail, personal services, and restaurant uses may be permitted at ap-

propriate locations, subject to limitations to prevent significant adverse effects on the downtown area.

SA-1 (South Area-1). To promote quality mixed-use developments, especially multi-story developments, with neighborhood-oriented commercial uses. A primary intent is to ensure that new development will be quality in-fill projects. Provisions for reduced parking are included. The SA-1 Zoning District will serve to implement the East 14<sup>th</sup> Street South Area Development Strategy, particularly, policies and design guidelines for the Palma District and International and Cultural District.

SA-2 (South Area-2). To promote in-fill residential uses that would be sensitive to the adjoining neighborhoods. Residential, commercial and community-oriented uses would also be encouraged in mixed use multi-story buildings. Provisions for reduced parking are included. The SA-2 Zoning District will serve to implement the East 14<sup>th</sup> Street South Area Development Strategy, particularly, policies and design guidelines for the McKinley Residential District.

SA-3 (South Area-3). To provide opportunities for larger commercial and office developments, and to promote additional commercial opportunities that would exhibit quality design. Provisions for reduced parking are included. The SA-3 Zoning District will serve to implement the East 14<sup>th</sup> Street South Area Development Strategy, particularly, policies and design guidelines in the Gateway District. (Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

**2-602**      **Reserved** (Ord. 2001-015 § 1)

## **Division 1. Use Regulations**

### **2-604**      **CN District—Use Regulations**

#### A. CN District—Permitted Uses.

The following uses are allowed in the CN District, and a conditional use permit is not required, provided that the use does not operate between the hours of 10 p.m. and 7 a.m. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** ~~Activities~~, when in conjunction with a permitted use.
2. Animal Grooming.
3. Animal Sales.
- 4. Brewpubs.**
- 5.** ~~4.~~ Business Services.

- ~~6.~~ ~~5.~~ Cafés. (If the proposed use has either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger, Administrative Review is required per Subsection D.2, below.)
- ~~7.~~ ~~6.~~ Catering Services.
- ~~8.~~ ~~7.~~ Day Care , Limited.
- ~~9.~~ ~~8.~~ Financial Institutions, Retail.
- ~~10.~~ ~~9.~~ Maintenance and Repair Services.
- ~~11.~~ ~~10.~~ Medical Supply Stores.
- ~~12.~~ ~~11.~~ Neighborhood/Specialty Food Markets.
- ~~13.~~ ~~12.~~ Nurseries.
- ~~14.~~ ~~13.~~ Offices, Business and Professional.
- ~~15.~~ ~~14.~~ Park and Recreation Facilities.
- ~~16.~~ ~~15.~~ Pharmacies.
- ~~17.~~ ~~16.~~ Restaurants, Full-Service. (If the proposed use has either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger, Administrative Review is required per Subsection D.2, below.)
- ~~18.~~ ~~17.~~ Retail Sales.
- ~~19.~~ ~~18.~~ Retail Services.
- ~~20.~~ ~~19.~~ Utilities, Minor.

B. CN District—Conditionally Permitted Hours of Operation.

The operation of a permitted use in the CN District, as identified in Section 2-604.A, between the hours of 10:00 p.m. and 7:00 a.m., is subject to the approval of a conditional use permit.

C. CN District—Conditionally Permitted Uses.

The following uses are allowed in the CN District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

- 1. Accessory Uses in conjunction with a conditionally permitted use.
- 2. Animal Hospitals.
- 3. Artists' Studios.
- 4. Bed and Breakfast Inns.
- 5. Cultural Institutions.
- 6. Day Care, General.
- 7. Drugstores.
- 8. Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
- 9. Farmers' Market.
- 10. Furniture, Electronics, and Appliance Sales.

- 11. Government Offices.
- ~~12.~~ ~~Health and Fitness Centers.~~
- ~~12.~~~~13.~~ Home Improvement and Interior Decoration.
- ~~14.~~ ~~Instruction and Improvement Services.~~
- ~~13.~~~~15.~~ Massage Therapy.
- ~~14.~~~~16.~~ Mixed-Use Residential.
- ~~15.~~~~17.~~ Multi-Family Residential.
- ~~16.~~~~18.~~ Public Safety Facilities.
- ~~17.~~~~19.~~ Service Stations.
- ~~18.~~~~20.~~ Supermarkets.
- ~~19.~~~~21.~~ Telecommunications, **New Monopoles and Towers (Subject to the regulations of [see Section 4-1686: Wireless Telecommunication Facilities.] [as per Ordinance No. 98-009]]**.
- ~~20.~~~~22.~~ Theaters.
- ~~21.~~~~23.~~ Theaters, Small Scale.
- ~~22.~~~~24.~~ Two-Family Residential.
- ~~23.~~~~25.~~ Utilities, Major.

D. CN District—Uses Requiring Administrative Review.

The following uses are allowed in the CN District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

- 1. Automatic Teller Machines.
- ~~2. Cafés. (Administrative Review is required to establish or to enlarge a Restaurant or Café that would have either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger. (Standards for review are specified in Section 2-674.G.)~~
- 2. Community Gardens.**
- 3. Fast Food Establishments, Small Scale.**
- 4. Health and Fitness Centers.**
- 5. Instruction and Improvement Services.**
- ~~6.~~~~3.~~ Parking Lot.
- ~~7.~~~~4.~~ Recycling Facilities, Bulk Reverse Vending Machines. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~8.~~~~5.~~ Recycling Facilities, Single-Feed Reverse Vending Machines. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~9.~~~~6.~~ Recycling Facilities, Small Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~7. Restaurants, Full-Service. (Administrative Review is required to establish or to enlarge a Restaurant or Café that would have either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger. (Standards for review are specified in Section 2-674.G.)~~

~~12.8.~~ Telecommunications, **Architecturally-Integrated Antennae** and/or **Alternative Co-locations on Existing** Tower Structures ~~[(Subject to the regulations of see Section 4-1686: Wireless Telecommunication Facilities.) (as per Ordinance No. 98-009)].~~

E. CN District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the CN District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Commercial Filming.
3. Real Estate Offices, Temporary.
4. Retail Sales, Outdoor.
5. Storage Containers, Temporary.
6. Street or Neighborhood Fairs. (Ord. 2004-004 § 3; Ord. 2001-015 § 1)

**2-606 CC District—Use Regulations**

A. CC District—Permitted Uses.

The following uses are allowed in the CC District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
2. Ambulance Service, **Emergency**. (A **conditional** use permit is required if located within one thousand (1,000) feet of an R District or the boundaries of a site occupied by a public or private school or park and recreation facility.)
3. **Ambulance Service, Non-Emergency. (An Administrative Review approval is required if located within one thousand (1,000) feet of an R District or the boundaries of a site occupied by a public or private school or park and recreation facility.)**
- ~~4.~~ Animal Grooming.
- ~~5.4.~~ Animal Sales.
- ~~6.5.~~ Artists' Studios.
- ~~7.6.~~ Automobile Washing, Attended.
- 8. Brewpubs.**
- ~~9.7.~~ Business Services.
- ~~10.8.~~ Business and Trade Schools.
- ~~11.9.~~ Cafés.
- ~~12.10.~~ Catering Services.
- ~~13.11.~~ Communication Facilities.
- 14. Drugstores.**



~~15.12.~~Fast Food Establishment, Small Scale. (If the proposed use is within five hundred (500) feet of a Residential District, Administrative Review is required per Subsection C, below.)

~~16.13.~~Financial Institutions, Retail.

~~17.14.~~Furniture, Electronics, and Appliance Sales.

~~18.15.~~Health and Fitness Centers.

~~19.16.~~Home Improvement and Interior Decoration.

~~20.17.~~Instruction and Improvement Services.

~~21.18.~~Maintenance and Repair Services.

~~22.19.~~Medical Supply Stores.

~~23.20.~~Neighborhood/Specialty Food Markets.

~~24.21.~~Nurseries.

~~25.22.~~Offices, Business and Professional.

~~26.23.~~Pharmacies.

~~27.24.~~Restaurants, Full-Service.

~~28.25.~~Retail Sales.

~~29.26.~~Retail Services.

**30. Telecommunications, Architecturally-Integrated Antennas and/or Co-locations on Existing Tower Structures (Subject to the regulations of Section 4-1686: Wireless Telecommunication Facilities.)**

~~31.27.~~Theaters, Small Scale.

~~32.28.~~Travel Services.

~~33.29.~~Utilities, Minor.

B. CC District—Conditionally Permitted Uses.

The following uses are allowed in the CC District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory Uses in conjunction with a conditionally permitted use.
2. Animal Boarding.
3. Animal Hospitals.
4. Automobile Washing, Unattended.
5. Bars.
6. Bed and Breakfast Inns. (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
7. **Beer and Wine Stores. [Beer and Wine Stores shall not be located within one thousand (1,000) feet of a site occupied by a public or private school, park, library, or recreational facilities, and no exterior vending machines shall be permitted. Beer and Wine Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses. A pre-existing Beer and Wine Store shall not be deemed a nonconforming use**

**solely due to non-compliance with the one thousand (1,000) foot minimum distance requirement.]**

- ~~8.7.~~ Billiard Parlors.
- ~~9.8.~~ Bingo Parlors.
- ~~10.9.~~ Building Materials and Services.
- ~~11.10.~~ Coin-Operated Laundry Businesses.
- ~~12.11.~~ Commercial Parking Facility.
- ~~13.12.~~ Commercial Recreation.
- ~~14.13.~~ Convenience Stores. [Convenience markets shall not be located within one thousand (1,000) feet of a site occupied by a public or private school, park, library, or recreational facilities, and no exterior vending machines shall be permitted. Convenience markets may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses. A pre-existing Convenience Store shall not be deemed a nonconforming use solely due to non-compliance with the one thousand (1,000) foot minimum distance requirement.]
- ~~15.14.~~ Cultural Institutions.
- ~~16.15.~~ Dance **Clubs.** Hall.
- ~~17.16.~~ Day Care, General.
- ~~18.17.~~ Department Stores.
- ~~19.18.~~ Drive-up Facilities.
- ~~19.~~ Drugstores.
- 20. Emergency Health Care.
- 21. Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
- 22. Farmers' Market.
- 23. Fast Food Establishments, Large Scale.
- 24. Financial Institutions, Personal Loan Services. (Financial Institutions, Personal Loan Services uses shall not be located within one thousand five hundred (1,500) feet from other Financial Institutions, Personal Loan Services uses. Financial Institutions, Personal Loan Services uses may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses.)
- 25. Fortune-telling **Establishments.**
- 26. Game Center.
- 27. Government Offices.
- 28. Gun or Weapon Shop.
- 29. Hospitals.
- 30. Hotels, Motels, and Time-Share Facilities.
- 31. Liquor, ~~Beer and Wine~~ Stores. [Liquor, ~~Beer and Wine~~ Stores shall not be located within one thousand (1,000) feet of a site occupied by a public or private school, park, library, or recreational facilities, and no exterior vending machines shall be

permitted. Liquor, ~~Beer and Wine~~ Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses. A pre-existing Liquor, ~~Beer and Wine~~ Store shall not be deemed a nonconforming use solely due to non-compliance with the one thousand (1,000) foot minimum distance requirement.]

32. Massage Therapy.
33. Mixed-Use Residential.
34. Multi-Family Residential.
35. Park and Recreation Facilities.
36. Pawn Shop.
37. Public Safety Facilities.
- ~~38. Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)~~
- 38.~~39.~~Retail Sales, Big Box.
- 39.~~40.~~ Secondhand Sales.
- 40.~~41.~~ Service Stations.
- 41.~~42.~~ Supermarkets.
43. ~~Tattoo Parlors.~~
- 42.~~44.~~Telecommunications, **New Monopoles and Towers (Subject to the regulations of** [see Section 4-1686: Wireless Telecommunication Facilities.] ~~{as per Ordinance No. 98-009}~~].
- 43.~~45.~~Theaters.
- 44.~~46.~~Tobacconist/Cigarette Stores. [Tobacconist/Cigarette Stores shall not be located within one thousand five hundred (1,500) feet of a site occupied by a public or private school, park, library, or recreational facilities, or of other Tobacconist/Cigarette Stores, and no exterior vending machines shall be permitted. Tobacconist/Cigarette Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses.]
- 45.~~47.~~Two-Family Residential.
- 46.~~48.~~Utilities, Major.
- 47.~~49.~~Vehicle/Equipment Repair, Limited.
- 48.~~50.~~Vehicle/Equipment Repair, General.
- 49.~~51.~~Vehicle/Heavy Equipment Dealers, New.
- 50.~~52.~~Vehicle/Heavy Equipment Dealers, Used.
- 51.~~53.~~Vehicle/Heavy Equipment Rentals.

C. CC District—Uses Requiring Administrative Review.

The following uses are allowed in the CC District, subject to the approval of an **Administrative Review** ~~Zoning Permit~~ by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
- 2. Automobile Parts Sales.**
- 3. Community Gardens.**
- ~~4.2.~~ Fast Food Establishments, Small Scale. (Administrative Review is required to establish or to enlarge a Small Scale, Fast Food Restaurant within five hundred (500) feet of a Residential District. Standards for review are specified in Section 2-674.H.)
- ~~5.3.~~ Mobile Food Vending. (Subject to approval of operation and restrictions on operation as established by the Zoning Enforcement Official and compliance with all other City codes pertaining to mobile food vending.)
- ~~6.4.~~ Parking Lot.
- ~~7.5.~~ Recycling Facilities, Bulk Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~8.6.~~ Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~9.7.~~ Recycling Facilities, Small Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- 10. Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)**
- ~~8.~~ Telecommunications Antennae and/or Alternative Tower Structures [see Section 4-1686: Wireless Telecommunication Facilities (as per Ordinance No. 98-009)].
- ~~11.9.~~ Vehicle/Heavy Equipment Dealers Limited, Used.

D. CC District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the CC District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Circuses and Carnivals.
3. Commercial Filming.
4. Real Estate Offices, Temporary.
5. Retail Sales, Outdoor.
6. Storage Containers, Temporary.
7. Street or Neighborhood Fairs.
8. Trade Fairs. (Ord. 2008-002 § 2; Ord. 2004-007 § 2; Ord. 2004-004 § 3; Ord. 2003-006 § 1; Ord. 2001-015 § 1)

**2-608**      **Reserved** (Ord. 2007-020 § 2; Ord. 2005-021 § 2; Ord. 2004-007 § 2; Ord. 2004-004 § 3; Ord. 2003-006 § 2; Ord. 2001-015 § 1)

**2-610**      **Reserved** (Ord. 2001-015 § 1)

**2-612**      **CS District—Use Regulations**

A. CS District—Permitted Uses.

The following uses are allowed in the CS District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
2. Animal Boarding.
3. Animal Grooming.
4. Animal Hospitals.
5. Automobile Washing, Attended.
- 6. Brewpubs.**
- ~~7.6.~~ Building Materials and Services.
- ~~8.7.~~ Business Services.
- ~~9.8.~~ Business and Trade Schools.
- ~~10.9.~~ Cafés.
- ~~11.10.~~ Equipment Sales.
- ~~12.11.~~ Fast Food Establishments, Small Scale.
- ~~13.12.~~ Furniture, Electronics, and Appliance Sales.
- ~~14.13.~~ Health and Fitness Centers.
- ~~15.14.~~ Home Improvement and Interior Decoration.
- ~~16.15.~~ Instruction and Improvement Services.
- ~~17.16.~~ Maintenance and Repair Services.
- ~~18.17.~~ Medical Supply Stores.
- ~~19.18.~~ Restaurants, Full-Service.
- ~~20.19.~~ Retail Sales, Big Box.
- ~~21.20.~~ Telecommunications, **Architecturally-Integrated Antennase** and/or **Alternative Co-locations on Existing Tower Structures** ~~{(Subject to the regulations of see Section 4-1686: Wireless Telecommunication Facilities.) (as per Ordinance No. 98-009)}~~.
- ~~22.21.~~ Utilities, Minor.
- ~~23.22.~~ Vehicle/Equipment Repair, Limited.

B. CS District—Conditionally Permitted Uses.

The following uses are allowed in the CS District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses in conjunction with a conditionally permitted use.
2. Artists' Studios.
3. Automobile Washing, Unattended.
4. Cultural Institutions.
5. Drive-up Facilities.

6. Farmers' Market.
7. Industry, Custom.
8. Industry, Limited.
9. Massage Therapy.
10. Public Safety Facilities.
11. Public Storage.
- ~~12. Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)~~
- 12.13. Recycling Facilities, Small Scale Hazardous Waste. (Use permit requires specific finding that use is consistent with any adopted Alameda County Hazardous Waste Management Plan and any provisions of the San Leandro General Plan, specifically applicable to hazardous waste or material. Also subject to the regulations of Section 4-1646: Recycling Facilities.)**
- ~~13.14. Service Stations.~~
- ~~14.15. Telecommunications, **New Monopoles and** Towers, exceeding fifty (50) feet in height. **{Subject to the regulations of See Section 4-1686: Wireless Telecommunication Facilities.} {as per Ordinance No. 98-009}.**~~
- ~~15.16. Utilities, Major.~~
- ~~16.17. Vehicle/Equipment Repair, General.~~
- ~~17.18. Vehicle/Heavy Equipment Dealers, New.~~
- ~~18.19. Vehicle/Heavy Equipment Dealers, Used.~~
- ~~19.20. Vehicle/Heavy Equipment Rentals.~~
- ~~20.21. Vehicle Storage.~~
- ~~21.22. Warehouse—Storage and Shipping Facilities.~~
- ~~22.23. Warehouse—Wholesale/Retail Distribution Facilities.~~

C. CS District—Uses Requiring Administrative Review.

The following uses are allowed in the CS District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Mobile Food Vending~~er~~. (Subject to approval of operation and restrictions on operation as established by Zoning Enforcement Official and compliance with all other City codes pertaining to mobile food vendingers.)
2. Parking Lot.
3. Recycling Facilities, Bulk Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
4. Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
5. Recycling Facilities, Small Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- 6. Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)**

- ~~6. Telecommunications Towers, up to fifty (50) feet in height. [See Section 4-1686: Wireless Telecommunication Facilities (as per Ordinance No. 98-009)].~~
7. Vehicle/Heavy Equipment Dealers Limited, Used.

D. CS District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the CS District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Commercial Filming.
3. Real Estate Offices, Temporary.
4. Retail Sales, Outdoor.
5. Storage Containers, Temporary.
6. Street or Neighborhood Fairs. (Ord. 2007-020 § 2; Ord. 2004-004 § 3; Ord. 2001-015 § 1)

**2-614 CR District—Use Regulations**

A. CR District—Permitted Uses.

The following uses are allowed in the CR District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
- 2. Brewpubs.**
- ~~3.2. Cafés.~~
- ~~4.3. Commercial Recreation. (Arcades and Game Centers prohibited.)~~
- ~~5.4. Fast Food Establishments, Small Scale.~~
- ~~6.5. Health and Fitness Centers.~~
- ~~7.6. Instruction and Improvement Services.~~
- ~~8.7. Marine Sales and Service.~~
- ~~9.8. Neighborhood/Specialty Food Markets.~~
- ~~10.9. Park and Recreation Facilities.~~
- ~~11.10. Restaurants, Full-Service.~~
- ~~12.11. Retail Sales.~~
- 13. Telecommunications, Architecturally-Integrated Antennas and/or Co-locations on Existing Tower Structures (Subject to the regulations of Section 4-1686: Wireless Telecommunication Facilities.)**
- ~~14.12. Theaters, Small Scale.~~
- ~~15.13. Travel Services.~~
- ~~16.14. Utilities, Minor.~~

B. CR District—Conditionally Permitted Uses.

The following uses are allowed in the CR District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory Uses in conjunction with a conditionally permitted use.
2. Artists' Studios.
3. Bars.
4. Bed and Breakfast Inns. (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
5. Coin-Operated Laundry Businesses.
6. Day Care, General.
7. Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
8. Farmers' Market.
9. Fast Food Establishments, Large Scale.
10. Hotels, Motels, and Time-Share Facilities.
11. Marinas.
12. Massage Therapy.
13. Public Safety Facilities.
14. Restaurants, Fast Food.
15. Stadia and Sports Arenas.
16. Telecommunications, **New Monopoles and Towers (Subject to the regulations of See Section 4-1686: Wireless Telecommunication Facilities.)** ~~{as per Ordinance No. 98-009}~~.
17. Theaters.
18. Theaters, Outdoor.
19. Utilities, Major.

C. CR District—Uses Requiring Administrative Review.

The following uses are allowed in the CR District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
- 2. Community Gardens.**
- ~~3.~~**2.** Mobile Food Vending **ingor**. (Subject to approval of operation and restrictions on operation as established by Zoning Enforcement Official and compliance with all other City codes pertaining to mobile food vending.)
- ~~4.~~**3.** Parking Lot.
- ~~5.~~**4.** Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)



~~5. Telecommunications Antennae and/or Alternative Tower Structures. [See Section 4-1686: Wireless Telecommunication Facilities (as per Ordinance No. 98-009)].~~

D. CR District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the CR District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Circuses and Carnivals.
2. Commercial Filming.
3. Retail Sales, Outdoor.
4. Storage Containers, Temporary.
5. Trade Fairs. (Ord. 2004-004 § 3; Ord. 2003-006 § 3; Ord. 2001-015 § 1)

**2-616 C-RM District—Use Regulations**

A. ~~C-RM District—Regional Malls Require Development Agreement or Conditional Use Permit.~~ Regional Malls shall be permitted subject either to a development agreement or a conditional use permit.

~~A. B-C-RM District—Permitted Uses within Regional Mall.~~ The following uses are allowed in the C-RM District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.) ~~Within a regional mall, the following uses shall be permitted subject to review procedures established in the development agreement for the regional mall, or if no development agreement is adopted and in effect, such review procedures as are established by the conditional use permit for the regional mall:~~

1. **Accessory uses, other than Entertainment Events, when in conjunction with a permitted use.**
- ~~2.~~ 4. Animal Grooming.
3. **Artist's Studios.**
- ~~4.~~ 2. Automobile Rentals. (Permitted use limited to automobile rental office or counter, including on-site drop off or pick-up of rented automobiles, but excluding on-site storage of vehicles. If additional activities are proposed, a use permit for the "Vehicle/Heavy Equipment Rentals" classification shall be required.)
5. **Brewpubs.**
- ~~6.~~ 3. Business Services.
- ~~7.~~ 4. Cafés.
8. **Commercial Parking Facility.**
9. **Commercial Recreation.**
- ~~10.~~ 7. Day Care, General.
- ~~11.~~ 8. Department Stores.
12. **Drugstores.**
- ~~13.~~ 10. Fast Food Establishments, Small Scale.

- ~~14.11~~. Financial Institutions, Retail.
- ~~15.12~~. Furniture, Electronics, and Appliance Sales.
- ~~16.13~~. Government Offices.
- ~~17.14~~. Health and Fitness Centers.
- ~~18.15~~. Home Improvement and Interior Decoration.
- ~~19.16~~. Instruction and Improvement Services.
- ~~20.17~~. Medical Supply Stores.
- ~~21.18~~. Mobile Food Vending. **(Subject to approval of operation and restrictions on operation as established by Zoning Enforcement Official and compliance with all other City codes pertaining to mobile food vending.)**
- ~~22.19~~. Neighborhood/Specialty Food Markets.
- ~~23.20~~. Offices, Business and Professional. (Not exceeding five percent (5%) of gross leasable floor area of the mall.)
- ~~24.21~~. Pharmacies.
- ~~25.22~~. Restaurants, Full-Service.
- ~~26.23~~. Retail Sales.
- ~~27.24~~. Retail Services.
- ~~28~~. **Supermarkets.**
- ~~29~~. ~~2~~. Telecommunications, **Architecturally-Integrated** Antennas and/or Alternative **Co-locations on Existing** Tower Structures. (As defined in, **(Subject to the** and **regulations** by, **of** Section 4-1686: Wireless Telecommunication Facilities.)
- ~~30.25~~. Theaters, Small Scale.
- ~~31.26~~. Travel Services.
- ~~32~~. ~~3~~. Utilities, Minor.
- ~~33.27~~. Vehicle/Equipment Repair, Limited.

~~C. C-RM District—Development Agreement Controls.~~

~~All references to a development agreement herein shall refer to any development agreement signed by the City as authorized by City of San Leandro Codes and California Government Code Section 65864 et. seq., as amended from time to time, which affects any property, which now or in the future becomes subject to C-RM zoning. Said development agreement may have been executed before or after the subject property becomes subject to C-RM zoning. The provisions of any such development agreement shall control in the event of a conflict in the terms of such development agreement and C-RM zoning. Any rights protected by such development agreement shall continue to be protected and any procedures therein shall continue to be followed regardless of the provisions of this zoning ordinance.~~

~~D. C-RM District—Permitted Uses.~~

~~The following uses are allowed in the C-RM District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)~~

- ~~1. Accessory uses, other than Entertainment Activities, when in conjunction with a permitted use.~~
- ~~2. Telecommunications Antennae and/or Alternative Tower Structures. (As defined in, and regulated by, Section 4-1686: Wireless Telecommunication Facilities.)~~
- ~~3. Utilities, Minor.~~

**B.E.C-RM—Conditionally Permitted Uses.**

The following uses are allowed in the C-RM District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory Uses in conjunction with a conditionally permitted use.
- 2. Animal Hospitals.**
- 3. Bars.**
- 4. Beer and Wine Stores.**
- ~~5.2. Business and Trade Schools.~~
- 6. Commercial Recreation.**
- ~~7.3. Communications Facilities.~~
- ~~8.4. Cultural Institutions.~~
- ~~9.5. Drive-up Facilities.~~
- 10. Emergency Health Care.**
- 11. Entertainment Events. (Entertainment Events, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)**
- ~~12.6. Farmers' Market.~~
- ~~13.7. Fast Food Establishments, Large Scale.~~
- ~~14.8. Hotels, Motels, and Time-Share Facilities.~~
- 15. Liquor Stores.**
- ~~16.9. Maintenance and Repair Services.~~
- ~~17.10. Massage Therapy.~~
- ~~18.11. Mixed Use Residential.~~
- ~~19.12. Multi-family Residential.~~
- 20. Retail Sales, Big Box.**
- ~~13. Supermarkets.~~
- ~~21.14. Telecommunications, **New Monopoles and** Towers, exceeding fifty (50) feet in height. **{(Subject to the regulations of See Section 4-1686: Wireless Telecommunication Facilities.) (as per Ordinance No. 98-009)}**.~~
- ~~22.15. Theaters.~~
- ~~23.16. Two-Family Residential.~~
- ~~24.17. Utilities, Major.~~
- ~~25.18. Vehicle/Heavy Equipment Rentals.~~

C.F.C-RM District—Uses Requiring Administrative Review.

The following uses are allowed in the C-RM District, subject to the approval of an **Administrative Review Zoning Permit** by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Accessory Uses and Structures.
- 2. Animal Boarding, Indoor.**
- 3. Automatic Teller Machines.**
- 4. Catering Services.**
- 5. Community Gardens.**
- 6. Game Centers.**
- 7. Nurseries.**
- ~~8.2.~~ Parking Lot.
- ~~9.3.~~ Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~4.~~ Telecommunications Towers, up to fifty (50) feet in height. [~~See Section 4-1686: Wireless Telecommunication Facilities (as per Ordinance No. 98-009)].~~]

D.G.C-RM District—Temporary Uses Requiring Administrative Review.

**The following temporary uses are allowed in the C-RM District, subject to the regulations of Section 5-222: Temporary Use Permits.**

1. Animal Shows.
2. Christmas Tree and Pumpkin Sales.
3. Circuses and Carnivals.
4. Commercial Filming.
5. Retail Sales, Outdoor.
6. Special Promotions, for the regional mall as a whole.
7. Storage Containers, Temporary. (Ord. 2004-004 § 3; Ord. 2001-015 § 1)

**2-618 P District—Use Regulations**

A. P District—Permitted Uses.

The following uses are allowed in the P District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
- 2. Brewpubs.**
- ~~3.2.~~ Business Services.
- ~~4.3.~~ Cafés.

- ~~5.4.~~ Financial Institutions, Retail.
- ~~6.5.~~ Medical Supply Stores.
- ~~7.6.~~ Neighborhood/Specialty Food Markets.
- ~~8.7.~~ Offices, Business and Professional.
- ~~9.8.~~ Pharmacies.
- ~~10.9.~~ Restaurants, Full-Service.
- ~~11.10.~~ Retail Services.
- ~~12.11.~~ Travel Services.
- ~~13.12.~~ Utilities, Minor.

B. P District—Conditionally Permitted Uses.

The following uses are allowed in the P District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory Uses in conjunction with a conditionally permitted use.
2. Bed and Breakfast Inns. (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
3. Commercial Parking Facility.
4. Convalescent Facilities.
5. Cultural Institutions.
6. Day Care, General.
7. Emergency Health Care.
8. Farmers' Market.
9. Group Housing.
10. Health and Fitness Centers.
11. Hospitals.
12. Laboratories.
13. Massage Therapy.
14. Mortuaries.
15. Public Safety Facilities.
16. Schools, Public or Private.
17. Telecommunications, **New Monopoles and Towers.** ~~{See **(Subject to the regulations of** Section 4-1686: Wireless Telecommunication Facilities.) {as per Ordinance No. 98-009}}.~~
18. Utilities, Major.

C. P District—Uses Requiring Administrative Review.

The following uses are allowed in the P District, subject to the approval of an **Administrative Review Zoning Permit** by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.

2. Parking Lot.
3. Recycling Facilities, Single-Feed Reverse Vending Machine (subject to the regulations of Section 4-1646: Recycling Facilities).
4. Telecommunications, **Architecturally-Integrated** Antennas and/or **Alternative Co-locations on Existing** Tower Structures. ~~[See **(Subject to the regulations of** Section 4-1686: Wireless Telecommunication Facilities.) {as per Ordinance No. 98-009}]~~.

D. P District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the P District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Commercial Filming.
2. Real Estate Sales, Temporary.
3. Retail Sales, Outdoor.
4. Storage Containers, Temporary. (Ord. 2004-004 § 3; Ord. 2003-006 § 4; Ord. 2001-015 § 1)

**2-620 PHD District—Use Regulations**

A. PHD District—Permitted Uses.

The following uses are allowed in the PHD District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
- 2. Brewpubs.**
- ~~3.2. Business Services.~~
- ~~4.3. Cafés.~~
- ~~5.4. Financial Institutions, Retail.~~
- ~~6.5. Medical Supply Stores.~~
- ~~7.6. Neighborhood/Specialty Food Markets.~~
- ~~8.7. Offices, Business and Professional.~~
- ~~9.8. Pharmacies.~~
- ~~10.9. Restaurants, Full-Service.~~
- ~~11.10. Retail Services. (Only beauty and barber shops and shoeshine and shoe repair are permitted.)~~
- ~~12.11. Travel Services.~~
- ~~13.12. Utilities, Minor.~~

B. PHD District—Conditionally Permitted Uses.

The following uses are allowed in the PHD District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory Uses in conjunction with a conditionally permitted use.
2. Bed and Breakfast Inns. (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
3. Cultural Institutions.
4. Drive-up Facilities.
5. Emergency Health Care.
6. Farmers' Market.
7. Health and Fitness Centers.
8. Laboratories.
9. Massage Therapy.
10. Mixed-Use Residential.
11. Mortuaries.
12. Multi-Family Residential.
13. Telecommunications, **New Monopoles and Towers**. [~~See **Subject to the regulations of** Section 4-1686: Wireless Telecommunication Facilities.] ~~{as per Ordinance No. 98-009}~~].~~
14. Two-Family Residential.
15. Utilities, Major.

C. PHD District—Uses Requiring Administrative Review.

The following uses are allowed in the P District, subject to the approval of an **Administrative Review** ~~Zoning Permit~~ by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
2. Parking Lot.
3. Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
4. Telecommunications, **Architecturally-Integrated Antennas** and/or **Alternative Co-locations on Existing** Tower Structures. [~~See **Subject to the regulations of** Section 4-1686: Wireless Telecommunication Facilities.] ~~{as per Ordinance No. 98-009}~~].~~

D. PHD District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the P District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Commercial Filming.
2. Real Estate Offices, Temporary.

3. Retail Sales, Outdoor.
4. Storage Containers, Temporary. (Ord. 2004-004 § 3; Ord. 2001-015 § 1)

## 2-622 NA-1 District—Use Regulations

### A. NA-1 District—Permitted Uses.

The following uses are allowed in the NA-1 District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
- 2. Brewpubs.**
- ~~3.2.~~ Business Services.
- ~~4.3.~~ Cafés.
- ~~5.4.~~ Financial Institutions, Retail.
- ~~6.5.~~ Furniture, Electronics, and Appliance Sales.
- ~~7.6.~~ Health and Fitness Centers.
- ~~8.7.~~ Instruction and Improvement Services.
- ~~9.8.~~ Maintenance and Repair Services.
- ~~10.9.~~ Medical Supply Stores.
- ~~11.10.~~ Neighborhood/Specialty Food Markets.
- ~~12.11.~~ Offices, Business and Professional.
- ~~13.12.~~ Pharmacies.
- ~~14.13.~~ Restaurants, Full-Service.
- ~~15.14.~~ Retail Sales.
- ~~16.15.~~ Retail Services.
- ~~17.16.~~ Travel Services.
- ~~18.17.~~ Utilities, Minor

### B. NA-1 District—Conditionally Permitted Uses.

The following uses are allowed in the NA-1 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory Uses in conjunction with a conditional use.
2. Bars.
3. Bed and Breakfast Inns. (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
4. Commercial Recreation.
5. Drugstores.



6. Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
7. Farmers' Market.
8. Home Improvement and Interior Decoration.
9. Mixed-Use Residential.
10. Multi-Family Residential.
11. Telecommunications, **New Monopoles and Towers**. [~~See **Subject to the regulations of** Section 4-1686: Wireless Telecommunication Facilities.~~] ~~{as per Ordinance No. 98-009}~~].
12. Theaters.
13. Theaters, Small Scale.
14. Two-Family Residential.
15. Utilities, Major.

C. NA-1 District—Uses Requiring Administrative Review.

The following uses are allowed in the NA-1 District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
- 2. Community Gardens.**
- ~~3.2.~~ Mobile Food Vending~~er~~. (Subject to approval of operation and restrictions on operation as established by Zoning Enforcement Official and compliance with all other City codes pertaining to mobile food vending~~ing~~.)
- ~~4.3.~~ Parking Lot.
- 5. Recycling Facilities, Bulk Reverse Vending Machine (Subject to the regulations of Section 4-1646; Recycling Facilities.)**
- ~~6.4.~~ Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~7.5.~~ Telecommunications, **Architecturally-Integrated** Antennae~~s~~ and/or Alternative **Co-locations on Existing** Tower Structures. [~~See **(Subject to the regulations of** Section 4-1686: Wireless Telecommunication Facilities.~~] ~~{as per Ordinance No. 98-009}~~].

D. NA-1 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the NA-1 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Circuses and Carnivals.
3. Commercial Filming.
4. Real Estate Offices, Temporary.

5. Retail Sales, Outdoor.
6. Storage Containers, Temporary.
7. Street or Neighborhood Fairs.
8. Trade Fairs. (Ord. 2004-004 § 3; Ord. 2003-006 § 5; Ord. 2001-015 § 1)

## 2-624 NA-2 District—Use Regulations

### A. NA-2 District—Permitted Uses.

The following uses are allowed in the NA-2 District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
2. **Artist's Studios.**
3. **Brewpubs.**
- ~~4.2.~~ Business Services.
- ~~5.3.~~ Cafés.
- ~~6.4.~~ Financial Institutions, Retail.
- ~~7.5.~~ Furniture, Electronics and Appliance Sales.
- ~~8.6.~~ Health and Fitness Centers.
- ~~9.7.~~ Instruction and Improvement Services.
- ~~10.8.~~ Maintenance and Repair Services.
- ~~11.9.~~ Medical Supply Stores.
- ~~12.10.~~ Neighborhood/Specialty Food Markets.
- ~~13.11.~~ Offices, Business and Professional.
- ~~14.12.~~ Pharmacies.
- ~~15.13.~~ Restaurants, Full-Service.
- ~~16.14.~~ Retail Sales.
- ~~17.15.~~ Retail Services.
- ~~18.16.~~ Travel Services.
- ~~19.17.~~ Two-Family Residential.
- ~~20.18.~~ Utilities, Minor.

### B. NA-2 District—Conditionally Permitted Uses.

The following uses are allowed in the NA-2 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses in conjunction with a conditionally permitted use.
2. Assembly Uses.
3. Bars.

4. Bed and Breakfast Inns. (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
5. Commercial Recreation.
6. Drugstores.
7. Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
8. Farmers' Market.
9. Home Improvement and Interior Decoration.
10. Mixed-Use Residential.
11. Multi-Family Residential.
12. Telecommunications, **New Monopoles and Towers.** [~~See **(Subject to the regulations of** Section 4-1686: Wireless Telecommunication Facilities.)~~] ~~{as per Ordinance No. 98-009}~~].
13. Theaters.
14. Theaters, Small Scale.
15. Utilities, Major.

C. NA-2 District—Uses Requiring Administrative Review.

The following uses are allowed in the NA-2 District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
- 2. Community Gardens.**
- 3. Fast Food Establishments, Small Scale.**
- ~~4.2.~~ **Mobile Food Vending.** (Subject to approval of operation and restrictions on operation as established by Zoning Enforcement Official and compliance with all other City codes pertaining to mobile food vending.)
- ~~5.3.~~ Parking Lot.
- 6. Recycling Facilities, Bulk Reverse Vending Machine. (Subject to the regulations of Section 4-1646; Recycling Facilities.)**
- ~~7.4.~~ Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~8.5.~~ Telecommunications, **Architecturally-Integrated** Antennas and/or **Alternative Co-locations on Existing** Tower Structures. [~~See **(Subject to the regulations of** Section 4-1686: Wireless Telecommunication Facilities.)~~] ~~{as per Ordinance No. 98-009}~~].

D. NA-2 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the NA-2 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Circuses and Carnivals.
3. Commercial Filming.
4. Real Estate Offices, Temporary.
5. Retail Sales, Outdoor.
6. Storage Containers, Temporary.
7. Street or Neighborhood Fairs.
8. Trade Fairs. (Ord. 2012-002 § 1; Ord. 2004-004 § 3; Ord. 2003-006 § 6; Ord. 2001-015 § 1)

**2-626 SA Districts—Application of South Area Zoning Regulations to the East 14th Street South Area**

A. Relationship to the East 14<sup>th</sup> Street South Area Development Strategy.

The South Area 1, 2, and 3 zoning districts have been created to implement the East 14<sup>th</sup> Street Development Strategy (Development Strategy). The Development Strategy identifies five (5) activity areas. The zoning for these activity areas are as follows:

<b>Development Strategy District Name</b>	<b>Corresponding Zoning District</b>
Southern Downtown	DA-1 (Downtown Area)
McKinley Residential	SA-2
Palma	SA-1
International & Cultural	SA-1
Gateway	SA-3

(Ord. 2007-020 § 2; Ord. 2004-007 § 3)

**2-628 SA-1 District—Use Regulations**

A. SA-1 District—Permitted Uses.

The following uses are allowed in the SA-1 District, and a conditional use permit is not required, for tenant spaces up to twenty-five thousand (25,000) square feet. Spaces in excess of twenty-five thousand (25,000) square feet can be allowed through the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
2. Animal Sales.
3. Artists' Studios.
- 4. Brewpub.**
- ~~5.4.~~ Business and Trade Schools.
- ~~6.5.~~ Business Services.

- ~~7.6.~~ Cafés. (If the proposed use has either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger, Administrative Review is required per Subsection D.2, below.)
- ~~8.7.~~ Communications Facilities.
- ~~9.8.~~ Financial Institutions, Retail.
- ~~10.9.~~ Government Offices.
- ~~11.10.~~ Health and Fitness Centers.
- ~~12.11.~~ Instruction and Improvement Services.
- ~~13.12.~~ Medical Supply Stores.
- ~~14.13.~~ Neighborhood/Specialty Food Markets.
- ~~15.14.~~ Offices, Business and Professional.
- ~~16.15.~~ Pharmacies.
- ~~17.16.~~ Restaurants, Full-Service.
- ~~18.17.~~ Retail Sales.
- ~~19.18.~~ Retail Services.
- ~~20.19.~~ Travel Services.
- ~~21.20.~~ Utilities, Minor.

B. SA-1 District—Permitted Hours of Operation.

The operation of a permitted use in the SA-1 District between the hours of 10:00 p.m. and 7:00 a.m. is subject to approval of a conditional use permit.

C. SA-1 District—Conditionally Permitted Uses.

The following uses are allowed in the SA-1 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a conditionally permitted use.
2. Animal Grooming.
3. Animal Hospitals.
4. Bars.
5. Bed and Breakfast Inns. (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
6. Beer and Wine Stores. (Beer and Wine Stores shall not be located within one thousand (1,000) feet of a site occupied by a public or private school, park, library, or recreational facilities, and no exterior vending machines shall be permitted. Beer and Wine Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses. A pre-existing Beer and Wine Store shall not be deemed a nonconforming use solely due to non-compliance with the one thousand (1,000) foot minimum distance requirement.)

7. Billiard Parlors.
8. Coin-op Laundry and Dry Cleaning Businesses.
9. Commercial Recreation.
10. Convalescent Facilities.
11. Cultural Institutions.
12. Dance ~~Clubs, Hall.~~
13. Day Care, General.
14. Department Store.
15. Drive-up Facility.
- ~~16. Drugstore.~~
- ~~16.~~17.Emergency Health Care.
- ~~17.~~18.Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
- ~~18.~~19.Farmers' Market.
- ~~19.~~20.Fast Food Establishments, Large Scale.
- ~~20.~~21.Financial Institutions, Check Cashing and Personal Loans. (Financial Institutions, Personal Loan Services uses shall not be located within one thousand five hundred (1,500) feet from other Financial Institutions, Personal Loan Services uses. Financial Institutions, Personal Loan Services uses may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses.)
- ~~21.~~22.Fortunetelling **Establishments.**
- ~~22.~~23.Furniture, Electronic and Appliance Sales.
- ~~23.~~ **Game Centers.**
- ~~24.~~ **Group Housing.**
- ~~25.~~24.Home Improvement and Interior Decoration.
- ~~26.~~25.Hospitals.
- ~~27.~~26.Hotels, Motels, and Time-Share Facilities.
- ~~28.~~27.Laboratories.
- ~~29.~~28.Maintenance and Repair Services.
- ~~30.~~29.Multi-Family Residential. (For sites twenty-five thousand (25,000) s.f. or larger, and on ground floor next to East 14<sup>th</sup> Street.)
- ~~31.~~30.Massage Therapy.
- ~~32.~~31.Park and Recreation Facilities.
- ~~33.~~32.Parking Lot.
- ~~34.~~33.Public Safety Facilities.
- ~~34.~~ ~~Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)~~
35. Residential Hotels.
36. Schools, Public or Private.
37. Secondhand Sales.
38. Social Service Facilities.
- ~~39. Tattoo Parlors.~~

~~39.40.~~ Telecommunications, **New Monopoles and Towers.** [~~See (Subject to the regulations of Section 4-1686: Wireless Telecommunication Facilities.) (as per Ordinance No. 98-009)~~].

~~40.41.~~ Theaters.

~~41.42.~~ Tobacconist/Cigarette Stores (Tobacconist/Cigarette Stores shall not be located within one thousand five hundred (1,500) feet of a site occupied by a public or private school, park, library, or recreational facilities, or of other Tobacconist/Cigarette Stores, and no exterior vending machines shall be permitted. Tobacconist/Cigarette Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses.)

~~42.43.~~ Utilities, Major.

~~43.44.~~ Vehicle/Equipment Repair, Limited.

D. **SA-1 District—Uses Requiring Administrative Review.**

The following uses are allowed in the SA-1 District, subject to the approval of an **Administrative Review Zoning Permit** by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machine.

~~2. Cafés. (Administrative Review is required to establish or to enlarge a Café that would have either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger. Standards for review are specified in Section 2-674.G.)~~

~~2.3.~~ Catering Services.

**3. Community Gardens.**

**4. Drugstores.**

~~5.4.~~ Fast Food Establishment, Small Scale.

~~6.5.~~ Live-Work.

~~7.6.~~ Mixed-Use Residential.

~~8.7.~~ Multi-Family Residential (for sites twenty-five thousand (25,000) s.f. or less)

~~9.8.~~ Recycling Facilities, Bulk Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)

~~10.9.~~ Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)

~~11.10.~~ Recycling Facilities, Small Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)

**12. Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)**

~~13.11.~~ Supermarkets.

~~14.12.~~ Telecommunications, **Architecturally-Integrated** Antennas and/or **Alternative Co-locations on Existing** Tower Structures. [~~See (Subject to the regulations~~

of Section 4-1686: Wireless Telecommunication Facilities. ~~{as per Ordinance No. 98-009}}~~.

~~15.13.~~Theaters, Small Scale.

~~16.14.~~Two-Family Residential.

E. SA-1 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the SA-1 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Circuses and Carnivals.
3. Commercial Filming.
4. Real Estate Offices, Temporary.
5. Retail Sales, Outdoor.
6. Storage Containers, Temporary.
7. Street or Neighborhood Fairs.
8. Trade Fairs. (Ord. 2004-009 § 1; Ord. 2004-007 § 3)

**2-630 SA-2 District—Use Regulations**

A. SA-2 District—Permitted Uses.

The following uses are allowed in the SA-2 District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** ~~Activities~~, when in conjunction with a permitted use.
- 2.** Live-Work.
- ~~3.2.~~ Mixed-Use Residential.
- ~~4.3.~~ Multi-Family Residential.
5. Two-Family Residential.

B. SA-2 District—Permitted Hours of Operation.

The operation of a permitted nonresidential use in the SA-2 District between the hours of 10:00 p.m. and 7:00 a.m. is subject to approval of a conditional use permit.

C. SA-2 District—Conditionally Permitted Uses.

The following uses are allowed in the SA-2 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)



1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a conditionally permitted use.
2. Assembly Uses.
3. Bed and Breakfast Inns. (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
4. Beer and Wine Stores. (Beer and Wine Stores shall not be located within one thousand (1,000) feet of a site occupied by a public or private school, park, library, or recreational facilities, and no exterior vending machines shall be permitted. Beer and Wine Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses. A pre-existing Beer and Wine Store shall not be deemed a nonconforming use solely due to non-compliance with the one thousand (1,000) foot minimum distance requirement.)
5. Business and Trade Schools.
6. Coin-op Laundry and Dry Cleaning Businesses.
7. Convalescent Facilities.
8. Cultural Institutions.
9. Day Care, General.
10. Day Care, Limited.
11. Drugstore. (Single tenants, ten thousand (10,000) square feet in size or less, only.)
12. Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
13. Fast Food Establishment, Small Scale.
14. Financial Institution, Retail.
15. Fortunetelling **Establishments**.
16. Furniture, Electronic and Appliance Sales. (Single tenants ten thousand (10,000) square feet in size or less, only.)
17. Group Housing.
18. Home Improvement and Interior Decoration. (Single tenants ten thousand (10,000) square feet in size or less, only.)
- ~~19. Instruction and Improvement Services.~~
- 19.20.Library.
- 20.21.Maintenance and Repair Services.
- 21.22.Massage Therapy.
- 22.23.Medical Supply Stores.
- 23.24.Park and Recreation Facilities.
- 24.25.Pharmacies. (Single tenants ten thousand (10,000) square feet in size or less, only.)
- 25.26.Public Safety Facilities.
- ~~27. Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)~~

- ~~26.28~~.Retail Sales. (Single tenants greater than ten thousand (10,000) square feet in size, only. Single tenants less than ten thousand (10,000) square feet in size require Administrative Review.)
- ~~27.29~~.Retail Services.
- ~~28.30~~.Schools, Public or Private.
- ~~29.31~~.Social Service Facilities.
- ~~32. Telecommunication Antennae and/or Alternative Tower Structures. (See Section 4-1686: Wireless Telecommunication Facilities (as per Ordinance No. 98-009)).~~
- ~~30.33~~.Theaters, Small Scale.
- ~~34. Travel Services.~~

D. SA-2 District—Uses Requiring Administrative Review.

The following uses are allowed in the SA-2 District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

- 1. Artists' Studios.
- 2. Automatic Teller Machine.
- 3. Brewpubs.**
- ~~4.3~~. Business Services.
- 5.4. Cafés.** (Administrative Review is required to establish or to enlarge a Café that would have either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger. Standards for review are specified in Section 2-674.G.)
- 6. Community Gardens.**
- ~~7.5~~. Government Offices.
- ~~8.6~~. Health and Fitness Centers.
- 9. Instruction and Improvement Services.**
- ~~10.7~~.Neighborhood/Specialty Food Markets.
- ~~11.8~~.Offices, Business and Professional.
- ~~12.9~~.Recycling Facilities, Bulk Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~13.10~~.Recycling Facilities, Single-Feed Reverse Vending Machines (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~14.11~~.Recycling Facilities, Small Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- 15. Recycling Facilities, Large Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)**
- ~~16.12~~.Restaurants, Full-Service.
- ~~17.13~~.Retail Sales. (Single tenants over ten thousand (10,000) square feet in size require approval of a conditional use permit.)
- ~~18.14~~.Supermarkets.

**19. Telecommunications, Architecturally-Integrated Antennas and/or Co-locations on Existing Tower Structures (Subject to the regulations of Section 4-1686: Wireless Telecommunication Facilities.)**

~~20.15.~~Travel Services.

~~21.16.~~Utilities, Minor.

E. SA-2 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the SA-2 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Circuses and Carnivals.
3. Commercial Filming.
4. Real Estate Offices, Temporary.
5. Retail Sales, Outdoor.
6. Storage Containers, Temporary.
7. Street or Neighborhood Fairs.
8. Trade Fairs. (Ord. 2012-002 § 1; Ord. 2008-011 § 1; Ord. 2004-009 § 1; Ord. 2004-007 § 3)

**2-632 SA-3 District—Use Regulations**

A. SA-3 District—Permitted Uses.

The following uses are allowed in the SA-3 District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
2. Ambulance Services, **Emergency**. (A **conditional** use permit is required if located within one thousand (1,000) feet of an R District or the boundaries of a site occupied by a public or private school or park and recreation facility.)
- 3. Ambulance Services, Non-Emergency. (An Administrative Review approval is required if located within one thousand (1,000) feet of an R District or the boundaries of a site occupied by a public or private school or park and recreation facility.)**
- ~~4.~~3. Animal Sales.
- ~~5.~~4. Artists' Studios.
- 6. Brewpubs.**
- ~~7.~~5. Business and Trade Schools.
- ~~8.~~6. Business Services.

~~9.7. Cafés. (If the proposed use has either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger, Administrative Review is required per Subsection D.2, below.)~~

~~10.8. Catering Services.~~

~~11.9. Communications Facilities.~~

~~12.10. Fast Food Establishments, Small Scale. (If the proposed use is within five hundred (500) feet of a Residential District, Administrative Review is required, per Subsection D.3 below.)~~

~~13.14. Financial Institutions, Retail.~~

~~14.12. Furniture, Electronic and Appliance Sales.~~

~~15.13. Government Offices.~~

~~16.14. Health and Fitness Centers.~~

~~17.15. Home Improvement and Interior Decoration.~~

~~18.16. Instruction and Improvement Services.~~

~~19.17. Medical Supply Stores.~~

~~20.18. Neighborhood/Specialty Food Markets.~~

~~21.19. Offices, Business and Professional.~~

~~22.20. Pharmacies.~~

~~23.21. Restaurants, Full Service.~~

~~24.22. Retail Sales.~~

~~25.23. Retail Services.~~

~~26.24. Supermarkets.~~

~~27.25. Travel Services.~~

~~28.26. Utilities, Minor.~~

B. SA-3 District—Permitted Hours of Operation.

The operation of a permitted nonresidential use in the SA-3 District, as identified in Section 2-668.A, between the hours of 10:00 p.m. and 7:00 a.m., is subject to approval of a conditional use permit.

C. SA-3 District—Conditionally Permitted Uses.

The following uses are allowed in the SA-3 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a conditionally permitted use.
2. Animal Grooming.
3. Animal Hospitals.
4. Automobile Parts Sales.
5. Automobile Washing, Attended.
6. Automobile Washing, Unattended.
7. Bars.

8. Beer and Wine Stores. (Beer and Wine Stores shall not be located within one thousand (1,000) feet of a site occupied by a public or private school, park, library, or recreational facilities, and no exterior vending machines shall be permitted. Beer and Wine Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses. A pre-existing Beer and Wine Store shall not be deemed a nonconforming use solely due to non-compliance with the one thousand (1,000) foot minimum distance requirement.)
9. Billiard Parlors.
10. Bingo Parlors.
11. Coin-op Laundry and Dry Cleaning.
12. Commercial Parking Facility.
13. Commercial Recreation.
14. Convenience Stores. (Convenience markets shall not be located within one thousand (1,000) feet of a site occupied by a public or private school, park, library, or recreational facilities, and no exterior vending machines shall be permitted. Convenience markets may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses. A pre-existing Convenience Store shall not be deemed a nonconforming use solely due to non-compliance with the one thousand (1,000) foot minimum distance requirement.)
15. Cultural Institutions.
16. Dance ~~Clubs.Hall.~~
17. Department Store.
18. Drive-up Facility.
19. ~~Drugstore.~~
- ~~19.~~20.Emergency Health Care.
- ~~20.~~21.Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
- ~~21.~~22.Farmers' Market.
- ~~22.~~23.Fast Food Establishments, Large Scale.
- ~~23.~~24.Financial Institutions, Check Cashing/Personal Loans. (Financial Institutions, Personal Loan Services uses shall not be located within one thousand five hundred (1,500) feet from other Financial Institutions, Personal Loan Services uses. Financial Institutions, Personal Loan Services uses may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses.)
- ~~24.~~25.Fortunetelling **Establishments.**
- ~~25.~~26.Game Center.
- ~~26.~~ **Group Housing.**
27. Hotels, Motels, and Time-Share Facilities.

28. Liquor Stores. (Liquor Stores shall not be located within one thousand (1,000) feet of a site occupied by a public or private school, park, library, or recreational facilities, and no exterior vending machines shall be permitted. Liquor Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses. A pre-existing Liquor Store shall not be deemed a nonconforming use solely due to non-compliance with the one thousand (1,000) foot minimum distance requirement.)
29. Live-Work.
30. Maintenance and Repair Services.
31. Massage Therapy.
32. Mixed-Use Residential.
33. Multi-Family Residential.
34. Nurseries.
35. Park and Recreation Facilities.
36. Public Safety Facilities.
37. Retail Sales, Big Box.
38. Schools, Public or Private.
39. Secondhand Sales.
40. Service Stations.
41. Social Service Facilities.
- ~~42. Tattoo Parlors.~~
- ~~42.~~43.Telecommunications, **New Monopoles and Towers.**—[See **(Subject to the regulations of** Section 4-~~1686~~**68: Wireless Telecommunication Facilities.)** {as per Ordinance No. 98-009}].
- ~~43.~~44.Theaters.
- ~~44.~~45.Tobacconist/Cigarette Stores. (Tobacconist/Cigarette Stores shall not be located within one thousand five hundred (1,500) feet of a site occupied by a public or private school, park, library, or recreational facilities, or of other Tobacconist/Cigarette Stores, and no exterior vending machines shall be permitted. Tobacconist/Cigarette Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses.)
- ~~45.~~46.Utilities, Major.
- ~~46.~~47.Vehicle/Equipment Repair, Limited.
- ~~47.~~48.Vehicle/Heavy Equipment Dealers, New.
- ~~48.~~49.Vehicle/Heavy Equipment Dealers, Used.
- ~~49.~~50.Vehicle/Heavy Equipment Rental.

C. SA-3 District—Uses Requiring Administrative Review.

The following uses are allowed in the SA-2 District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machine.
- ~~2. Cafés. (Administrative Review is required to establish or to enlarge a Restaurant or Café that would have either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger. Standards for review are specified in Section 2-674.G.)~~
- 2. Community Gardens.**
- 3. Drugstores.**
4. Laboratories.
- ~~5. Theaters, Small Scale.~~
- ~~5.6. Parking Lot.~~
- ~~6.7. Recycling Facilities, Bulk Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)~~
- ~~7.8. Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)~~
- ~~8.9. Recycling Facilities, Small Collection. (Subject to the regulations of Section 4-1646: Recycling Facilities.)~~
- 9. Theaters, Small Scale.**
10. Two-Family Residential.
11. Telecommunications, **Architecturally-Integrated** Antennas and/or **Alternative Co-locations on Existing** Tower Structures. ~~[See **(Subject to the regulations of Section 4-1686: Wireless Telecommunication Facilities.)** {as per Ordinance No. 98-009}]~~.
12. Vehicle/Heavy Equipment Dealers Limited, Used.

D. SA-3 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the SA-2 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Circuses and Carnivals.
3. Commercial Filming.
4. Real Estate Offices, Temporary.
5. Retail Sales, Outdoor.
6. Storage Containers, Temporary.
7. Street or Neighborhood Fairs.
8. Trade Fairs. (Ord. 2004-009 § 1; Ord. 2004-007 § 3)

**2-634 DA Districts—Application of DA Zoning Districts to the Downtown Area**

A. Relationship to the Downtown San Leandro Transit-Oriented Development Strategy.

The DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 zoning districts have been created to implement the Downtown San Leandro Transit Oriented Development Strategy (Development Strategy). The Development Strategy identifies six (6) activity areas. The zoning for these activity areas are generally as follows:

<b>TOD Development Strategy District Areas</b>	<b>Corresponding Zoning District</b>
Retail Mixed-Use (East 14 <sup>th</sup> Street between Davis and Castro Streets)	DA-1
Multi-Use Infill (Periphery of Downtown Core)	DA-2
TOD—Transition Mixed-Use (Immediately Adjacent to Retail Core)	DA-3
TOD—Residential Mixed-Use (Near Transit Facilities)	DA-4
TOD—BART Area Mixed-Use (Immediately Adjacent to BART)	DA-5
Office Mixed-Use (Davis Street at San Leandro Boulevard)	DA-6

(Ord. 2007-020 § 2; Ord. 2001-015 § 1)

## **2-636 DA-1—Use Regulations**

### A. DA-1 District—Permitted Uses.

The following uses are allowed in the DA-1 District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
2. Animal Grooming. (Indoor Only)
3. Animal Sales.
4. Artists' Studios.
- 5. Brewpubs.**
- ~~6.5.~~ Business Services.
- ~~7.6.~~ Cafés.
- ~~8.7.~~ Catering Services.
- ~~9.8.~~ Communication Facilities.
- ~~10.9.~~ Department Stores. (Single tenants 10,000 s.f. in size or less only.)
- ~~11.10.~~ Drugstores. (Single tenants 10,000 s.f. in size or less only.)
- ~~12.11.~~ Financial Institutions, Retail.
- ~~13.12.~~ Furniture, Electronic, and Appliance Sales. (Single tenants 10,000 s.f. in size or less only.)
- ~~14.13.~~ Government Offices.
- ~~15.14.~~ Health and Fitness Centers.
- ~~16.15.~~ Home Improvement and Interior Decoration. (Single tenants 10,000 s.f. in size or less only.)
- 17. Instruction and Improvement Services.**



~~18.16~~-Medical Supply Stores.

~~19.17~~-Mixed-Use Residential. (With residential on upper floors only.):

- a. Retail uses required on ground floor on parcels fronting on East 14<sup>th</sup> Street and Washington Avenue. (Minimum density of 35 units per acre and a maximum density of 75 units per acre on parcels 20,000 s.f. or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre.)

~~20.18~~-Neighborhood/Specialty Food Markets. (Single tenants 10,000 s.f. in size or less only.)

~~21.19~~-Offices, Business and Professional.

~~22.20~~-Pharmacies. (Single tenants 10,000 s.f. in size or less only.)

~~23.21~~-Pre-Existing ~~Two-Family Residential~~ **Uses**. (These residential uses shall be allowed to remain and shall not be considered nonconforming,) ~~but no new Two-Family Residential uses shall be established.~~

~~24.22~~-Residential Uses Without Mixed Use Component allowed on Parcels Not Fronting on East 14<sup>th</sup> Street or Washington Avenue Corridors.

~~25.23~~-Restaurants, Full-Service.

~~26.24~~-Retail Sales. (Single tenants, 10,000 s.f. in size or less only.)

~~27.25~~-Retail Services.

~~28.26~~-Theaters, Small Scale.

~~29.27~~-Travel Services.

~~28.~~ ~~Two-Family Residential, Pre-Existing.~~ (These residential uses shall be allowed to remain and shall not be considered nonconforming, but no new Two-Family Residential uses shall be established.)

~~30.29~~-Utilities, Minor.

B. DA-1 District—Conditionally Permitted Uses.

The following uses are allowed in the DA-1 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory Uses in conjunction with a conditionally permitted use.
2. Bars.
3. Bed and Breakfast Inns. (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
4. **Beer and Wine Stores. (Beer and Wine Stores shall not be located within one thousand (1,000) feet of a site occupied by a public or private school, park, library, or recreational facilities, and no exterior vending machines shall be permitted. Beer and Wine Stores may be operated only between the hours of 6:00 a.m. and 10:00 p.m. unless longer hours are allowed with the approval of a conditional use permit, with a finding that the extended hours would not have an adverse effect on neighboring uses. A pre-existing Beer and Wine Store shall not be deemed a nonconforming use solely due to non-compliance with the one thousand (1,000) foot minimum distance requirement.)**

- ~~5.4.~~ Coin-Operated Laundry Businesses.
- ~~6.5.~~ Commercial Parking Facility.
- ~~7.6.~~ Commercial Recreation.
- ~~8.7.~~ Cultural Institutions.
- 9. Dance Clubs.**
- ~~10.8.~~ Day Care, General.
- ~~11.9.~~ Department Stores. (Single tenants greater than 10,000 s.f. in size.)
- ~~12.10.~~ Drive-up Facilities.
- ~~13.14.~~ Drugstores. (Single tenants greater than 10,000 s.f. in size.)
- ~~14.12.~~ Emergency Health Care.
- ~~15.13.~~ Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
- ~~16.14.~~ Farmer's Market.
- ~~17.15.~~ Fast Food Establishments, Large Scale. (Fast Food Establishments are not permitted on parcels fronting East 14<sup>th</sup> Street.)
- ~~16.~~ Fast Food Establishments, Small Scale.
- ~~18.17.~~ Furniture, Electronic, and Appliance Sales. (Single tenants greater than 10,000 s.f. in size.)
- 19. Game Centers.**
- ~~20.18.~~ Home Improvement and Interior Decoration. (Single tenants greater than 10,000 s.f. in size.)
- ~~21.19.~~ Hotels, Motels and Time-Share Facilities.
- ~~22.20.~~ Massage Therapy.
- ~~23.24.~~ Multi-Family Residential. (Minimum density of 35 units per acre and a maximum density of 75 units per acre on parcels 20,000 s.f. or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre.)
- ~~24.22.~~ Neighborhood Specialty Food Markets. (Single tenants greater than 10,000 s.f. in size.)
- ~~25.23.~~ Pharmacies. (Single tenants greater than 10,000 s.f. in size.)
- ~~26.24.~~ Public Safety Facilities.
- ~~27.25.~~ Retail Sales. (Single tenants greater than 10,000 s.f. in size.)
- ~~28.26.~~ Secondhand Sales.
- ~~29.27.~~ Service Stations.
- ~~30.28.~~ Supermarkets. (Single tenants greater than 10,000 s.f. in size.)
- ~~31.29.~~ Telecommunications, **New Monopoles and** Towers. [See **(Subject to** Section 4-1686: Wireless Telecommunications Facilities.) ~~{as per Ordinance No. 98-009}.]~~
- ~~32.30.~~ Theaters.

C. DA-1 District—Uses Requiring Administrative Review.

The following uses are allowed in the DA-1 District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
2. Business and Trade Schools.
- 3. Community Gardens.**
- 4. Fast Food Establishments, Small Scale.**
- ~~3.—Instruction and Improvement Services.~~
- ~~5.4.~~ Maintenance and Repair Services.
- ~~6.5.~~ Parking Lot.
- ~~7.6.~~ Recycling Facilities, Single-Feed Reverse Vending Machine. (Subject to the regulations of Section 4-1646: Recycling Facilities.)
- ~~8.7.~~ Supermarkets. (Single tenants 10,000 s.f. in size or less only.)
- ~~9.8.~~ Telecommunications, **Architecturally-Integrated** Antennas and/or **Alternative Co-locations on Existing** Tower Structures. (As defined in, and **(Subject to the regulations of** ed by, Section 4-1686: Wireless Telecommunications Facilities.)

D. DA-1 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the DA-1 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Commercial Filming.
3. Real Estate Offices, Temporary.
4. Retail Sales, Outdoor.
5. Street or Neighborhood Fairs.
6. Trade Fairs. (Ord. 2011-003 § 1; Ord. 2008-011 § 1; Ord. 2008-003 § 2; Ord. 2007-020 § 2; Ord. 2001-015 § 1)

**2-638 DA-2—Use Regulations**

A. DA-2 District—Permitted Uses.

The following uses are allowed in the DA-2 District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
- 2. Animal Grooming (Indoor only).**
- ~~3.2.~~ Artists' Studios.
- 4. Brewpubs.**
- ~~5.3.~~ Business Services.
- ~~6.4.~~ Cafés.
- ~~7.5.~~ Day Care, Large Family (Subject to the Regulations of Section 2-516: Large Family Day Care Homes, for pre-existing residential uses only.)

- ~~8.6.~~ Financial Institutions, Retail.
- ~~9.7.~~ Furniture, Electronics, and Appliance Stores.
- ~~10.8.~~ Health and Fitness Centers.
- ~~11.9.~~ Instruction and Improvement Services.
- ~~12.10.~~ Medical Supply Stores.
- ~~13.11.~~ Mixed-Use Residential with ground floor retail and office uses. (Minimum density of 20 units per acre and a maximum of 40 units per acre on parcels 20,000 s.f. or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre unless approved by a conditional use permit. Conditional use permits for additional density may be approved for projects having additional open space or other amenities.)
- ~~14.12.~~ Multi-Family Residential. (Minimum density of 20 units per acre and a maximum of 40 units per acre on parcels 20,000 s.f. or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre unless approved by a conditional use permit. Conditional use permits for additional density may be approved for projects having additional open space or other amenities.)
- ~~15.13.~~ Neighborhood/Specialty Food Markets.
- ~~16.14.~~ Offices, Business and Professional.
- ~~17.15.~~ Pharmacies. (Single tenants 10,000 s.f. in size or less only.)
- ~~18.16.~~ Pre-Existing Single-Family and Two-Family Residential **Uses**. (These pre-existing Single-Family and Two-Family residential uses shall be allowed to remain and shall not be considered nonconforming, but no new Single-Family and Two-Family Residential uses shall be established.)
- ~~19.17.~~ Residential Congregate Care Facilities. (Subject to the regulations of Section 2-518: Residential Congregate Care Facilities.)
- ~~20.18.~~ Residential Congregate Care Facilities, Limited.
- ~~21.19.~~ Restaurants, Full-Service.
- ~~22.20.~~ Retail Sales. (Single tenants 10,000 s.f. in size or less only.)
- ~~23.21.~~ Retail Services.
- ~~22.~~ Single-Family Residential. (Pre-existing Single-Family Residential uses shall be allowed to remain and shall not be considered nonconforming, but no new Single-Family Residential uses shall be established.)
- ~~24.23.~~ Travel Services.
- ~~24.~~ Two-Family Residential. (Pre-existing Two-Family Residential uses shall be allowed to remain and shall not be considered nonconforming, but no new Two-Family Residential uses shall be established.)
- 25. Utilities, Minor.

B. DA-2 District—Conditionally Permitted Uses.

The following uses are allowed in the DA-2 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

- 1. Accessory Uses in conjunction with a conditionally permitted use.

2. Assembly Uses.
3. Bars.
4. Bed and Breakfast Inns.
5. Catering.
6. Commercial Parking Facility.
7. Commercial Recreation.
8. Convalescent Facilities.
9. Cultural Institutions.
10. Day Care, General.
11. Drugstores.
12. Emergency Health Care.
13. Entertainment **Events** Activities (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
14. Farmers' Market.
15. Group Housing.
16. Health and Fitness Centers.
17. Home Improvement and Interior Decoration.
18. Hospitals.
19. Laboratories.
20. Massage Therapy.
21. Mortuaries.
22. Park and Recreation Facilities.
23. Pharmacies. (Single tenants greater than 10,000 s.f. in size.)
24. Schools, Public or Private.
25. Telecommunications, **New Monopoles and Towers.** [~~See **(Subject to the regulations of** Section 4-1686: Wireless Telecommunications Facilities.) (as per Ordinance No. 98-009).~~]
26. Theaters.
27. Theaters, Small Scale.
28. Utilities, Major.

C. DA-2 District—Uses Requiring Administrative Review.

The following uses are allowed in the DA-2 District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
2. **Business and Trade Schools.**
3. **Community Gardens.**
4. **Fast Food Establishments, Small Scale.**
- ~~5.2.~~ Parking Lot.
- ~~6.3.~~ Recycling Facilities, Single-Feed Reverse Vending Machine (subject to the regulations of Section 4-1646: Recycling Facilities).

~~7.4. Telecommunications, **Architecturally-Integrated** Antennas and/or Alternative Co-locations on Existing Tower Structures. [See **(Subject to the regulations of Section 4-1686: Wireless Telecommunications Facilities.)** {as per Ordinance No. 98-009}.]~~

D. DA-2 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the P District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Assembly Uses, Temporary.
2. Christmas Tree and Pumpkin Sales.
3. Commercial Filming, Limited.
4. Real Estate Sales, Temporary.
5. Retail Sales, Outdoor.
6. Street and Neighborhood Fairs.
7. Trade Fairs. (Ord. 2008-011 § 1; Ord. 2008-003 § 3; Ord. 2007-020 § 2; Ord. 2001-015 § 1)

**2-640 DA-3—Use Regulations**

A. DA-3 District—Permitted Uses.

The following uses are allowed in the DA-3 District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses when in conjunction with a permitted use.
- 2. Animal Grooming (Indoor only).**
- ~~3.2. Cafés.~~
- ~~4.3. Day Care, Large Family. (Subject to the regulations of Section 2-516: Large Family Day Care Homes, for pre-existing residential uses only.)~~
- ~~5.4. Day Care, Limited (For pre-existing residential uses only.)~~
- ~~6.5. Garage and Yard Sales. (Limited to two (2) times per year on the premises of the property owner or a residential property in the immediate vicinity.)~~
- ~~7.6. Multi-Family Residential. (Minimum density of 20 units per acre and a maximum of 60 units per acre on parcels 20,000 square feet or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre unless approved by a conditional use permit. Conditional use permits for additional density may be approved for projects having additional open space or other amenities.)~~
- ~~8.7. Park and Recreation Facilities, Public.~~
- 9.8. Pre-Existing Single-Family and Two-Family Residential Uses. (These residential uses Pre-existing Single-Family and Two-Family residential uses shall be allowed to remain and shall not be considered non-conforming, but new Single-**

Family and Two-Family Residential uses shall be subject to a conditional use permit per Subsection B.~~17~~<sup>18</sup> and B.~~21~~<sup>22</sup> below.)

~~10.9~~. Residential Congregate Care Facilities. (Subject to the regulations of Section 2-518: Residential Congregate Care Facilities.)

~~11.10~~. Residential Congregate Care Facilities, Limited.

~~12.11~~. Utilities, Minor.

B. DA-3 District—Conditionally Permitted Uses.

The following uses are allowed in the DA-3 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses when in conjunction with a conditionally permitted use.

~~2.~~ Artists' Studios.

~~2.3.~~ Assembly Uses.

~~3.4.~~ Bed and Breakfast Inns.

**4.** Brewpubs.

~~5.~~ Cafés.

~~5.6.~~ Cultural Institutions.

~~6.7.~~ Day Care, General.

**7.** Fast Food Establishments, Small Scale.

8. Group Housing.

~~9.~~ Health and Fitness Centers.

~~9.10.~~ Manufactured Home Parks.

**10.11.** Mixed-Use Residential with ground floor office and/or retail. (Minimum density of 20 units per acre and a maximum of 60 units per acre on parcels 20,000 square feet or greater; on parcels less than 20,000 square feet the density shall not exceed 24 units per acre unless approved by a conditional use permit. Conditional use permits for additional density may be approved for projects having additional open space or other amenities.)

~~11.12.~~ Neighborhood/Specialty Food Markets. (Single tenants 10,000 square feet in size or less only.)

~~13.~~ Offices, Business and Professional.

~~12.14.~~ Park and Recreation Facilities, Private Noncommercial.

~~13.15.~~ Public Safety Facilities.

~~14.16.~~ Restaurants, Full-Service.

~~15.17.~~ Retail Sales.

~~16.18.~~ Retail Services.

~~17.19.~~ Single-Family Residential.

~~18.20.~~ Schools, Public or Private.

~~19.21.~~ Telecommunications, **Co-locations on Existing** Alternative Tower Structures [see **(Subject to the regulations of** Section 4-1686: Wireless Telecommunications Facilities.) {as per Ordinance No. 98-009}].

~~20.22.~~ Travel Services.

- ~~21.23~~.Two-Family Residential.
- ~~22.24~~.Utilities, Major.

C. DA-3 District—Uses Requiring Administrative Review.

The following uses are allowed in the DA-3 District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

- 1. Artist’s Studios.**
- 2. Business and Trade Schools.**
- 3. Community Gardens.**
- 4. Health and Fitness Centers.**
- 5. Instruction and Improvement Services.**
- ~~6.1~~. Offices, Business and Professional.
- ~~7.2~~. Telecommunications, **Architecturally-Integrated** Antennae **{see (Subject to the regulations of** Section 4-1686: Wireless Telecommunications Facilities.) **}** ~~{as per Ordinance No. 98-009}}~~.

D. DA-3 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the DA-3 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Assembly Uses, Temporary.
2. Commercial Filming, Limited.
3. Street and Neighborhood Fairs. (Ord. 2012-002 § 1; Ord. 2011-003 § 1; Ord. 2008-011 § 1; Ord. 2008-003 § 4; Ord. 2007-020 § 2; Ord. 2001-015 § 1)

**2-642 DA-4—Use Regulations**

A. DA-4 District—Permitted Uses.

The following uses are allowed in the DA-4 District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses when in conjunction with a permitted use.
2. Cafés.
3. Day Care, Large Family. (Subject to the regulations of Section 2-516: Large Family Day Care Homes, for pre-existing residential uses only.)
4. Day Care, Limited. (For pre-existing residential uses only.)
5. Garage and Yard Sales. (Limited to two (2) times per year on the premises of the property owner or a residential property in the immediate vicinity.)



6. Multi-Family Residential. (Minimum density of sixty (60) units per acre and a maximum density of one hundred (100) units per acre on parcels twenty thousand (20,000) square feet or greater; on parcels less than twenty thousand (20,000) square feet the density shall not exceed twenty-four (24) units per acre unless approved by a conditional use permit. Conditional use permits for additional density may be approved for projects having additional open space or other amenities.)
7. Park and Recreation Facilities, Public.
8. Pre-Existing ~~Single-Family and Two-Family Residential~~ **Uses.** (~~These Pre-existing Single-Family and Two-Family~~ residential uses shall be allowed to remain and shall not be considered nonconforming, but new Single-Family and Two-Family Residential uses shall be subject to a conditional use permit per Subsection B.~~1820~~ and B.~~2123~~ below.)
9. Residential Congregate Care Facilities. (Subject to the regulations of Section 2-518: Residential Congregate Care Facilities, for pre-existing residential uses only.)
10. Residential Congregate Care Facilities, Limited. (For pre-existing residential uses only.)
11. Utilities, Minor.

B. DA-4 District—Conditionally Permitted Uses.

The following uses are allowed in the DA-4 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses when in conjunction with a conditionally permitted use.
- ~~2. Artists' Studios.~~
- ~~2.3.~~ **Assembly Uses.**
- ~~3.4.~~ **Bed and Breakfast Inns.** (Subject to the regulations of Section 4-1674: Bed and Breakfast Inns.)
- 4. Brewpubs.**
5. Cultural Institutions.
6. Day Care, General. (For pre-existing residential uses only.)
- 7. Fast Food Establishments, Small Scale.**
- ~~8.7.~~ Group Housing.
- ~~8.~~ ~~Health and Fitness Centers.~~
9. Industrial Uses. (Pre-existing industrial uses shall not be considered nonconforming and may continue. Expansion up to 25 percent may be considered with a conditional use permit.)
10. Mixed-Use Residential with retail and/or office on the ground floor. (Minimum density of 60 units per acre and a maximum density of 100 units per acre on parcels 20,000 s.f. or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre unless approved by a conditional use permit. Condi-

tional use permits for additional density may be approved for projects having additional open space or other amenities.)

11. Neighborhood/Specialty Food Markets. (Single tenants 10,000 s.f. in size or less only.)
12. Park and Recreation Facilities, Private Noncommercial.
13. Public Safety Facilities.
14. Restaurants, Full-Service.
15. Retail Sales.
16. Retail Services.
17. Schools, Public or Private.
18. Single-Family Residential.
19. Telecommunications, **Co-locations on Existing** Alternative Tower Structures ~~{see (Subject to the regulations of~~ Section 4-1686: Wireless Telecommunications Facilities.) ~~{as per Ordinance No. 98-009}}.~~
20. Travel Services.
21. Two-Family Residential.
22. Utilities, Major.

C. DA-4 District—Uses Requiring Administrative Review.

The following uses are allowed in the DA-4 District, subject to the approval of a Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

- 1. Artist's Studios.**
- 2. Business and Trade Schools.**
- 3. Community Gardens.**
- 4. Health and Fitness Centers.**
- 5. Instruction and Improvement Services.**
- ~~6.1.~~ Offices, Business and Professional.
- ~~7.2.~~ Telecommunications, **Architecturally-Integrated** Antennas ~~{see (Subject to the regulations of~~ Section 4-1686: Wireless Telecommunications Facilities.) ~~{as per Ordinance No. 98-009}}.~~

D. DA-4 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the DA-4 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Assembly Uses, Temporary.
2. Commercial Filming, Limited.
3. Street and Neighborhood Fairs. (Ord. 2011-003 § 1; Ord. 2008-011 § 1; Ord. 2008-003 § 5; Ord. 2007-020 § 2; Ord. 2001-015 § 1)

**2-644 DA-5—Use Regulations**

A. DA-5 District—Permitted Uses.

The following uses are allowed in the DA-5 District, and a conditional use permit is not required, provided that the use does not operate between the hours of 10 p.m. and 7 a.m. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
2. Artists' Studios.
- 3. Brewpubs.**
- ~~4.3.~~ Cafés.
- ~~5.4.~~ Catering Services.
- ~~6.5.~~ Health and Fitness Centers.
- 7. Instruction and Improvement Services.**
- ~~8.6.~~ Mixed-Use Residential with retail or office uses on the ground floor. (Minimum density of 80 units per acre on parcels 20,000 s.f. or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre unless approved by a conditional use permit. Conditional use permits for additional density may be approved for projects having additional open space or other amenities.)
- ~~9.7.~~ Multi-Family Residential. (Minimum density of 80 units per acre on parcels 20,000 s.f. or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre unless approved by a conditional use permit. Conditional use permits for additional density may be approved for projects having additional open space or other amenities.)
- ~~10.8.~~ Neighborhood/Specialty Food Markets. (Single tenants 10,000 s.f. in size or less only, when in conjunction with mixed-use residential uses on the upper floors.)
- ~~11.9.~~ Offices, Business and Professional.
- ~~12.10.~~ Park and Recreation Facilities.
- ~~13.11.~~ Restaurants, Full-Service. (If the proposed use has either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet or larger, Administrative Review is required per Subsection D.2, below.)
- ~~14.12.~~ Retail Sales when in conjunction with mixed-use residential on the upper floors.
- ~~15.13.~~ Retail Services.
- ~~16.14.~~ Utilities, Minor.

B. DA-5 District—Conditionally Permitted Hours of Operation.

The operation of a permitted use in the DA-5 District, as identified in Section 2-644.A, between the hours of 10:00 p.m. and 7:00 a.m., is subject to the approval of a conditional use permit.

C. DA-5 District—Conditionally Permitted Uses.

The following uses are allowed in the DA-5 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory Uses in conjunction with a conditionally permitted use.
2. Cultural Institutions.
3. Day Care, General.
4. Drugstores.
5. Entertainment **Events** Activities. (Entertainment **Events** Activities, when provided either as a primary use or as an accessory use to permitted and conditionally permitted uses, require use permit approval.)
- 6. Fast Food Establishments, Small Scale.**
- ~~7.6.~~ Government Offices.
- ~~8.7.~~ Hotels, Motels, and Time-Share Facilities.
- ~~9.8.~~ Neighborhood/Specialty Food Markets. (Single tenants greater than 10,000 s.f. in size.)
- ~~10.9.~~ Supermarkets.
- ~~11.10.~~ Utilities, Major.

D. DA-5 District—Uses Requiring Administrative Review.

The following uses are allowed in the DA-5 District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
2. **Business and Trade Schools.**
3. **Community Gardens.**
- ~~2.~~ Restaurants, Full-Service. (Administrative Review is required to establish or enlarge a Restaurant or Café that would have either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet or larger. Standards for review are specified in Section 2-674.G.)
- ~~4.3.~~ Telecommunications, **Architecturally-Integrated** Antennas and/or Alternative **Co-locations on Existing** Tower Structures [see **(Subject to the regulations of** Section 4-1686: Wireless Telecommunications Facilities.)] [as per Ordinance No. 98-009]].

E. DA-5 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the DA-5 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Commercial Filming.
3. Real Estate Offices, Temporary.

4. Retail Sales, Outdoor.
5. Street or Neighborhood Fairs. (Ord. 2011-003 § 1; Ord. 2008-011 § 1; Ord. 2008-003 § 6; Ord. 2007-020 § 2; Ord. 2001-015 § 1)

## 2-646 DA-6—Use Regulations

### A. DA-6 District—Permitted Uses.

The following uses are allowed in the DA-6 District, and a conditional use permit is not required. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory uses, other than Entertainment **Events** Activities, when in conjunction with a permitted use.
2. Artists' Studios.
- 3. Brewpubs.**
- ~~4.3.~~ Business Services.
- ~~5.4.~~ Business and Trade Schools.
- ~~6.5.~~ Cafés.
- ~~7.6.~~ Financial Institutions, Retail.
- 8. Health and Fitness Centers.**
- ~~9.7.~~ Instruction and Improvement Services.
- ~~10.8.~~ Mixed-Use Residential with office or retail uses on the ground floor. (Minimum density of 60 units per acre on parcels 20,000 s.f. or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre unless approved by a conditional use permit. Conditional use permits for additional density may be approved for projects having additional open space or other amenities.)
- ~~11.9.~~ Multi-Family Residential. (Minimum density of 60 units per acre on parcels 20,000 s.f. or greater; on parcels less than 20,000 s.f. the density shall not exceed 24 units per acre unless approved by a conditional use permit. Conditional use permits for additional density may be approved for projects having additional open space or other amenities.)
- ~~12.10.~~ Offices, Business and Professional. (Minimum two stories of Office use fronting on Davis Street.)
- ~~13.11.~~ Park and Recreation Facilities.
- ~~14.12.~~ Pre-Existing Two-Family Residential **Uses.** (These Pre-existing ~~Two-Family Residential~~ Residential uses shall be allowed to remain and shall not be considered nonconforming.) ~~but no new Two-Family Residential uses shall be established.)~~
- 15.** Pharmacies.
- ~~16.14.~~ Restaurants, Full-Service. (If the proposed use has either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet or larger Administrative Review is required per Subsection D.2. below.)
- ~~17.15.~~ Retail Sales when in conjunction with Mixed-Use Residential.

~~18.16.~~Retail Services. (Minimum two stories of Service Retail fronting on Davis Street.)

~~19.17.~~Travel Services.

~~20.18.~~Two-Family Residential. (Pre-existing Two-Family Residential uses shall be allowed to remain and shall not be considered nonconforming, but no new Two-Family Residential uses shall be established.)

~~21.19.~~Utilities, Minor.

B. DA-6 District—Conditionally Permitted Uses.

The following uses are allowed in the DA-6 District, subject to the approval of a conditional use permit. (Certain uses are subject to special requirements and/or limitations, as prescribed following the individual use classification.)

1. Accessory Uses in conjunction with a conditionally permitted use.
2. Catering Services.
3. Communication Facilities.
4. Cultural Institutions.
5. Day Care, General.
6. Drugstores.
7. Fast Food Establishments, Large Scale.
- ~~8. Fast Food Establishments, Small Scale.~~
- ~~8.9.~~ Government Offices.
- ~~10.~~ Health and Fitness Centers.
- ~~9.11.~~Hotels, Motels, and Time-Share Facilities.
- ~~10.12.~~Neighborhood/Specialty Food Markets.
- ~~11.13.~~Schools, Public or Private.
- ~~12.14.~~Service Stations.
- ~~13.15.~~Supermarkets.
- ~~14.16.~~Theaters.
- ~~15.17.~~Utilities, Major.
- ~~16.18.~~Vehicle/Heavy Equipment Dealers, New.

C. DA-6 District—Uses Requiring Administrative Review.

The following uses are allowed in the DA-6 District, subject to the approval of an **Administrative Review** Zoning Permit by the Zoning Enforcement Official, as per the requirements of Article 21.

1. Automatic Teller Machines.
- 2. Community Gardens.**
- 3. Fast Food Establishments, Small Scale.**
- 4. Game Center.**
- ~~5.2.~~ Parking Lot.

~~3. Restaurants, Full-Service. (Administrative Review is required to establish or enlarge a Restaurant or Café that would have either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet or larger. Standards for review are specified in Section 2-674.G.)~~

~~6.4. Telecommunications, **Architecturally-Integrated** Antennaes and/or Alternative **Co-locations on Existing** Tower Structures. [see **(Subject to the regulations of** Section 4-1686: Wireless Telecommunication Facilities.) {as per Ordinance No. 98-009}].~~

D. DA-6 District—Temporary Uses Requiring Administrative Review.

The following temporary uses are allowed in the DA-6 District, subject to the regulations of Section 5-2222: Temporary Use Permits.

1. Christmas Tree and Pumpkin Sales.
2. Circuses and Carnivals.
3. Commercial Filming.
4. Real Estate Offices, Temporary.
5. Retail Sales, Outdoor.
6. Street or Neighborhood Fairs.
7. Trade Fairs. (Ord. 2008-011 § 1; Ord. 2008-003 § 7; Ord. 2007-020 § 2; Ord. 2001-015 § 1)

**2-674 Additional Use Restrictions: CN, CC, CS, CR, C-RM, P, PHD, NA-1, NA-2, SA-1, SA-2 SA-3, DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Districts**

All uses not listed as permitted, conditionally permitted, or subject to administrative review are prohibited, unless a decision is made by the Zoning Enforcement Official pursuant to Section 5-2106: Uses Not Listed.

In addition to the uses listed above, the following regulations shall apply:

- A. Automobile Washing, **Attended and Unattended**. Subject to the regulations of Section 4-1634: Service Stations and Automobile Washing.
- B. Concurrent Sale of Motor Vehicle Fuel and Alcoholic Beverages. Subject to the regulations of Section 4-1644: Concurrent Sale of Motor Vehicle Fuel and Alcoholic Beverages.
- C. Development of Lots Divided by District Boundaries. Lots located within two (2) districts shall be subject to the regulations of Section 4-1652: Development on Lots Divided by District Boundaries.
- D. Fast Food Establishments. Subject to the regulations in Section 4-1630.

- E. Nonconforming Uses. Subject to the regulations of Article 20: Nonconforming Uses and Structures.
- F. Relocated Buildings. A use permit shall be required for any commercial use, residential use, public or semipublic use, or industrial use occupying a relocated building.
- G. Restaurants, Full-Service or Cafés in Various Commercial Districts Subject to Administrative Review if the proposal has, or would result in, either a gross floor area of two thousand (2,000) square feet, or larger, or a dining area of one thousand (1,000) square feet, or larger. Zoning permit review pursuant to Article 21 shall include, but is not limited to, a review of the proposal's generation of parking demand, hours of operation, and signage. In order to assure consistency with the purpose of the various Commercial Districts as stated in Section 2-600, the Zoning Enforcement Official may impose conditions to limit hours of operations and signage further than what is prescribed elsewhere in this Code. The standard for approval is the Zoning Enforcement Official's ability to make the required findings, as listed below:
1. That the proposed location and operation of the Restaurant, Full-Service or Café is in accord with the provisions of this code, and the purposes and specific standards of the Commercial District in which the site is located;
  2. That the proposed location of the Restaurant, Full-Service or Café and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing, or working in, or adjacent to, the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity, or to the general welfare of the City;
  3. That the proposed Restaurant, Full Service or Café will not create adverse impacts on traffic, including but not limited to on-street parking demand, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.
- H. Fast Food Establishments, Small Scale in the CC, SA, and Various DA Districts. Subject to Administrative Review if the proposal is to establish or enlarge a Fast Food Establishment, Small Scale within five hundred (500) feet of a Residential District. Zoning permit review pursuant to Article 21 shall include but is not limited to a review of the proposal's generation of parking demand, hours of operation, and signage. In order to assure consistency with the purpose of the applicable commercial district, the Zoning Enforcement Official may impose conditions to limit hours of operations and signage further than what is prescribed elsewhere in this Code. The standard for approval is the Zoning Enforcement Official's ability to make the required findings, as listed below:



1. That the proposed location and operation of the Fast Food Establishment, Small Scale, is in accord with the provisions of this code, and the purposes and specific standards of the commercial district in which the site is located;
2. That the proposed location of the Fast Food Establishment, Small Scale, and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety, or welfare of persons residing, or working in, or adjacent to, the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity, or to the general welfare of the City;
3. That the proposed, Fast Food Establishment, Small Scale will not create adverse impacts on traffic, including but not limited to on-street parking demand, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. (Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2004-004 § 3; Ord. 2001-015 § 1)

## Division 2. Development Regulations

### **2-676 Property Development Regulations: CN, CC, CS, CR, C-RM, P, PHD, NA-1, NA-2, SA-1, SA-2, SA-3, DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Districts**

The following Sections set forth the property development regulations of the CN, CC, CS, CR, C-RM, P, PHD, NA-1, NA-2, SA-1, SA-2, SA-3, DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Districts. Furthermore, development proposals in the SA-1, SA-2 or SA-3 Districts shall be reviewed by City staff to ensure general consistency with the provisions contained in the Design Guidelines in the East 14<sup>th</sup> Street South Area Development Strategy. Development proposals in the DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Districts shall be reviewed by City Staff to ensure general consistency with the provisions contained in the Design Guidelines in the Downtown San Leandro Transit-Oriented Development Strategy. (Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

### **2-678 Minimum Lot Area and Minimum Lot Width**

<b>Zoning District</b>	<b>Minimum Lot Area (sq. ft.)</b>	<b>Minimum Lot Width (feet)</b>
CN, P, DA-2, DA-3, DA-4	5,000 <sup>(2)</sup>	50
CC, NA-1, NA-2, DA-1, DA-5, DA-6	10,000 <sup>(2)</sup>	100
PHD	5,000	50
CS	10,000	100
CR	10,000	n.a.
C-RM	25 acres <sup>(1)</sup>	n.a.
SA-1, SA-2, SA-3	5,000	50

<sup>(1)</sup> In the C-RM District, the Community Development Director may administratively approve an exception to the minimum lot size to allow for lots less than the minimum size required by this section if adequate shared ingress, egress and access to parking facilities can be provided to accommodate each proposed new lot.

<sup>(2)</sup> In the DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Districts the Community Development Director may administratively approve an exception to the minimum lot size to allow for lots less than the minimum size required by this section if adequate shared ingress, egress and access to parking facilities can be provided to accommodate each proposed new lot and the proposed development is consistent with the Design Guidelines of the Downtown San Leandro Transit-Oriented Development Strategy.

Section 4-1650: Development on Substandard Lots shall apply to substandard lots. Smaller lot requirements may be permitted with an approved development plan and tentative subdivision map. Section 4-1652: Development on Lots Divided by District Boundaries shall apply to lots divided by district boundaries. (Ord. 2007-020 § 2; Ord. 2005-002 § 1; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

**2-680 Minimum Yards**

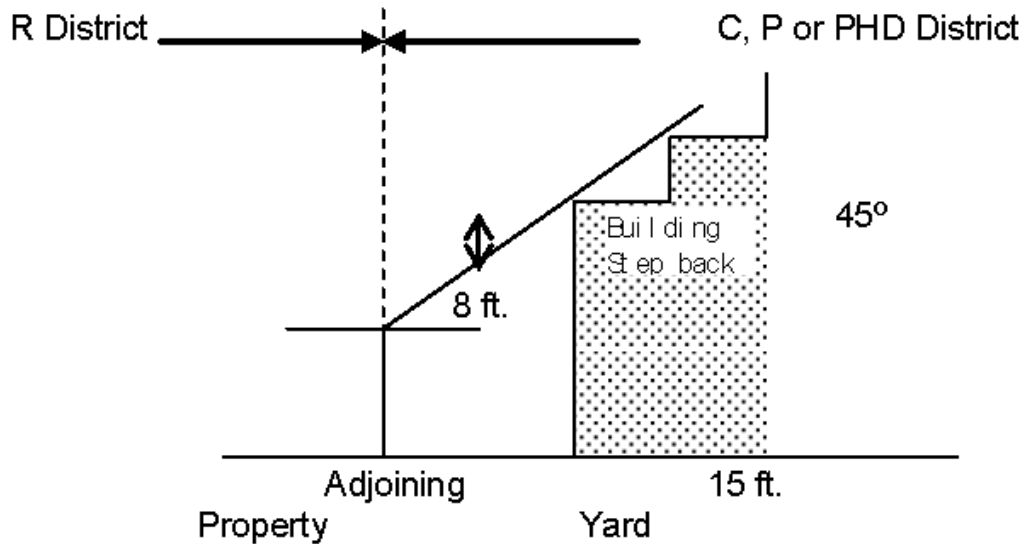
A. Minimum Building Setback. The minimum yard setback for building placement, is as prescribed below. Additional building setback may also apply as specified in Subsections B, C, D, and E. The minimum landscaped yard requirements are prescribed in Subsection F.

Zoning District	Front (ft.)	Side (ft.)	Corner Side (ft.)	Rear (ft.)
CN, P	10	0	10	0
CC	10	0	10	0
PHD	0	0	10	0
CS	10	0	10	0
CR	20	0	20	0
C-RM	0 <sup>(C)</sup>	0 <sup>(C)</sup>	0 <sup>(C)</sup>	0 <sup>(C)</sup>
NA-1	0	4 <sup>(D)</sup>	0	5 <sup>(E)</sup>
NA-2	20/25 <sup>(E)</sup>	15 <sup>(E)</sup>	20 <sup>(E)</sup>	15 <sup>(E)</sup>
SA-1	0	0	0	0
SA-2	See G	0	0	0
SA-3	0	0	0	0
DA-1	See F1	0	10-15	See F1
DA-2; DA-3, DA-5, DA-6	See F2	0	10-15	See F2
DA-4	See F3	0	10	See F3

B. Minimum Building Setbacks, Additional Regulations.

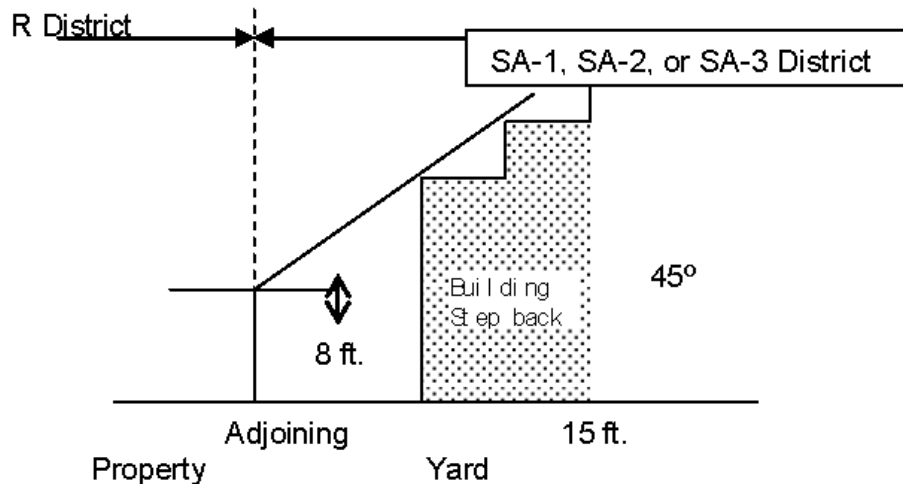
1. Front, side, corner side, and rear yards shall be subject to the regulations of Section 4-1654: Building Projections into Yards and Courts.
2. Double-frontage lots shall provide the minimum front yard setback on each frontage.
3. A fifteen (15) foot side or rear yard shall adjoin an R District, and structures shall not intercept a one-to-one (1:1) or forty-five degree (45°) daylight plane inclined inward from a height of eight (8) feet above existing grade at the R District

boundary line. (Please refer to illustration “Required Daylight Plane at Adjoining Districts.”)



**Required Daylight Plane at Adjoining Districts—C, P or PHD District**  
(The diagram is illustrative)

An eight (8) foot side or rear yard setback for parcels that adjoin an R District, and structures shall not intercept a one-to-one (1:1) or forty-five degree (45°) daylight plane inclined inward from a height of eight (8) feet above existing grade at the R District boundary line. (Please refer to illustration “Required Daylight Plane at Adjoining Districts.”)



**Required Daylight Plane at Adjoining Districts—SA-1, SA-2 or SA-3 District**

(The diagram is illustrative—also refer to the East 14<sup>th</sup> Street South Area Design Guidelines)

C. CR-M District, Additional Building Setback Requirements.

1. No building in the C-RM District shall be constructed within forty (40) feet of a building site in an R District. Any other restriction on yards shall be as established pursuant to a conditional use approval or development agreement.

D. NA-1 District, Additional Building Setback Requirements.

1. Side yard requirements in the NA-1 District shall be increased to twenty-five (25) feet if abutting residentially zoned property.
2. Rear yard requirements in the NA-1 District when adjoining RS Districts, shall be increased to twenty-five (25) feet for the first and second story and thirty-five (35) feet for the third story. Rear yards in the NA-1 District, when adjoining RD or RM Districts, shall be increased to twenty-five (25) feet.

E. NA-2 District, Additional Building Setback Requirements.

1. The front yard setback in the NA-2 District shall be as follows: twenty (20) feet for one (1) and two (2) story buildings and twenty-five (25) feet for three (3) story buildings.
2. Side setbacks in the NA-2 District shall be fifteen (15) feet or one-half (½) the building height, whichever is greater.
3. Corner side setbacks in the NA-2 District shall be twenty (20) feet, or one-half (½) the building height, whichever is greater.
4. Rear yard requirements in the NA-2 District, when adjoining RS Districts, shall be increased to twenty-five (25) feet for the second story and thirty-five (35) feet for the third story. Rear yards in the NA-2 District, when adjoining RD or RM Districts, shall be increased to twenty-five (25) feet.

F. DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Building Setbacks.

In addition to the standards set forth below, building setbacks within the DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Districts shall also comply with the Design Guidelines set forth in the Downtown San Leandro Transit Oriented Development Strategy. Where a conflict occurs between the setbacks set forth in this Section and the Downtown San Leandro Transit-Oriented Development Strategy, the Design Guidelines in the Downtown San Leandro Transit-Oriented Development Strategy shall prevail.

1. DA-1 District.

- a. A front building setback of 12 feet to 15 feet from the existing property line is required along the west side of East 14<sup>th</sup> Street to align with the Civic Center and to create a minimum 25-foot sidewalk and pedestrian amenity zone.
- b. A minimum front setback of seven feet is required along East 14<sup>th</sup> Street to create a minimum 15-foot wide pedestrian zone;
- c. An additional ten-foot setback is required at the proposed BART station to allow for transit related facilities and patron waiting areas.
- d. Rear yards: To be consistent with the prevailing condition on each block.

2. DA-2, DA-3, DA-5, and DA-6 Districts.

- a. Front yard setbacks are to be consistent with the prevailing condition on each block.
- b. Where ground floor residential is proposed, a minimum front setback of ten feet and a maximum of 15 feet shall be provided.
- c. For mixed-use buildings, the front setback shall not exceed ten feet.
- d. Rear yards: To be consistent with the prevailing condition on each block.

3. DA-4 District.

- a. Front yard: Front yard setbacks are to be consistent with the prevailing condition on each block.
- b. Rear yards: To be consistent with the prevailing condition on each block.
- c. A building setback of 150 feet from the top of the San Leandro Creek bank shall be provided for a linear park connection.

G. Minimum Required Landscaped Yards.

1. CN, CC, CR, CS, P, and NA-2 Districts. A landscaped yard or planter strip with a minimum depth of ten (10) feet shall be provided within the front and corner side yard setbacks prescribed in Subsection A.
2. SA-1, SA-2 and SA-3 Districts. The objective in all SA Districts is to create 13.5-foot wide sidewalks south of Blossom Way and a 13-foot wide sidewalk north of Blossom Way. Front yard setbacks will vary in order to achieve these objectives. North of Blossom Way, a minimum 4.5-foot setback shall be required. South of Blossom Way, no front yard setback is required. Furthermore, if ground-floor residential is proposed in any SA District, a 10-foot building setback shall be required.

A minimum 5-foot landscaped yard or planter strip shall be provided for any parking facility or other open space area abutting a public street.

3. Minimum Site Landscaping—DA-1, DA-2, DA-3, DA-4, DA, 5, and DA-6 Districts. The percentage of site landscaping to be required in the DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Districts shall be determined at the time of an individual project’s Site Plan Review process, pursuant to Article 25.
4. Landscape Requirements in All Districts. Notwithstanding the minimum setback and landscaped yard requirements of this Article, all open areas within, and adjacent to, a required front or corner side yard, other than areas used for walks, drives or parking and loading facilities, shall be landscaped. For projects requiring “Site Plan Approval” pursuant to Article 25, all landscaping shall be installed as per the Landscape Requirements of Article 19.
5. Exceptions. As part of the “Site Plan Approval” pursuant to Chapter 25, exceptions to the requirements of this Subsection may be permitted if such requirements are found not to be practical due to pre-existing site constraints. (Ord. 2007-020 § 2; Ord. 2004-009 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

**2-682 Maximum Height of Structures**

Zoning District	Maximum Height (ft.)	Minimum Height (ft.)
CN, P, NA-1, NA-2	30	n.a.
CC	50	n.a.
PHD	75	n.a.
CS	40	n.a.
CR	40	n.a.
C-RM	80 <sup>(1)</sup>	n.a.
SA-1, SA-2, SA-3	50	24
DA-1	75	24 <sup>(2)</sup>
DA-2	50	24 <sup>(2)</sup>
DA-3	50	n.a.
DA-4	60-75 <sup>(3)</sup>	
DA-5	No limit	n.a.
DA-6	75 <sup>(4)</sup>	

<sup>(1)</sup> No building in the C-RM District shall exceed a height of eighty (80) feet or four (4) stories unless a greater height is expressly permitted by a conditional use approval or development agreement.  
<sup>(2)</sup> This standard only applies along East 14<sup>th</sup> Street. No Minimum height elsewhere in the DA-1 District.  
<sup>(3)</sup> Refer to Downtown San Leandro Transit-Oriented Development Strategy Figure 8 for locations of specific height limits; height transition is required adjacent to residential areas.  
<sup>(4)</sup> Heights above 75 feet subject to review; height transition is required adjacent to residential areas.

The maximum height of structures shall be subject to the regulations of Section 4-1658: Exceptions to Height Limits. (Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

**2-684 Maximum Lot Coverage**

Zoning District	Maximum Lot Coverage (%)
CN, P	50%
CC	50%
PHD, C-RM NA-1, NA-2	100%
CS	50%
CR	25%
SA-1, SA-2, SA-3	100%
DA-1, DA-2, DA-3, DA-4, DA-5, DA-6	100%

(Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

**2-686 Maximum Base FAR and Maximum FAR Bonus**

Zoning District	Maximum Base FAR	Maximum FAR Bonus (See A)
CN, P	0.3	0.2
CC	0.5	0.5
PHD	2.0	0.5
CS	0.5	0
CR	0.3	0
NA-1, NA-2	1.0	0.5
C-RM	0.8	0
SA-1, SA-2, SA-3	1.0	0.5
DA-1	See B	
DA-2	1.0 commercial use	
DA-3, DA-4, DA-5	n.a.	
DA-6	See C	

A. In terms of the maximum FAR bonus, additional FAR may be permitted if approved by the Board of Zoning Adjustments or Planning Commission for: 1) Underground parking: 0.05 for each ten percent (10%) increment of required parking that is provided underground or in structures up to a maximum of 0.4; and 2) Transfer of FAR from a historic building site: twice the amount of unused FAR up to a maximum of 0.2. (The FAR on the historic site must be restricted by recorded covenants or deed restriction.)

- B. DA-1 District:
1. Maximum Office FAR: 2.0
  2. Maximum Retail FAR: 2.0
  3. Maximum Retail FAR: 2.0

- C. DA-6 District:
1. Minimum FAR: 1.0

2. No maximum FAR. (Ord. 2008-011 § 1; Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

**2-688 Minimum Site Landscaping**

- A. General Landscape Requirements. In addition to the general Landscape Requirements prescribed in Article 19, the following requirements for minimum site landscaping apply to all property within any C, P, NA, DA or SA District. As part of the Site Plan Approval process pursuant to Article 25, exceptions to the stated requirements for “minimum site landscaping” may be permitted in cases where such standards are found not to be practical due to pre-existing site constraints.
- B. Minimum Site Landscaping. The minimum percentage of the site that shall be used for landscaping shall be as prescribed below:

Zoning District	Minimum Site Landscaping
CN, P, NA-1, SA-1, SA-3	5%
CC, NA-1, SA-2	10%
PHD	0%
CS	10%

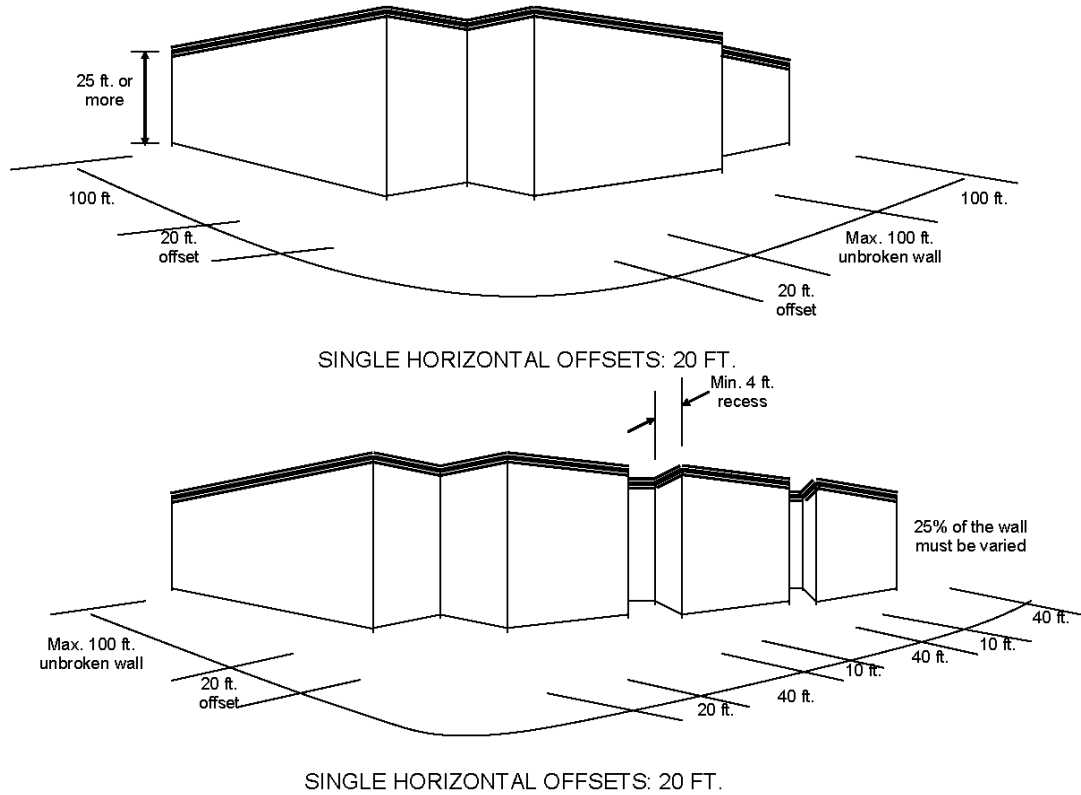
- C. Minimum Site Landscaping—CR and C-RM Districts. The percent of site landscaping to be required in the CR and C-RM Districts shall be determined at the time of an individual project’s Site Plan Review process, pursuant to Article 25.
- D. Minimum Site Landscaping—DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Districts. The percentage of site landscaping to be required in the DA-1, DA-2, DA-3, DA-4, DA-5, and DA-6 Districts shall be determined at the time of an individual project’s Site Plan Review process, pursuant to Article 25. (Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

**2-690 Wall Setback or Offsets**

- A. For buildings over twenty-five (25) feet in height and with walls that extend longer than one hundred (100) feet, the accepted standard shall be that such walls shall provide architectural details such as offsets, recesses, reveals, window patterns, columns, or pilasters. Review and approval by the Zoning Enforcement Official shall be required to determine compliance with this requirement. (Please refer to “Maximum Wall Length and Required Break” illustration.)
- B. For buildings located in the SA-1, SA-2 or SA-3 Districts, the Zoning Enforcement Official shall review development plans for general consistency with the Design Guidelines for the East 14<sup>th</sup> Street South Area Development Strategy that relate to wall setbacks, offsets and other design related features.



C. For buildings located in the DA-1, DA-2, DA-3, DA-4, DA-5, or DA-6 Districts, the Zoning Enforcement Official shall review development plans for general consistency with the Design Guidelines for the Downtown San Leandro Transit-Oriented Development Strategy that relate to wall setbacks, offsets and other design related features.



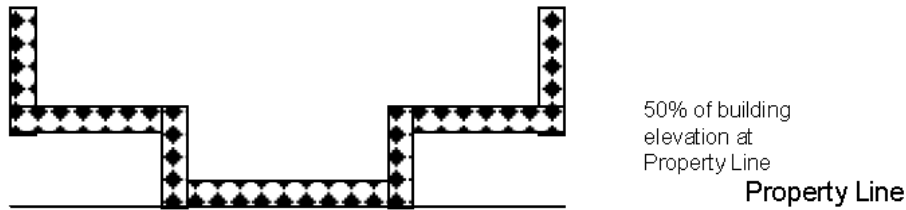
**Maximum Wall Length and Required Break**  
(The diagram is illustrative)

(Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

**2-692** Reserved (Ord. 2001-015 § 1)

**2-694** Required Building Lines—PHD Districts

A minimum of fifty percent (50%) of the front building elevation shall be located on the front property line. (Please refer to illustration “Building Face at Property Line.”)



**BUILDING FACE AT PROPERTY LINE**  
(The diagram is illustrative)

(Ord. 2007-020 § 2; Ord. 2001-015 § 1)

**2-696 Additional Property Development Regulations: CN, CC, CS, CR, C-RM, P, PHD, NA-1, NA-2, SA-1, SA-2, SA-3, DA-1, DA-2, DA-3, DA-4, DA-5 and DA-6 Districts**

Development proposals in the SA-1, SA-2 or SA-3 Districts shall be reviewed by City staff to ensure general consistency with the provisions contained in the East 14th Street South Area Development Strategy Design Guidelines. For buildings located in the DA-1, DA-2, DA-3, DA-4, DA-5, or DA-6 Districts, the Zoning Enforcement Official shall review development plans for general consistency with the Design Guidelines for the Downtown San Leandro Transit-Oriented Development Strategy that relate to wall setbacks, offsets and other design related features. In addition to the development regulations listed above, the following regulations shall apply:

- A. Residential Development. Development standards for residential uses in the CN, CC, C-RM, and PHD Districts shall be subject to the same standards for height limits, maximum density, and open space as would apply to residential development in the RM-2000 [twenty-two (22) dwellings per acre] District, as prescribed by Sections 2-528, 2-540 and 2-558. Development standards for residential uses in the NA-1 and NA-2 Districts shall be subject to comparable regulations of the RM-1800 [twenty-four (24) dwellings per acre] District. Development densities for the SA-1, SA-2 or SA-3 Districts shall provide a minimum density of 18 units per gross acre. Exceptions to this minimum density requirement may be approved at the discretion of the Zoning Enforcement Official.
- B. Fences, Walls, and Hedges. Subject to the regulations of Section 4-1682: Fences, Walls, and Hedges.
- C. Off-Street Parking and Loading. Subject to the regulations of Article 17: Off-Street Parking and Loading Regulations. A triangular yard adjoining both sides of a driveway crossing a street property line shall have a depth of five (5) feet at the edge of the driveway and a width measured on both sides of the driveway of fifty (50) feet, or the distance to the intercepting property line, whichever is less. At least fifty percent (50%) of each such yard shall be planting area.

- D. Signs. Subject to the regulations of Article 18: Signs.
- E. Outdoor Facilities/Outdoor Storage. Subject to the regulations of Sections 4-1662: Outdoor Facilities/Outdoor Storage and 4-1672: Earth Station and Microwave Equipment. All outdoor storage and refuse storage areas shall be screened so as not to be visible from any street, public way, or R, P, PHD, or IP District.
- F. Views into Buildings. On frontages designated on the Zoning Map, not less than fifty percent (50%) of the first story of that portion of a building facing a street shall consist of opening or clear or tinted glass windows providing views of merchandise displayed, building interiors, or courtyards.
- G. Security Roll-Up Doors. Retractable security gates, window bars, and mall-style roll-up doors shall be installed to the inside of existing windows or glass doors for installation of physical security measures on a building façade. A mall-style roll-up door must not be visible during business hours. Metal gates, stored in a wall pocket or similar enclosure so as not to be visible during business hours, and scissor-style security grilles, retracted into casing during business hours, are subject to the review and approval of the Community Development Director.**
- G. Screening of Mechanical Equipment. Subject to the regulations of Section 4-1664: Screening of Mechanical Equipment. All outdoor storage and refuse storage areas shall be screened so as not to be visible from any street, public way, or R, P, PHD, or IP District.
- H. Refuse Storage Areas. Subject to the regulations of Section 4-1666: Refuse Storage Areas. All outdoor storage and refuse storage areas shall be screened so as not to be visible from any street, public way, or R, P, PHD, or IP District.
- I. Underground Utilities. Subject to the regulations of Section 4-1668: Underground Utilities.
- J. Performance Standards. Subject to the regulations of Section 4-1670: Performance Standards.
- K. Nonconforming Structures and Nonconforming Signs. Subject to the regulations of Article 20: Nonconforming Uses and Structures.
- L. Other Requirements: C-RM (Commercial - Regional Mall) District. The following additional requirements shall apply to development approvals in the C-RM District at the time when new improvements are constructed and only in that area of the site that is related to such new construction.

1. All signs shall be subject to the San Leandro Sign Code with respect to requirements for installation permits and maintenance.
2. All outdoor storage and surface mounted mechanical equipment shall be screened from view from public streets, on-site parking and vehicular or pedestrian circulation areas open to the public.
3. Roof-mounted mechanical equipment either shall be screened from view from public streets, the elevated BART line, and on-site public parking and vehicular or pedestrian circulation areas open to the public, or such equipment shall be designed or treated so as to be unobtrusive or visually attractive.
4. All utilities on-site shall be placed underground. (Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)

## **2-698 Review of Plans**

- A. Certain projects shall be subject to Site Plan review (see Article 25: Site Plan Approval).
- B. Development proposals in the SA-1, SA-2 or SA-3 Districts shall be reviewed by City staff to ensure general consistency with the provisions contained in the Design Guidelines in the East 14<sup>th</sup> Street South Area Development Strategy.
- C. For buildings located in the DA-1, DA-2, DA-3, DA-4, DA-5, or DA-6 Districts, the Zoning Enforcement Official shall review development plans for general consistency with the Design Guidelines for the Downtown San Leandro Transit-Oriented Development Strategy.
- D. Projects subject to site plan review shall include amenities and design criteria that enhance the quality of tenants living or the appearance of the project and not cited elsewhere in this Division. Projects shall include at least seven (7) of these amenities. Amenities and criteria may include:
  1. Open space; storage space
  2. Common areas that are not private balconies
  3. Tenant activity areas (examples: joint eating and cooking areas, play areas, running track; screening room)
  4. Use of solar energy in the design of the building
  5. Use of three (3) or more colors
  6. Use of three (3) or more materials on the façade
  7. Public art
  8. Storage rooms
  9. Main door-staffed with attendant
  10. Bicycle lockers

11. Turf block or concrete pavers in driveway and parking areas
12. Practical and usable furniture in common areas
13. Bay windows. (Ord. 2008-011 § 1; Ord. 2007-020 § 2; Ord. 2004-007 § 2; Ord. 2001-015 § 1)