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(The following are changes to Chapter 17.44 C-28 Commercial Shopping District Zone Regulations. Deleted text is in ~~strikeout~~; new text is underlined)

**Chapter 17.44 C-28 COMMERCIAL SHOPPING DISTRICT ZONE REGULATIONS**

- 17.44.010 Title, purpose, and applicability.
- 17.44.020 Required design review process.
- 17.44.030 Permitted activities.
- 17.44.040 Conditionally permitted activities.
- 17.44.050 Permitted facilities.
- 17.44.060 Conditionally permitted facilities.
- 17.44.070 Restrictions on ~~ground-level uses~~ front yard parking, loading, and driveway entrances.
- 17.44.080 Special regulations applying to certain Commercial and Manufacturing Activities.
- 17.44.090 Special regulations applying to certain Commercial Activities.
- 17.44.100 Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.
- 17.44.110 Use permit criteria.
- 17.44.120 Limitations on Signs, marquees, awnings.
- 17.44.130 Minimum lot area, width, and frontage.
- 17.44.140 Maximum residential density.
- 17.44.150 Maximum nonresidential floor-area ratio.
- 17.44.160 Maximum height.
- 17.44.170 Minimum yards and courts.
- 17.44.180 Minimum usable open space.
- 17.44.190 Buffering.
- 17.44.200 Special regulations for mini-lot, planned unit developments, ~~and bonuses for mixed-use developments containing Residential and Commercial Activities, excluding joint living and work quarters~~
- 17.44.210 Bonuses for mixed use developments
- ~~17.44.2120~~ Other zoning provisions.

**17.44.070 Restrictions on ~~ground-level uses~~ front yard parking, loading, and driveway entrances.**

~~— A. Open Front Yard Parking, Loading Areas and Driveway Entrances from the Principal Street at Ground Level. No front-yard parking or loading area or driveway entrance from the principal street shall be located on any portion of the ground level of any lot except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, and the use permit provisions of Section 17.44.110.~~

~~— B. Nonretail Uses on the Ground Floor. Except as provided in Section 17.44.200(C)(1)(a), no Residential Activity; Limited Child Care, Community Assembly, Community Education, Civic Activity; Administrative, Health Care, Medical Service, Consultative and Financial Service, Business and Communication Service or Group Assembly Commercial Activity shall be located on the ground floor of any building as set forth in subsection C of this section, except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and the provisions of Section 17.44.110, and except that incidental pedestrian entrances which lead to such an activity elsewhere in the building are permitted.~~

**DRAFT**

~~— C. Areas of Restriction. Ground floor uses are restricted, as set forth in subsection B of this section, for the following area: the properties generally abutting Shattuck Avenue, and Telegraph Avenue between Interstate 580 and 52nd Street/Claremont Avenue. (Ord. 12138 § 6 (part), 1999; Ord. 12016 § 2 (part), 1997; prior planning code § 4432)~~

**17.44.160 Maximum height.**

Except as otherwise provided in Sections 17.108.020, 17.108.030 and Chapter 17.128, the maximum height of commercial buildings and other facilities shall be forty-five (45) feet, except as provided in Section 17.44.200(C)(2)(b) for mixed use developments. ~~The maximum height for Residential Facilities shall be forty (40) feet.~~ However, the height of facilities shall be further limited, as applicable, by the provisions of Section 17.108.010 for lots lying along a boundary of a residential zone. See Section 17.44.120 for maximum height of Signs, and Section 17.108.130 for maximum height of facilities within minimum yards and courts.

**17.44.200 Special regulations for mini-lot and, planned unit developments. ~~and bonuses for mixed use developments containing Residential and Commercial Activities, excluding joint living and work quarters.~~**

A. Mini-Lot Developments. In mini-lot developments, certain of the regulations otherwise applying to individual lots in the C-28 zone may be waived or modified when and as prescribed in Section 17.102.320.

B. Planned Unit Developments. Large integrated developments shall be subject to the planned unit development regulations in Chapter 17.122 if they meet the minimum land area requirements of Section 17.22.030.

**17.44.210 Bonuses for mixed use developments**

~~A. The bonuses listed in subsection B may be permitted for mixed use developments that have each of the following characteristics: Mixed Use Developments Containing Residential and Commercial Activities, Excluding Joint Living and Work Quarters. To qualify as a mixed use development, a project must include at least twenty five (25) percent of the number of residential units that would be permitted if the project were solely residential.~~

~~— 1. The following bonuses shall be permitted upon the granting of a conditional use permit pursuant to Section 17.44.110 and the conditional use permit procedure in Chapter 17.134:~~

~~1. The development contains at least twenty-five (25) percent of the number of residential units that would be permitted if the project were solely residential;~~

~~2. The ground level façade of the development that faces the principal street shall predominantly contain nonresidential facilities that are at least twenty (20) feet in depth. Joint living and working quarters do not qualify as nonresidential facilities for the purpose of this subsection;~~

~~3. The development is on a site that has at least fifty (50) feet or more of street frontage; and~~

~~B. The following bonuses shall be permitted upon the granting of a conditional use permit (see 17.134) for projects that have the characteristics listed in subsection A:~~

~~1. The standards of the S-12 residential parking combining zone regulations relating to reduction of aisle and stall width, and number of allowable compact spaces, may be allowed for the project;~~

~~2. The minimum requirements for usable open space may be reduced from one hundred fifty (150) square feet per dwelling unit to one-hundred (100) square feet of group open space per dwelling unit;~~

~~3. The total amount of required parking for the project may be reduced by up to twenty-five (25) percent;~~

**DRAFT**

4. The maximum height of the project may be increased to 55 feet or the maximum height allowed by any applicable height map, combining zone, or combining district, whichever is less; and

5. The permitted density and nonresidential floor area ratio may be increased by up to thirty (30) percent, but shall not exceed any maximum density and/or nonresidential floor area ratio allowed by the General Plan. This increase in permitted density and/or nonresidential floor area ratio cannot be used as the basis for a height variance.

~~— a. Nonretail ground floor uses prohibited in Section 17.44.070B, not including residential, shall be allowed in instances where the residential uses are provided in the ratio of at least one square foot of residential use per one square foot of nonretail ground floor commercial use.~~

~~— b. The standards of the S-12 residential parking combining zone regulations relating to reduction of aisle and stall width, and number of allowable compact spaces, shall be allowed for the residential portion of the mixed use project.~~

~~— c. The minimum requirements for usable open space shall be reduced from one hundred fifty (150) square feet per unit to one hundred twenty (120) square feet of group open space per unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 17.126.020.~~

~~— d. The total floor area of commercial and manufacturing activities by a single establishment may exceed seven thousand five hundred (7,500) square feet.~~

~~— 2. In addition to the bonuses listed in subsection (C)(1) of this section, the following bonuses shall be permitted on sites a minimum of one acre in size, upon the granting of a conditional use permit pursuant to Section 17.44.110 and the conditional use permit procedure in Chapter 17.134:~~

~~— a. The total amount of required parking for the residential component of the mixed use development may be reduced by up to twenty five (25) percent.~~

~~— b. The maximum height of the project may be fifty five (55) feet. (Ord. 11892 § 3, 1996; prior planning code § 4448)~~

**17.44.210-220 Other zoning provisions.**

A. Parking and Loading. Except as provided in Section 17.44.2010(C)(2)(a), off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

C. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

D. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-28 zone.

E. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-28 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4449)