

Article 15.04.202 Mixed-Use Districts

Sections:

- 15.04.202.010 Purpose
- 15.04.202.020 Land Use Regulations
- 15.04.202.030 Development Standards
- 15.04.202.040 Supplemental Regulations

15.04.202.010 Purpose

The specific purposes of the Mixed-Use Districts are to:

- A. Provide for the orderly, well-planned, and balanced growth of mixed-use districts.
- B. Encourage a mix of uses that promotes convenience, economic vitality, fiscal stability, and a pleasant quality of life.
- C. Promote pedestrian- and transit-oriented, mixed-use commercial centers at appropriate locations.
- D. Establish design standards that improve the visual quality of development and create a unified, distinctive, and attractive character along mixed-use streets.
- E. Provide appropriate buffers and transition standards between commercial and residential uses to preserve both commercial and mixed-use feasibility and residential quality.

The following Mixed-Use Districts implement General Plan classifications of “Neighborhood Mixed-Use”, “Medium Density Mixed-Use (Residential Emphasis)”, “Medium Intensity Mixed-Use (Commercial Emphasis)”, “High Intensity Mixed-Use (Major Activity Center)”, “Regional Commercial Mixed-Use”, and “Live-Work”.

CM-1 Commercial Mixed-Use, Residential. This district is intended for mixed-use development with commercial uses at street-level along corridors. Residential-only development also is allowed and may include condominiums, townhouses or apartments. Commercial-only development is not allowed. Projects with commercial components must also include a residential component. New development is required to have a pedestrian-oriented building design with minimal front and street-side setbacks and parking located to the sides or rear of buildings.

CM-2 Commercial Mixed-Use, Neighborhood. This district is intended for residential and neighborhood-serving retail uses, such as small stores, markets, professional offices, boutiques, barbershops, beauty salons, and restaurants. Residential development above ground floor commercial is preferred, but not required. Standards will ensure that development at neighborhood nodes is appropriately scaled, so that the physical form relates to and does not overwhelm adjacent single-family residential neighborhoods.

CM-3 Commercial Mixed-Use, Commercial. This district is intended for mixed-use development with commercial or office/light industrial uses at street-level along corridors. This classification is distinguished from the CM-1 Commercial Mixed-Use, Residential, in that it allows residential-only or commercial-only development. Allowable residential uses include condominiums, townhouses or apartments, and commercial uses may include small to large-scale retail, business and personal services and, at street-level, offices serving a walk-in clientele. New development must have a pedestrian-oriented building design with minimal front and street-side setbacks and parking located to the sides or rear of buildings preferred.

CM-4 Commercial Mixed-Use, Gateway/Node. This district is intended for mid-rise mixed-use development at key community nodes and gateways with commercial uses at street-level and offices or residential uses on upper floors. Commercial development must have a pedestrian-oriented building design with setbacks allowing for public amenities and parking located behind buildings.

CM-5 Commercial Mixed-Use, Activity Center. This district is intended for mid and high-rise mixed-use development at major activity centers to serve the community and residents and businesses in the San Francisco Bay Area. Office, retail, entertainment and residential uses are allowed. Standards for physical form will create an urban character as envisioned in the General Plan with streets with minimal setbacks, wide sidewalks and public spaces that cater to pedestrians and transit riders.

LW Live-Work. This district is intended for joint living and working quarters, with residential space connected to small-scale artisan or production spaces as well as office and storefront retail. It includes loft and apartments type development. This district is appropriate for transitional areas identified in the General Plan where it can be demonstrated that the live-work use would not conflict with adjacent uses. A maximum density of 50 dwelling units per acre is permitted, and the non-residential FAR shall not exceed 0.4. Civic and institutional uses also are permitted, but the zoning district is not intended to create a purely residential environment.

15.04.202.020 Land Use Regulations

Table 15.05.202.020 prescribes the land use regulations for all CM Districts and for the Live-Work District. The regulations for each district are established by letter designations as follows:

“P” designates permitted uses.

“A” designates use classifications that are permitted after review and approval of an administrative use permit by the Zoning Administrator.

“C” designates use classifications that are permitted after review and approval of a conditional use permit by the Planning Commission.

“L#” designates numbered limitations listed at the end of the table.

“x” designates uses that are not permitted.

Use classifications are defined in [Article 15.04.104](#) (Key Terms and Definitions). In cases where a specific land use or activity is not defined, the Zoning Administrator shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are prohibited. Section numbers in the right hand column refer to other sections of this Ordinance.

TABLE 15.04.202.020: LAND USE REGULATIONS – CM MIXED-USE DISTRICTS							
Uses	CM-1	CM-2	CM-3	CM-4	CM-5	LW	Additional Regulations
RESIDENTIAL							
Single Family	See subclassifications below						See § 15.04.201.070
<i>Attached</i>	P	P	P	A	L14	x	Residential Development Types
Multi-Unit Dwelling	P	LI	P	LI	LI	x	
Group Residential	C	C	C	x	x	x	See § 15.04.610.210 Group Residential
<i>Congregate Housing</i>	C	C	C	x	L15	x	
<i>Senior Group Residential</i>	C	C	C	x	L15	x	
Elderly and Long Term Care	LI	LI	LI	C	L15	x	
Family Day Care, Large	P	P	x	x	x	x	See § 15.04.610.190 Family Day Care, Large
Family Day Care, Small	P	P	P	P	x	x	
Planned Residential Groups	C	x	x	x	x	x	
Residential Facility	See subclassifications below						
<i>Residential Care, General</i>	C	x	C	C	L15	x	See § 15.04.610.360 Residential Care, General
<i>Residential Care, Limited</i>	P	P	P	P	L13	x	
<i>Residential Care, Senior</i>	C	C	C	x	L15	x	
<i>Hospice, General</i>	C	C	x	x	x	x	
<i>Hospice, Limited</i>	P	P	x	x	x	x	
Supportive Housing	P	P	P	P	L13	x	
Transitional Housing	P	P	P	P	L13	x	
COMMERCIAL							
Adult Business	x	x	x	L3	L3	x	See § 15.04.610.050 Adult Businesses
Animal Sales and Services	See subclassifications below						See § 15.04.610.070 Animal Keeping
<i>Clinic/Hospital</i>	x	x	L2	L2	L2	x	
<i>Grooming</i>	x	x	L2	L2	L2	x	
<i>Retail Sales (Pet Shops)</i>	L2	L2	L2	L2	L2	x	
<i>Veterinary Services</i>	x	x	L2	L2	L2	x	
Auto/Vehicle Sales Services	See subclassifications below						
<i>Alternative Fuels and Recharging Facility</i>	x	x	L5	L5	L5	p	

TABLE 15.04.202.020: LAND USE REGULATIONS – CM MIXED-USE DISTRICTS							
Uses	CM-1	CM-2	CM-3	CM-4	CM-5	LW	Additional Regulations
Automobile Rentals	x	x	L5	L5	L5	x	
Automobile/Vehicle Sales and Leasing, New	x	x	L6	L6	L6	x	See § 15.04.610.080 Automobile/Vehicle Sales and Leasing
Automobile/Vehicle Sales and Leasing, Used	x	x	x	x	A	x	
Automobile/Vehicle Repair, Minor	x	x	L5	L5	L5	x	
Service Stations	x	x	C	x	C	x	See § 15.04.610.380 Service Stations
Banks and Financial Institutions	See subclassifications below						
Bank and Savings and Loan	L2	L2	L2	L2	L2	L10	
- With Drive-through Service	x	x	C	C	C	x	See § 15.04.610.170 Drive-In and Drive-Through Facilities
Non-traditional Financial	x	x	C	x	C	x	See § 15.04.610.280 Nontraditional Financial Institutions (“Check-cashing”)
Business Services	L2	L2	P	P	P	L10	
Catering Service	L1	x	L1	L1	L1	x	
Commercial Entertainment and Recreation	See subclassifications below						
Cinema	x	x	x	C	C	x	See § 15.04.610.130 Commercial/Recreation and Entertainment
Theatre	x	C	C	C	C	x	
Large-scale Facility	x	x	C	C	C	x	
Small-scale Facility	x	L1	A	A	A	P	
Eating and Drinking Establishments	See subclassifications below						
Bars/Night Clubs/Lounges	C	C	C	C	C	x	See § 15.04.610.300 Outdoor Dining and Seating
Restaurant, Full Service	L2	L2	L2	L2	L2	C	
Restaurant, Limited Service	L2	L2	L2	L2	L2	L2	
Restaurant with Drive Through Service	x	x	C	x	C	x	See § 15.04.610.170 Drive-In and Drive-Through Facilities
Finance, Insurance and Real Estate Services	L2	L2	P	L2	P	L10	
Food and Beverage Sales	See subclassifications below						
Convenience Market	C	C	C	C	L2	P	See § 15.04.610.150 Convenience Markets
Farmers Market	x	A	x	x	A	L2	See § 15.04.610.200 Farmers Markets
General Market	P	P	P	P	P	x	
Liquor Store	x	x	C	C	C	x	See § 15.04.610.060 Alcoholic Beverage Sales
Funeral and Interment Service	x	x	C	x	C	x	
Instructional Services	L2	L2	L1	L1	P	x	
Live-Work	x	x	x	x	x	P	See § 15.04.610.250 Live-

TABLE 15.04.202.020: LAND USE REGULATIONS – CM MIXED-USE DISTRICTS							
Uses	CM-1	CM-2	CM-3	CM-4	CM-5	LW	Additional Regulations
							Work Units
Media Production	A	x	L1	L1	A	L2	
Maintenance and Repair	L2	C	L2	P	P	L2	
Mobile Vending Unit	x	A	A	x	A	x	See § 15.04.610.320 Outdoor Vendors (Mobile Food Vendors)
Nursery and Garden Center	x	x	x	x	P	x	See § 15.04.610.290 Nurseries and Garden Centers
Offices, Business and Professional	L2	L1	P	L1	L1	A	
<i>Medical and Dental</i>	L2	L1	P	L1	L1	L2	See § 15.04.610.240 Hospitals and Clinics
<i>Walk-in Clientele</i>	P	P	P	P	P	L2	
Parking Facilities, Commercial	A	A	A	A	P	x	
Personal Services	L2	L2	P	P	P	L2	See § 15.04.610.340 Personal Services
<i>General Personal Services</i>	L2	P	L2	L2	P	L2	
<i>Health/Fitness Facility</i>	L2	P	L2	L2	P	L2	
<i>Massage Establishment</i>	L3	x	L3	L3	C	x	
<i>Tattoo or Body Modification Parlor</i>	x	x	C	C	C	x	
Printing & Publishing	x	x	L1	L1	L1	A	
Retail Sales	See subclassifications below						
<i>General Retail Sales, Small-scale</i>	L2	P	L2	L2	P	L2	
<i>General Retail Sales, Large-scale</i>	x	x	P	L2	P	x	
<i>Pawn Shop; Secondhand Store</i>	x	x	L3	L3	L3	x	See § 15.04.610.330 Pawn Shops; Secondhand Dealers
<i>With Drive-Through Service</i>	x	x	C	C	C	x	See § 15.04.610.170 Drive-In and Drive-Through Facilities
Transient Lodging	See subclassifications below						
<i>Bed and Breakfast</i>	A	P	x	x	x	x	See § 15.04.610.110 Bed and Breakfast Lodging
<i>Hotel and Motel</i>	C	L4	C	C	C	x	See § 15.04.610.420 Transient Lodging
INSTITUTIONAL AND COMMUNITY FACILITIES							
College and Trade School	C	x	C	x	L15	x	
Community Assembly	L2	x	C	C	C	x	See § 15.04.610.140 Community Assembly
Community Garden	x	P	C	x	C	P	See § 15.04.610.290 Nurseries and Garden Centers
Cultural Facility	P	C	P	P	P	x	
Day Care Centers	A	A	A	A	L14	x	See § 15.04.610.190 Day Care Center

TABLE 15.04.202.020: LAND USE REGULATIONS – CM MIXED-USE DISTRICTS							
Uses	CM-1	CM-2	CM-3	CM-4	CM-5	LW	Additional Regulations
Emergency Shelter	P	C	L11	x	L13	x	See § 15.04.610.180 Emergency Shelters
Government Buildings	P	P	P	P	P	C	
Hospitals and Clinics	C	C	C	C	C	x	See § 15.04.610.240 Hospitals and Clinics
<i>Hospital</i>	C	x	C	C	C	x	
<i>Clinic</i>	L2	L2	L2	L2	L2	L2	
<i>Skilled Nursing Facility</i>	C	x	C	C	C	x	
Park and Recreation Facility	LI	LI	C	C	C	x	
Public Safety Facility	C	C	C	P	P	x	
Schools	x	x	x	x	x	x	
Social Service Center	x	x	L2	L2	LI	x	See § 15.04.610.160 Domestic Violence Shelters
INDUSTRIAL							
Artisan/Small-scale Manufacturing	x	x	L8	x	C	P	
Artist's Studio	See subclassifications below						
<i>Studio-Light</i>	L2	P	L2	x	L2	P	
<i>Studio-Heavy</i>	C	C	C	x	C	C	
Commercial Kitchen	x	x	x	x	C	A	
Limited Industrial	x	x	L9	L9	x	A	
Marijuana Cultivation Facility	x	x	x	L10	x	x	See § 15.04.610.270 Medical Marijuana Uses
Micro-brewery	x	C	L15	L15	L15	L19	See § 15.04.610.120 Breweries and Wineries
Recycling Facilities	See subclassifications below						See § 15.04.610.350 Recycling Facilities
<i>Collection Facilities</i>	P	P	A	A	A	A	
Research and Development	x	x	LI	LI	LI	LI6	
Winery, Small	x	x	L18	L18	L18	L19	
TRANSPORTATION, COMMUNICATION AND UTILITIES							
Communication Facilities	See subclassifications below						See Article 15.04.614 Wireless Communications Facilities
<i>Antennas and Transmission Towers</i>	L7	L7	L7	L7	L17	L17	
<i>Equipment within Buildings</i>	x	x	LI	LI	LI	LI6	
Transportation Facilities	See subclassifications below						
<i>Transportation Passenger Terminal</i>	x	x	x	P	P	x	
Utilities, Major	C	C	C	C	C	C	
Utilities, Minor	P	P	P	P	P	P	
OTHER							
Accessory Uses and Structures	See § 15.04.601.010 Accessory Uses and Structures						
Home Occupations	P	P	P	P	P	P	See § 15.04.610.230 Home

TABLE 15.04.202.020: LAND USE REGULATIONS – CM MIXED-USE DISTRICTS							
Uses	CM-1	CM-2	CM-3	CM-4	CM-5	LW	Additional Regulations
							Occupations
Nonconforming Uses	See Article 15.04.606 , Nonconforming Uses, Structures, and Lot						
Temporary Use	See Article 15.04.807 , Temporary Use Permits						
Notes:							
L1 Permitted above the ground floor or behind an allowed ground floor use, but not within the Industrial Buffer Zone shown on the Zoning Map.							
L2 Only allowed on the ground floor in mixed-use buildings; an administrative use permit is required for 1,500 to 3,000 square feet and for any establishment serving beer and/or wine occupying less than 1,500 square feet, and a conditional use permit is required for more than 3,000 sq. ft. A full service restaurant requires a conditional use permit for 1,500 square feet or more.							
L3 Requires a conditional use permit and cannot be located within 500 feet of a school or park.							
L4 Allowed with a conditional use permit if the hotel has no more than 20 guest rooms.							
L5 Only allowed on arterial streets, occupying 2,500 sq. ft. or less unless greater floor area, up to 5,000 square feet may be approved with an administrative use permit.							
L6 Must be within an enclosed structure.							
L7 Allowed with a conditional use permit if the Planning Commission finds that there are no feasible alternative locations and all other requirements of the Zoning Ordinance are met.							
L8 Only allowed on the ground floor of a building; a conditional use permit is required for more than 25,000 square feet.							
L9 Within the area established for the Richmond Bay Specific Plan, limited industrial development is permitted only in an existing building. Minor additions to such buildings of up to 10 percent of existing floor area are allowed without discretionary review beyond that required for a building permit. Repairs and maintenance also is allowed as may be necessary to comply with existing City codes and ordinances or to strengthen or restore to a safe condition any building, structure, or part thereof declared to be unsafe by the Director of Planning and Building Services or any other City official charged with the responsibility of protection of public health, safety and welfare. <i>(This limitation will be superseded by the adopted plan.)</i>							
L10 Permitted above the ground floor or behind an allowed ground floor use and with approval of a conditional use permit.							
L11 Up to 25 beds are permitted; for more than 25 beds, a conditional use permit is required. See Section 15.04.610.180 (Emergency Shelters).							
L13 Permitted if not within the Industrial Buffer Zone shown on the Zoning Map.							
L14 Allowed with an administrative use permit if not within the Industrial Buffer Zone shown on the Zoning Map.							
L15 Allowed with a conditional use permit if not within the Industrial Buffer Zone shown on the Zoning Map.							
L16 Allowed with an administrative use permit on sites with existing, potential, and potential environmental cleanup obligations pursuant to the requirements of the California Department of Toxic Substances Control and/or the Regional Water Quality Control Board, which do not permit residential uses.							
L17 A conditional use permit is required unless the criteria for an administrative use permit listed in Section 15.04.614.030 (B) are met.							
L18 A conditional use permit is required with on-sale consumption. Not allowed with production only.							
L19 A conditional use permit is required without on-sale consumption only. Not allowed with a tasting room.							

15.04.202.030 Development Standards

Tables 15.04.202.030(1) through 15.04.202.030(5) prescribe the development standards for Mixed-Use Districts. Additional regulations are denoted in the right hand column. Section numbers in this column refer to other sections of this Article, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below refer to corresponding regulations in the “#” column in the associated table.

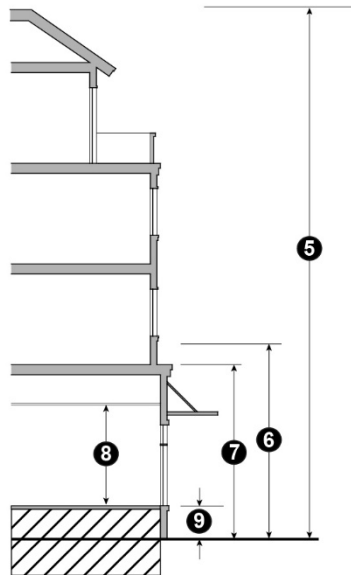
TABLE 15.04.202.030(1): LOT, DENSITY, FAR, AND BUILDING PLACEMENT STANDARDS – MIXED-USE DISTRICTS									
<i>District</i>	<i>CM-1</i>	<i>CM-2</i>	<i>CM-3</i>	<i>CM-4</i>	<i>CM-5</i>	<i>LW</i>	<i>Additional Regulations</i>	<i>#</i>	
Lot and Density Standards									
Minimum; Maximum Density (units/net acre)	15; 50	10; 30	15; 50	30; 75	40; 125	15; 50			
Minimum Lot Size (sq. ft.)	5,000	5,000	5,000	5,000	5,000	5,000			
Minimum Lot Width (ft.)	50	50	50	50	50	50			
Maximum Non-Residential Floor Area Ratio (FAR)	0.5	0.5	2.0	2.0	5.0	0.5; 0.8 with a conditional use permit			
Building Placement Standards									
Setbacks, Residential-only Development	Residential-only development is subject to the setback requirements of the RM2 District.						See § 15.04.601.020 Building Projections into Yards		

TABLE 15.04.202.030(1): LOT, DENSITY, FAR, AND BUILDING PLACEMENT STANDARDS – MIXED-USE DISTRICTS								
<i>District</i>	<i>CM-1</i>	<i>CM-2</i>	<i>CM-3</i>	<i>CM-4</i>	<i>CM-5</i>	<i>LW</i>	<i>Additional Regulations</i>	<i>#</i>
Setbacks, Commercial and Mixed-Use Development (ft)								
<i>Street Frontages (A)</i>	Min. 0; Max. 15	Min. 0; Max. 10	Min. 0; Max. 5	Min. 0; Max. 10	Min. 5	Min. 10	See § <u>15.04.601.020</u> Building Projections into Yards	①
<i>Interior Side (B)</i>	Min. 5	Min. 0; 5 where abutting a Residential District			Min. 10; 15 where abutting an RL, RH, PCI, or PR District		See § <u>15.04.601.020</u> Building Projections into Yards	②
<i>Rear (B)</i>	Min. 20	Min. 5; 10 where abutting Residential District	Min. 0; 10 where abutting Residential District		Min. 10; 15 where abutting an RL, RH, PCI, or PR District			
<i>Corner Build Area (ft.)</i>	30; Buildings must be located in accordance with the required setbacks within 30 feet of every corner. Public plazas may be at the street corner provided buildings are built to the edge of the public plaza.							④

- A. **Build-to Line.** Buildings shall be constructed at the street frontage or required setback line (the “build-to” line) for at least 60 percent of the building frontage. At least two-thirds of the area between the building and lot line shall be paved so that it functions as a wider public sidewalk. This requirement may be modified or waived by the Zoning Administrator or the Design Review Board, whichever has approval authority, upon finding that:
1. Substantial landscaping will be located between the build-to line and ground floor residential units to soften visual impact of buildings;
 2. Entry courtyards, plazas, entries, or outdoor eating and display areas will be located between the build-to line and building, provided that the buildings will be built to the edge of the courtyard, plaza, or outdoor dining area; or
 3. The building will incorporate an alternative entrance design that will create a welcoming entry feature facing the street.
- B. **Required Side and Rear Yards for Residential Uses.** In order to provide light and air for residential units, the following minimum setbacks apply to any building wall containing windows for residential units and facing an interior side or rear yard.

1. For any wall containing windows, a setback of at least 5 feet shall be provided.
2. For any wall containing bedroom windows, a setback of at least 10 feet shall be provided.
3. For any wall containing living room or other primary room windows, a setback of at least 15 feet shall be provided.
4. The required setbacks apply to that portion of the building wall containing a window and extending three feet on either side of the window.

TABLE 15.04.202.030(2): HEIGHT STANDARDS – MIXED-USE DISTRICTS



District	CM-1	CM-2	CM-3	CM-4	CM-5	L/W	Additional Regulations	#
Building Maximum Height (ft.)	45; 35 within 30 feet of a Residential District	45; 35 within 30 feet of a Residential District	55; 35 within 50 feet of a Residential District	55; 35 within 50 feet of a Residential District	135; 35 within 50 feet of a Residential District	55	(C); See § 15.04.601.050 Exceptions to Height Limits	⑤
Building Minimum Height (ft.)	n/a	n/a	15	22	22	22		⑥
Maximum Stories	4	4	5	5	12	5	(D)	

TABLE 15.04.202.030(2): HEIGHT STANDARDS – MIXED-USE DISTRICTS								
District	CM-1	CM-2	CM-3	CM-4	CM-5	L/W	Additional Regulations	#
Ground Floor Minimum								
Ground Floor Residential Uses (ft)	12	12	12	12	12	12		⑦
Ground Floor Non-residential Uses (ft)	15	15	15	15	15	15		⑦
First Floor Ceiling Height, Non-residential Uses (ft clear)	12	12	12	12	12	12		⑧
Parking Podium	Maximum height of a parking podium visible from the street is 5 feet from finished grade.							⑨

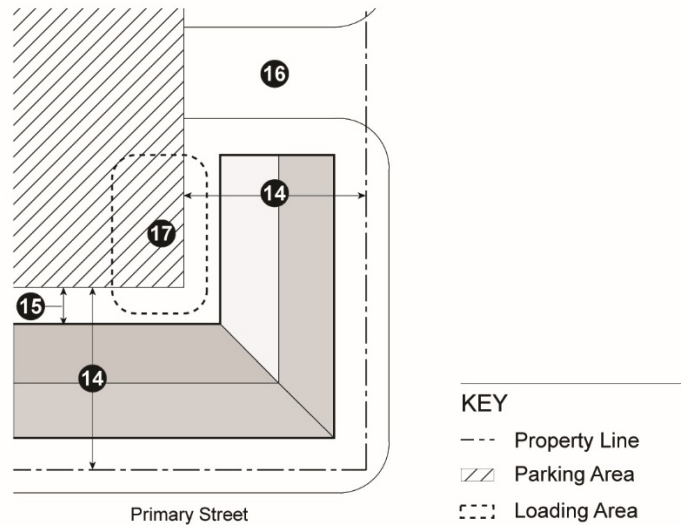
C. **Height Limitations and Exceptions.**

1. **Architectural Features.** A parapet wall, cornice or sloping roof or solar energy system may project up to four feet above the height limit.
2. **CM-3 District.** For the CM-3 District along San Pablo Avenue, the maximum allowable height shall not exceed 35 feet when abutting a single family residential zone.
3. **Towers.** If the project site is greater than 15,000 square feet, a tower or other projecting architectural elements may extend up to 12 feet above the top of a pitched roof, provided that the square footage of the element(s) do not total more than 15 percent of the building footprint. The area above the uppermost permitted floor of the element(s) shall not be habitable space.
 - a. The composition of the tower element shall be balanced, where the width of the tower has a proportional relationship to the height of the tower.
 - b. The tower element shall be proportional to the rest of the building.
 - c. The tower element shall not be stepped back at any point,
 - d. The maximum horizontal dimension of the tower element shall not exceed 100 feet.
 - e. Fenestration at the base of the tower shall be greater than the top.
 - f. The roof shall include architectural detailing, such as a cornice or eave.

D. **Upper Story Limitations.** For the CM-3 District along San Pablo Avenue, the maximum allowable number of stories shall not exceed three when abutting a single family residential zone. The top story of all four-story buildings in the CM-1 and CM-2 districts shall contain only residential uses and shall be stepped back a minimum of 10 feet from the story below.

TABLE 15.04.202.030(3): BUILDING FORM STANDARDS – MIXED-USE DISTRICTS								
District	CM-1	CM-2	CM-3	CM-4	CM-5	L/W	Additional Regulations	#
Maximum Building Length (ft.)	100	100	100	150	200	100	(E)	
Maximum Length of Blank Wall (ft.)	10 for ground floor, 25 for upper floors	10 for ground floor, 25 for upper floors	10 for ground floor, 25 for upper floors	25	25	10 for ground floor, 25 for upper floors	(E)	⑩
Bay Window	Max. 3 feet from primary façade and min. 12 feet above sidewalk grade						(F)	⑪
Awnings & Overhangs (ft.)	Min. 4 feet from primary façade and 8 feet above sidewalk grade							⑫
Awning setback from Curb	Min 2 feet clear							⑬

TABLE 15.04.202.030(4): PARKING AND LOADING STANDARDS – MIXED-USE DISTRICTS



District	CM-1	CM-2	CM-3	CM-4	CM-5	L/W	Additional Regulations	#
Setback from Street Property Line (ft)	40; Buildings shall be placed as close to the street as possible, with parking underground, behind a building, or on the interior side or rear of the site.						(G)	⑭
Setback from Buildings and Public Plazas (ft)	5 ft walkway plus 3 ft landscaping; Applicable only to above ground parking.						(G)	⑮
Access Location	Side street or alley wherever possible							
Curb Cuts	Minimized and in area least likely to impede pedestrian circulation							⑯
Loading/Service Area	Side or rear of lot; must be screened from public ROW							⑰

- E. **Wide Buildings.** Any building over 50 feet wide shall be broken down to read as a series of buildings no wider than 50 feet each or 30 feet in the CM-1 and CM-2 Districts. Increases in the maximum building width and length may be approved through design review if recesses, offsets, or other architectural articulation modulate a “box-like” appearance.
- F. **Maximum Length of Blank Walls.** This limitation does not apply to buildings with unique design requirements, such as gyms and auditoriums.
- G. **Building Projections.** The maximum width of any projection, including bay windows, is 10 feet, and the total of all projections along a building face may not be more than 10 feet wide or 25 percent of the building frontage, whichever is greater.
- H. **Limitations on Location of Parking.** Parking may be located within 40 feet of the street facing property line in accordance with the following standards.

1. **Underground and Partially Submerged Parking.** Parking completely or partially underground, may match the setbacks of the main structure. The maximum height of a parking podium visible from a street is five feet from finished grade.
2. **Surface Parking.** Above ground surface parking may be located within 40 feet of a street facing property line with the approval of an administrative use permit when the Zoning Administrator makes the following findings:
 - a. Buildings are built close to the public sidewalk to the maximum extent feasible;
 - b. The parking area is screened along the public right-of-way with a wall, hedge, trellis, and/or landscaping; and
 - c. The site is small and constrained such that underground, partially submerged, or surface parking located more than 40 feet from the street frontage is not feasible.

TABLE 15.04.202.030(5): LANDSCAPING AND OPEN SPACE STANDARDS – MIXED-USE DISTRICTS							
<i>District</i>	<i>CM-1</i>	<i>CM-2</i>	<i>CM-3</i>	<i>CM-4</i>	<i>CM-5</i>	<i>LW</i>	<i>Additional Regulations</i>
Minimum Residential Private Open Space (sq ft per unit)	75	75	60	60	60	60	(H)
Minimum Public Open Space	For residential and mixed-use development: 200 sq. ft. per unit; For non-residential development: 10% of site					75 sq. ft. per unit	
Minimum Amount of Landscaping (% of site)	10	15	15	15	15	15	

I. **Residential Open Space.** Residential open space may be provided as common or private open space. Private areas consist of balconies, decks, patios, or fenced yards directly accessible from the residence. Common areas consist of landscaped areas, walks, patios, swimming pools, barbeque areas, playgrounds, turf, rooftop areas, or other such improvements as are appropriate to enhance the outdoor living environment of the development. Landscaped courtyard entries that are oriented towards the public street which create a welcoming entry feature are also considered common areas. All areas not improved with buildings, parking, vehicular accessways, trash enclosures, and similar items or devoted to perimeter landscaping shall be developed as common areas with the types of attributes described above.

1. **Minimum Dimensions.**
 - a. *Private Open Space.* Private open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimension less

than 10 feet. Private open space located above ground level (e.g., balconies) shall have no horizontal dimension less than six feet.

- b. *Common Open Space.* Minimum horizontal dimension of 20 feet.
2. **Usability.** A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. The maximum slope shall not exceed 10 percent.
3. **Accessibility.**
 - a. *Private Open Space.* The space shall be accessible to only one living unit by a doorway to a habitable room or hallway.
 - b. *Common Open Space.* The space shall be accessible to the living units on the lot. It shall be served by any stairway or other accessway qualifying as an egress facility from a habitable room.

15.04.202.040 Supplemental Regulations

- A. **Residential Density.** Additional residential density may be approved when density bonuses are granted for affordable housing. The minimum density does not mean that residential use is required; however, where it is proposed, it must meet the minimum in Table 15.04.202.030(1).
- B. **Street Preservation.** Existing public right-of-way shall be preserved. Public right-of-way shall not be eliminated or abandoned, unless substantial public benefits are provided, such as a new park, a community garden or a trail.
- C. **Street Frontage Improvements.** New development shall provide street frontage improvements in accordance with the following:
 1. ***Between the Property Line and Curb.***
 - a. *Sidewalks.* Sidewalks shall be provided if none exist or if the existing sidewalks are in poor condition.
 - b. *Street Furniture.* Trash receptacles, benches, bike racks, and other street furniture shall be provided.
 - c. *Street Lights.* Pedestrian-scaled street lights, including attachments from which banners may be hung, shall be provided.
 - d. *Street Trees.* Shade trees shall be planted no more than 30 feet on center. Tree guards shall be provided. Trees shall be a minimum of 15 gallons in size, and at least 10 percent of the required trees shall be 24-inch box size or larger.
 2. ***Interior from Property Line.*** Except where occupied by a building or necessary for parking access, the street frontage, for a depth of 10 feet from the property line, shall be utilized for pedestrian circulation or active outdoor

uses, including, but not limited to outdoor dining; paved for public uses so that it functions as part of a wider public sidewalk; or improved with landscaping, public art, and/or pedestrian amenities, such as outdoor seating.

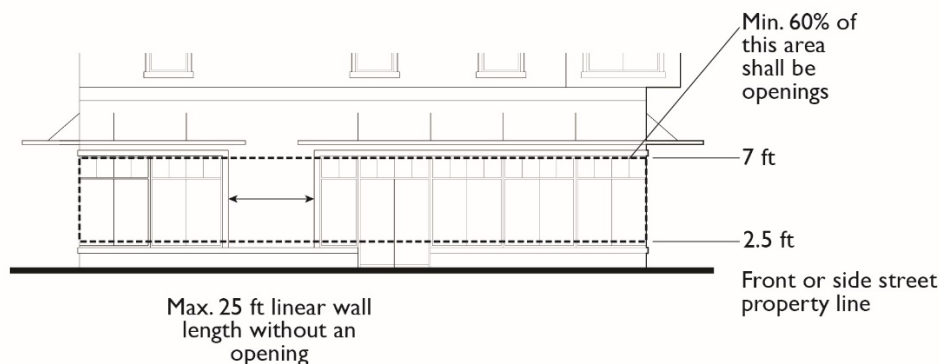
D. Building Orientation and Entrances.

1. Buildings shall be oriented to face public streets.
2. Building frontages shall be generally parallel to streets, and the primary building entrances shall be located on or within 20 feet of a public sidewalk.
3. At least one entrance shall be provided per 100 linear feet of building frontage unless the building has unique security needs.
4. Entrances located at corners shall generally be located at a 45-degree angle to the corner and shall have a distinct architectural treatment to animate the intersection and facilitate pedestrian flow around the corner. Different treatments may include angled or rounded corners, arches, and other architectural elements.
5. Entrances to residential units shall be physically separated from the entrance to the permitted commercial uses and clearly marked with a physical feature incorporated into the building or an appropriately scaled element applied to the facade.

E. Building Transparency; Required Openings for Non-Residential Uses.

Exterior walls facing and within 20 feet of a front or street side property line shall include windows, glass doors, or other openings for at least 60 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. No wall may run in a continuous plane for more than 25 feet without a window or other opening.

FIGURE 15.04.202.040-D: REQUIRED OPENINGS FOR NON-RESIDENTIAL USES



1. **Design of Required Openings.** Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.

2. **Exceptions for Parking Garages.** Multi-level garages are not required to meet the building transparency requirement of this subsection. Instead, they must be screened and treated, consistent with the requirements of Article 15.04.607 (Parking and Loading Standards).
 3. **Alternatives through Design Review.** Alternatives to the building transparency requirement may be approved if the Zoning Administrator or the Design Review Board, whichever has approval authority, finds that:
 - a. The proposed use has unique operational characteristics with which providing the required windows and openings is incompatible, such as in the case of a cinema or theater; and
 - b. Street-facing building walls will exhibit architectural relief and detail, and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.
- F. **Building Design and Articulation.** Buildings shall provide adequate architectural articulation and detail to avoid a bulky and “box-like” appearance. Building design shall reflect and complement the architectural style of significant historic buildings within the city. This may be accomplished through the incorporation of architectural style, colors, and materials similar to those used for historic buildings in Richmond. The following standards apply to commercial and mixed-use development in them Mixed-Use Districts. Residential-only development is subject to the building design standards for the RM2 District.
1. **Massing.** Building massing shall align with the street grid of adjacent blocks.
 2. **Relation to Existing Buildings.** Buildings shall be designed to appear integrated with existing buildings in the district.
 3. **Vertical Relationship.** Buildings shall be designed to have a distinctive base (ground floor level), middle (intermediate upper floor levels), and top (either top floor or roof level). Cornices, balconies, roof terraces, and other architectural elements should be used, as appropriate, to terminate rooflines and accentuate setbacks between stories.
 4. **Windows.**
 - a. Window frames shall be inset at least two inches from the face of the building to enhance shadow-line around opening.
 - b. Snap-in vinyl mullions between double pane glass is prohibited. If a divided light appearance is desired, mullions must be made of dimensional material projecting in front of the panes on both the inside and outside of the window.
 - c. Exceptions may be granted through the design review process to accommodate alternative window design complementary to the architectural style of the structure.

5. ***Exterior Building Materials and Colors.***

- a. A unified palette of materials shall be used on all sides of buildings.
- b. Exterior building materials shall be stone, brick, stucco, concrete block, painted wood clap-board, painted metal clapboard or other quality, durable materials approved through the design review process.
- c. A wainscoting of quality materials on the bottom of the ground floor façade is required.
- d. Colors shall be used to help delineate windows and other architectural features to increase architectural interest.

6. ***Building Details.***

- a. Building facades shall include building projections or recesses, doorway and window trim, and other details that provide architectural articulation and design interest.
- b. All applied surface ornamentation or decorative detailing shall be consistent with the architectural style of the building.
- c. All balconies that do not meet the minimum size required for private open space shall have a minimum horizontal dimension of two feet.
- d. Each side of the building that is visible from a public right-of-way shall be designed with a complementary level of detailing.

G. **Height on San Pablo Avenue.** For the CM-3 Zone, the maximum allowable height shall not exceed 35 feet when abutting a single family residential zoning district.

H. **Pedestrian Access.**

1. ***Internal Connections.*** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
2. ***To Circulation Network.*** Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes and trails shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
3. ***To Neighbors.*** Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential and commercial areas to the maximum extent feasible, while still providing for safety and security.
4. ***To Transit.*** Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.

5. ***Interior Pedestrian Walkway Design.***
 - a. Walkways shall have a minimum clear, unobstructed width of six feet, where feasible, but at least four feet, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.
 - b. Where a required walkway crosses driveways, parking areas, or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.
 - c. Where a required walkway is parallel and adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.
 6. ***CM-3 and CM-4 Districts.*** Commercial development is permitted only if the Design Review Board determines that the site plan and building design is pedestrian-oriented with minimal building setbacks along primary street frontage. Where setbacks are proposed, they shall include public amenities, such as outdoor seating, shade structures and canopy trees.
- I. **Residential Notification.** The building owner shall inform residents of mixed-use development of potential noise from refuse collection and other activities typically associated with ground-floor commercial activity.