

4.3 - Use Standards

4.3.010 Allowable Land Uses and Permit Requirements

A. Allowable Land Uses. A parcel or building within the specific plan area shall be occupied by only the land uses allowed by Table 4-3-1 within the zone applied to the site by the Regulating Plan. Each land use listed in the table is defined in the glossary of this Specific Plan (chapter 4.8) or in SAMC(Definitions, Ch 41).

B. Multiple Uses. Any one or more land uses identified by Table 4-3-1 as being allowable within a specific zone may be established on any parcel within that zone, subject to the planning permit requirement listed in the table, and in compliance with all applicable requirements of this Code.

C. Use Not Listed. A land use that is not listed in Table 4-3-1 is not allowed within the specific plan area. A land use that is listed in the table, but not within a particular zone, is not allowed within that zone.

D. Similar and compatible use may be allowed. The PBA Director may determine that a proposed use not listed in Table 4.3-1 is similar to a use described in SAMC Chapter 41.

E. Temporary and Ancillary uses. Temporary and Ancillary uses are allowed within the specific plan area in compliance with the operational and development standards of the SAMC Chapter 41. Ancillary uses including, but limited to garage sales; temporary outdoor activities, such as selling alcohol, at an event wireless communication facilities exterior pay phones, outdoor vending machines, keep, laundromats.

F. Drive-through facilities. Such facilities shall not be permitted in the Specific Plan area.

G. New section: Operational Standards General. Please refer to section 4.1.020 (4.b.ii) All property shall be maintained in a safe, sanitary and attractive condition, including but not limited to structures, landscaping, parking area, walkways, and trash enclosures.

H. Operational standards for auto or motor vehicle service or repair

(a) No automobile servicing or repair within three hundred (300) feet of property used or zoned for residential purposes shall be conducted before 6:00 a.m. or after 10:00 p.m. on any day of the week.

(b) Outdoor/overnight vehicle storage is not permitted.

I. Operational standards for nonresidential uses

Commercial

(a) All business activities shall be conducted and located within an enclosed building, except that the following business activities, to the extent permitted under section 4-3-1, may be conducted outside of an enclosed building:

- (1) Plant nurseries.
- (2) Newsstands
- (3) Flower Stands
- (4) Recreational or entertainment uses.

(b) There shall be no manufacturing, processing, compounding, assembling or treatment of any material or product other than that which is clearly incidental to a particular retail enterprise, and where such goods are sold on the premises.

(c) Storage of goods and supplies shall be limited to those sold at retail on the premises or utilized in the course of business.

(d) Public utility electric distribution and transmission substations shall be screened by a fence at least eight (8) feet high, except as restricted by sections 36-45, 36-46, and 36-47 of the SAMC.

Land Use Type	Permit Required by Zone						
	RR	DT	UC	CDR	UN-2	UN-1	R/I

INDUSTRY, MANUFACTURING AND PROCESSING, WAREHOUSING AND DISTRIBUTION

Artisan/craft product manufacturing	-	CUP	CUP-	-	CUP	-	P
Businesses operating between 12 and 5am	CUP	CUP	CUP	-	CUP	CUP	CUP
Furniture and fixture manufacturing, cabinet shop	-	-	-	-	-	-	P
Laboratory - medical - analytical	-	-	P(1)	-	-	-	P
Manufacturing - light	-	-	-	-	-	-	P
Manufacturing - medium intensity	-	-	-	-	-	-	CUP
Media production - office or storefront type (no sound stage)	P	P	P(1)	-	-	-	P
Printing and publishing	-	P(1)	P	-	-	-	P
Research and development	-	-	-	-	-	-	P
Outdoor storage - max stacking height 10ft	-	-	-	-	-	-	P

RESIDENTIAL USES

Home Occupation, excluding alcohol sales	P(1)	P(1)	P(1)	-	P	P	P
Live-Work Use / Joint living-working quarters	LUC	LUC	LUC	LUC	CUP	CUP	CUP
Residential Component of Mixed-Use Building	P(1)	P(1)	P(1)	P(1)	P	P	P
Ground Floor Residential	-	-	-	-	P	P	P
Care Homes	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Caretaker Residential Use	-	P(1)	P(1)	P(1)	P	P	P
Carriage House/Second Dwelling, Single Dwelling	-	-	-	-	P	P	P
Multi-Family Building (as allowed on page 4:17)	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Mixed-Use Building (as allowed on page 4:17)	CUP	CUP	CUP	CUP	CUP	-	CUP

RECREATION, EDUCATION AND ASSEMBLY

Businesses operating between 12 and 7am	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Community assembly	P(1)	CUP	CUP	P	CUP	CUP	CUP
Health/fitness facility	-	-	P	P	CUP	-	-
Indoor recreation facility - commercial/billiards	CUP	CUP	CUP	CUP	-	-	-
Library, museum	-	P	P	P	P	-	-
School - public or private	-	CUP(1)	CUP	P	CUP	CUP	-
Studio - art, dance, martial arts, etc	P	P	P	P	CUP	CUP	-
Theater, cinema or performing arts	P	P	P	-	-	-	-
Cyber cafe- subject to 41.198.200	LUC	LUC	LUC	LUC	LUC	-	LUC

RETAIL

Antique or collectible store	P	P	CUP	-	-	-	-
Bar, tavern, night club, live entertainment (fee or no fee)	CUP	CUP	CUP	CUP	-	-	-
Building and landscape material sales	-	-	-	-	-	-	CUP
General retail, except with any of the following features	P	P	P	P	P(2)	-	-
• Alcoholic beverage sales	CUP	CUP	CUP	CUP	-	-	CUP
• Auto or motor vehicle service	-	-	-	CUP	-	-	-
• Auto or motor vehicle repair	-	-	-	-	-	-	CUP
• Floor area over 20,000 per tenant	CUP	CUP	CUP	-	CUP	-	-
• Operating between 12 and 7am	CUP	CUP	CUP	CUP	CUP	-	CUP
Eating establishments	P	P	P	P	P(2)	-	P
Operations between 12 and 5 am	CUP	CUP	CUP	CUP	CUP	-	CUP

TABLE 4-3-1, continued

Allowed Land Uses and Permit Requirements for Zones

P = Permitted Use, Use-Clearance required
 LUC = Land Use Certificate required
 CUP = Conditional Use Permit required
 - = Use not allowed

Land Use Type	Permit Required by Zone						
	RR	DT	UC	CDR	UN-2	UN-1	R/I

SERVICE GENERAL

Banquet facility - catering - subject to 41.199.1	CUP	CUP	CUP	CUP	-	-	-
Businesses operating between 12 and 5am	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Child day care - more than 8 and up to 14 children	LUC	-	-	P	LUC(2)	LUC	LUC
Day care center - child or adult subject to 41.199.2	CUP	CUP	CUP	P	CUP	CUP	-
Equipment rental, indoor type only	-	-	-	P	-	-	P
Lodging - bed and breakfast inn	-	CUP	CUP	-	CUP	-	-
Lodging - hotel / motel, excl. transient residential hotel	CUP	CUP	CUP	-	-	-	-
Mortuaries, funeral homes	-	-	CUP	P	-	-	-
Personal services	P	P	P	P	P(2)	-	P
Personal services - restricted	-	-	CUP	CUP	-	-	-

SERVICES-BUSINESS-FINANCIAL-PROFESSIONAL

Bank, financial services	P	P	P	P	-	-	-
Business support service	P	P	P	P	P(2)	-	-
Businesses operating between 12 and 5am	CUP	CUP	CUP	CUP	CUP	-	CUP
Medical services - clinic, urgent care	-	-	CUP	CUP	-	-	-
Medical services - doctor, dentist, chiropractor, etc, office	P(1)	P(1)	P(1)	P	-	-	-
Medical services - extended care	-	-	-	-	CUP	-	-
Office - service	P	P	P	P	P(2)	-	P
Professional / administrative	P(1)	P(1)	P(1)	P	P(2)	-	-

TRANSPORTATION, COMMUNICATION, INFRASTRUCTURE

Helistops	CUP	CUP	CUP	-	-	-	-
Parking facility - public or commercial	P	P	P	P	-	-	-
Transit station or terminal	CUP	-	-	CUP	-	-	-
Public utility structure, excluding cell sites	-	-	-	-	CUP	-	CUP

Key to Zone Symbols

RR	Rail Station Zone	UN-2	Urban Neighborhood 2
DT	Downtown	UN-1	Urban Neighborhood 1
UC	Urban Center	R/I	Residential/Industry
CDR	Corridor		

Key to Permit Types

P Permitted Use
 LUC Land Use Certificate Required
 CUP Use-Permit Required
 - Use not allowed

Notes:

- (1) Use allowed only on second or upper floors, or behind ground floor street frontage use.
- (2) Allowed only as part of a vertical mixed use project, with upper floor residential

Note: A definition of each listed use type is in section 4.9

(e) No sales shall be made directly from a building to persons on a public sidewalk, either through

a window or similar opening or by means of any coin-operated device (excluding ground floor garage-liners)

(f) Youth amusement rides shall comply with Sec. 41-366 of the SAMC.

Industrial

(a) Any activity permitted in this district shall be conducted in such a manner as not to have a detrimental effect on permitted adjacent uses by reason of refuse matter, noise, light, vibration, or lack of proper maintenance of grounds or buildings.

(b) Outdoor storage of materials, products, equipment or vehicles, shall be screened by a solid wall not less than eight (8) feet in height that extend from the building closest to the street in a parallel manner to the street. Materials, products or equipment stored outdoors shall not be piled higher than the height of the fence or wall, nor encroach into required parking and landscape areas.

(c) A solid wall or fence not less than eight (8) feet in height is required along any rear or side lot line abutting property which is either used, zoned, or designated on the General Plan for residential purposes.

(d) Public utility electric distribution and transmission substations shall be enclosed within a solid wall or fence not less than eight (8) feet in height except as restricted by sections 36-45, 36-46, and 36-47 of the SAMC.

(e) All major compounding, processing, packaging or assembly of articles of merchandise, treatment of products and vehicle maintenance and repair, shall be conducted within a completely enclosed building. In addition, service bays for ancillary vehicle maintenance and repair shall be completely screened from view from the public street.

(g) Loading areas shall not be visible from arterial streets or from streets adjacent to front yards. Loading areas facing other streets shall be screened with decorative walls of a material compatible with the building design and by landscaping abutting such walls. Loading areas not facing a street shall be setback at least thirty-five (35) feet from the property line.

(h) Railroad tracks are not allowed on any street side of a building. If railroad tracks and loading docks are located other than at the rear of a building area, the tracks and the loading dock shall be completely screened from view from any street.

J. Permit Requirements. Table 4-1 provides for land uses that are:

1. Permitted subject to compliance with all applicable provisions of this Code, and Development Review in compliance with Chapter 4 of this Specific Plan. These uses are shown as " P " uses in Table 4-3-1;
2. Allowed subject to the approval of a Land Use Certificate, and shown as " LUC " in Table 4-3-1;
3. Allowed subject to the approval of a Conditional Use Permit, and shown as " CUP " in Table 4-3-1;
4. Not allowed in particular zones, and shown as " - " in Table 4-3-1.