

ORDINANCE NO. 10-16 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
RICHMOND ADDING CHAPTER 15.03, INTERIM ZONING REGULATIONS, TO
ARTICLE XV, ZONING AND SUBDIVISIONS OF THE RICHMOND MUNICIPAL
CODE**

WHEREAS, the general plan is the City's constitution for future development and any decision by a City affecting land use and development must be consistent with the general plan; and

WHEREAS, Chapter 15.02 of the Richmond Municipal Code provides that "The zoning ordinance whose purpose is to regulate existing uses and uses contemplated in the future shall be made consistent with the general plan as required by State Law"; and

WHEREAS, on April 24, 2012, the City Council certified the Final Environmental Impact Report for the General Plan and adopted a Mitigation Monitoring and Reporting Program; and

WHEREAS, on April 24, 2012, the City Council adopted a new General Plan but has not yet adopted amendments to the City's Zoning Ordinance reflecting the General Plan's goals, policies, standards; and

WHEREAS, Section 15.04.960 of the Zoning Ordinance establishes the City's authority to adopt and procedure for amending the Zoning Ordinance; and

WHEREAS, the General Plan was the culmination of a multi-year planning process that encompasses the community's vision of the City's future; and

WHEREAS, the General Plan substantially revises the City's land use policies, goals, and standards; and

WHEREAS, the City's zoning and subdivision regulations are presently under comprehensive review and revision in order to ensure that such regulations are consistent with the General Plan as amended and consistent with the public health, safety, and welfare of the people of Richmond. This comprehensive revision of the City's Zoning Ordinance is a substantial project which is crucial to the community's long-term welfare as reflected in the goals, policies, and standards of the General Plan; and

WHEREAS, certain critical areas of conflict between the General Plan and the existing Zoning Ordinance have been identified by the City's Planning Division as it has reviewed pending applications subsequent to the adoption of the General Plan; and

WHEREAS, pending completion of the comprehensive update to the Zoning and Subdivision regulations, it is essential that new development be consistent with the General Plan so that the goals and values of the community, as reflected in the General Plan, are not significantly undercut. Procedures and criteria are needed to make General Plan conformity determinations for proposals that conform to the General Plan even if not permitted by zoning, and for proposals for which the General Plan is silent or not precise on conformance. Proposals determined not to conform to the General Plan shall not be allowed, and no application need be accepted except as provided for in the Interim Zoning Ordinance. Establishing these procedures and new "interim zones", adjusting the land use regulations and development standards and adding findings requirements for General Plan conformity, as provided in this Ordinance will ensure that the quality of life, the environment, and the efficacy of the ongoing planning process are preserved; and

WHEREAS, there is a need to adopt Interim Zoning Regulations to implement the new General Plan until the new Zoning Ordinance is adopted; and

WHEREAS, the City Council requested that the Planning Commission provide the City Council input on where marijuana cultivation facilities should be located in accordance with Chapter 7.102 of the Richmond Municipal Code (Medical Marijuana Collectives); and

WHEREAS, on March 17, 2016 and April 21, 2016, the Planning Commission of the City of Richmond (“Commission”) held duly noticed public hearings to consider the proposed zoning text amendments, and adopted Resolution 16-09 recommending that the City Council adopt the proposed amendments; and

WHEREAS, on June 7, 2016, the City Council of the City of Richmond held a duly noticed public hearing to consider the proposed amendments, and heard testimony regarding the proposed amendments; and

WHEREAS, the City Council reviewed the agenda report and all oral and written information presented at or before the hearing; and

WHEREAS, the City Council finds and determines the adoption of this Ordinance will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects, beyond those effects analyzed in the Final Environmental Impact Report for the new General Plan, which was certified by the City on April 24, 2012. The Planning Commission therefore finds and determines that the Interim Zoning Ordinance is within the scope of the Final Environmental Impact Report certified for the new General Plan, including the Findings of Fact regarding Impacts and Mitigation Measures (CEQA Guidelines Section 15168(c)(2)). In addition, certain zoning text amendments, such as those relating to medical marijuana facilities are covered by the general rule that CEQA applies only to the projects which have the potential for causing a significant effect on the environment. The City Council has determined with certainty that there is no possibility that these Zoning Code text amendments will have a significant effect on the environment; and, therefore, are not subject to CEQA (CEQA Guidelines Section 15061(b)(3)).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND does ordain as follows:

SECTION I. Chapter 15.03 entitled “Interim Zoning Regulations” is hereby added to the Richmond Municipal Code as shown in Exhibit A, attached and incorporated herein by reference.

SECTION II. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

SECTION III. Effective Date. All applications filed after or pending upon the date of final passage and adoption of this Ordinance shall be subject to this Ordinance. This Ordinance becomes effective thirty (30) days after its final passage and adoption.

First read at a regular meeting of the Council of the City of Richmond held June 7, 2016, and finally passed and adopted at a regular meeting thereof held June 21, 2016, by the following vote:

AYES: Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, Vice Mayor Martinez, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Ordinance No. 10-16 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on June 21, 2016.



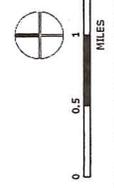
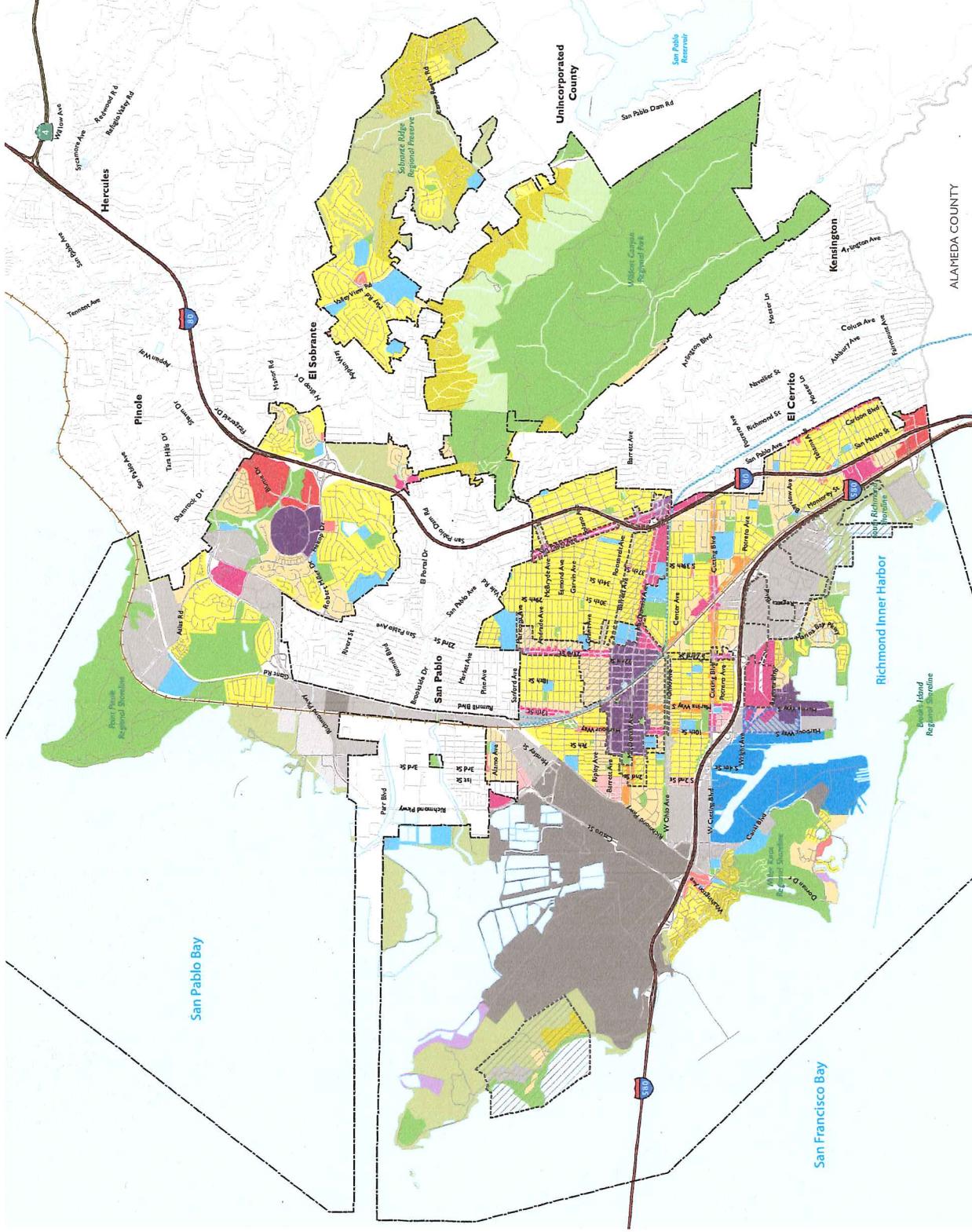
Pamela Christian, City Clerk of the City of Richmond

EXHIBITS FOR INTERIM ZONING REGULATIONS

April 21, 2016

Exhibit A Interim Zones

- RH Single Family Hillside Residential
- RL Single Family Low Density Residential
- RM Multifamily Residential
- CM-1 Commercial Mixed Use, Residential
- CM-2 Commercial Mixed Use, Neighborhood
- CM-3 Commercial Mixed Use, Commercial Emphasis
- CM-4 Commercial Mixed Use, Gateway/Node
- CM-5 Commercial Mixed Use, Activity Center
- LW Live/Work
- CR Regional Commercial
- CC Coastal Commercial
- ILL Industrial, Limited Light
- IL Industrial, Light
- IG Industrial, General
- IW Industrial, Water-Related
- PCI Public, Cultural, and Institutional
- PR Parks and Recreation
- OS Open Space
- AG Agriculture
- Transition Zone (Industrial Buffer Zone)
- Study Zone
- BART Stations
- Bay Area Rapid Transit (BART)
- Railroads
- Freeways
- Major Highways
- Roads
- Water/Bay/Ocean
- City of Richmond

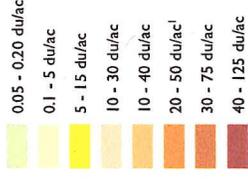


Data Source: City of Richmond, 2015; Contra Costa County GIS, 2015; Metropolitan Transportation Commission (MTC), 2015; Dyest and Bhatia, April 7, 2016

Exhibit B

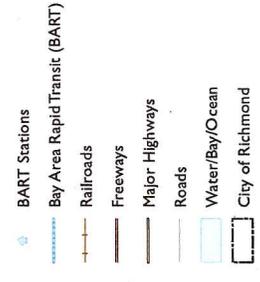
Minimum and Maximum Residential Density

(du/ac = dwelling units per net acre)



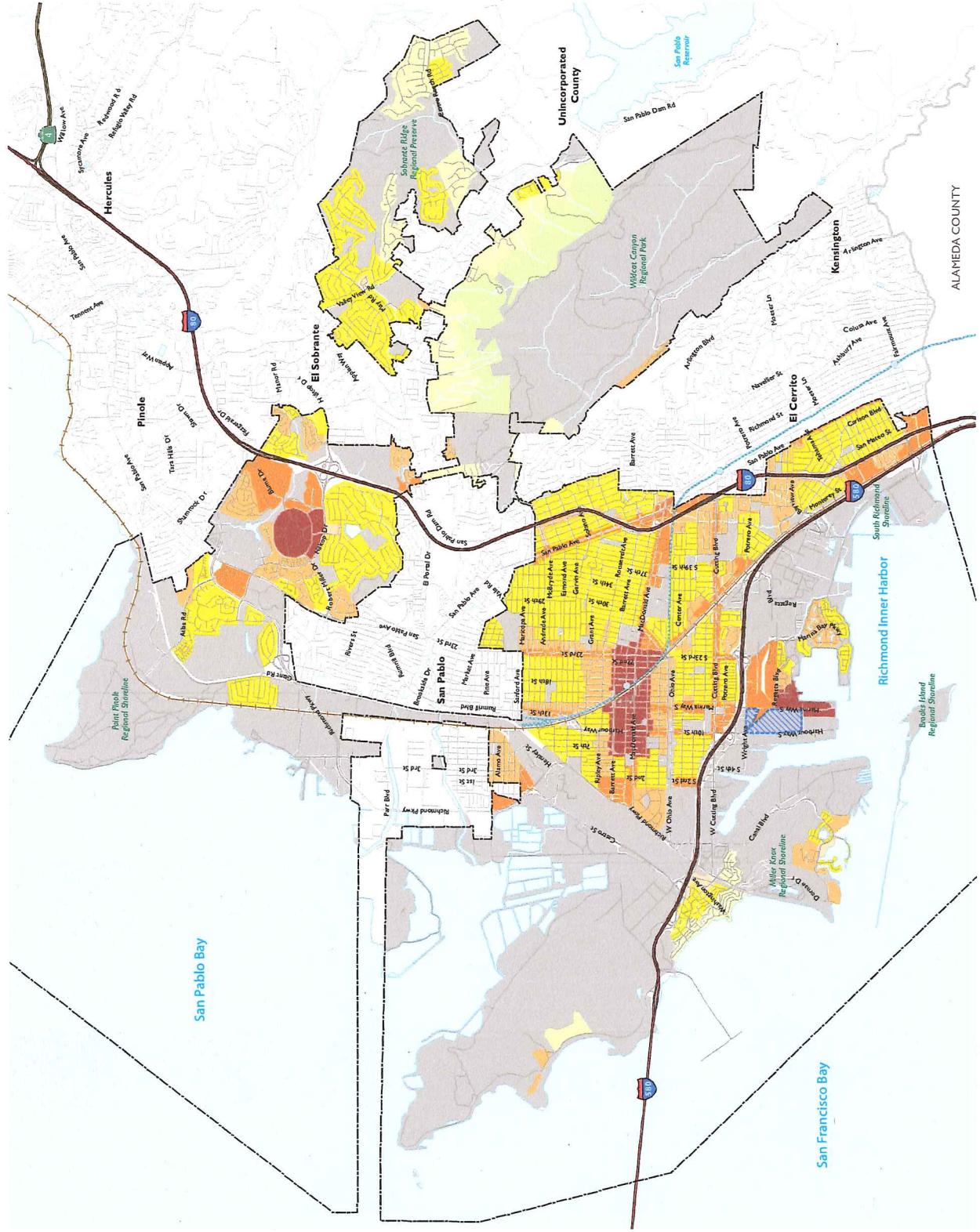
Where no residential density is shown, residential uses are not permitted

Industrial Buffer Zone (No residential use allowed)



Note:

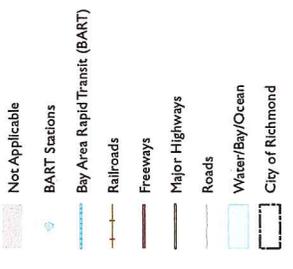
1. 15 du/ac in the Medium-Density Mixed Use Zone and the Live/Work Zone. In Mixed Use zones, where commercial only use buildings are allowed, the minimum density standard does not mean that residential use is required. However, if a residential use is proposed, it must meet the minimum density standards.



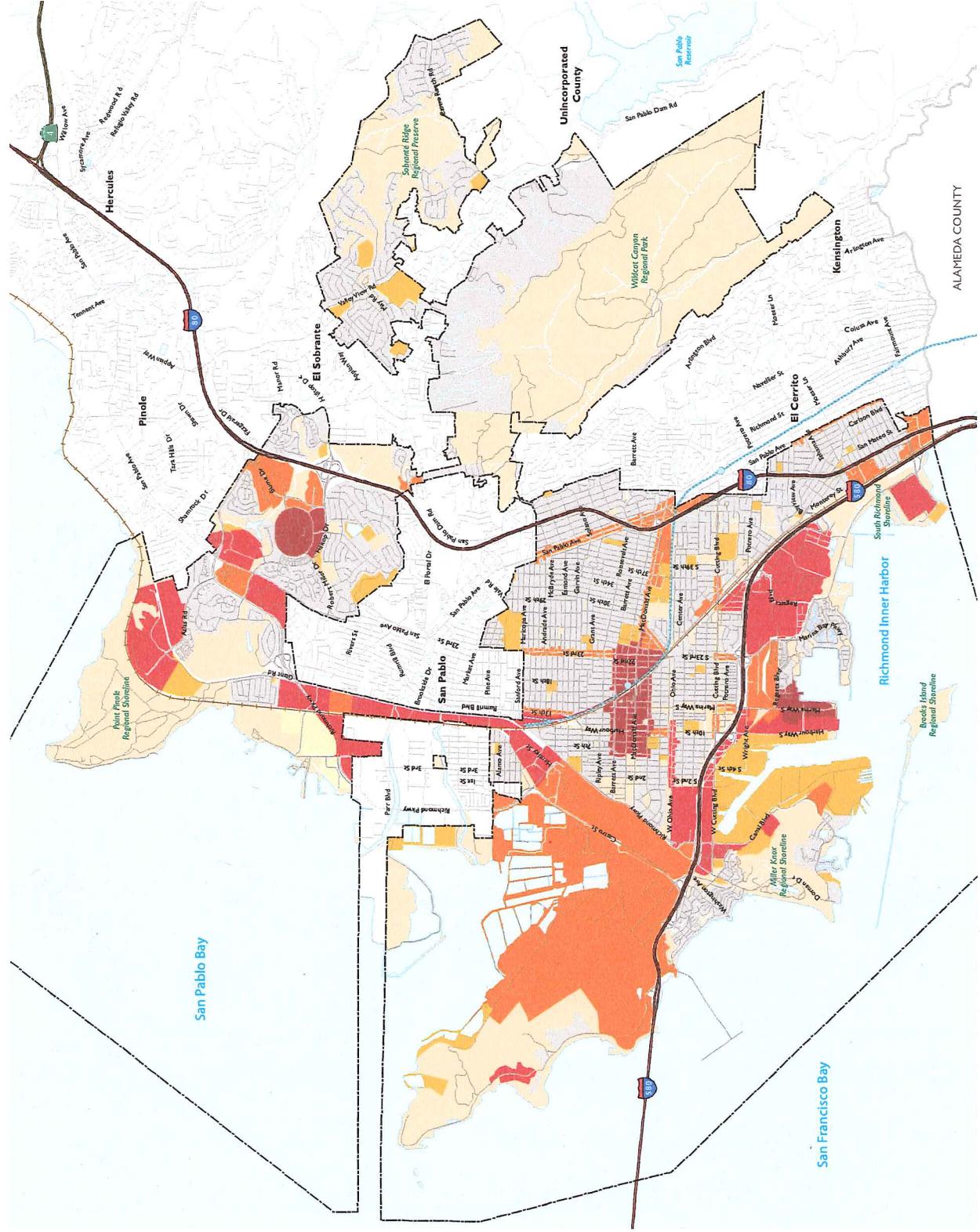
Data Source: City of Richmond, 2015; Contra Costa County GIS, 2015; Metropolitan Transportation Commission (MTC), 2015; Dyett and Bhatia, April 7, 2016

Exhibit C

Maximum Floor Area Ratio (FAR)



Note:
 1. See Section 15.03.250 (B) for additional regulations for Maximum Floor Area Ratio in ILL Zone.



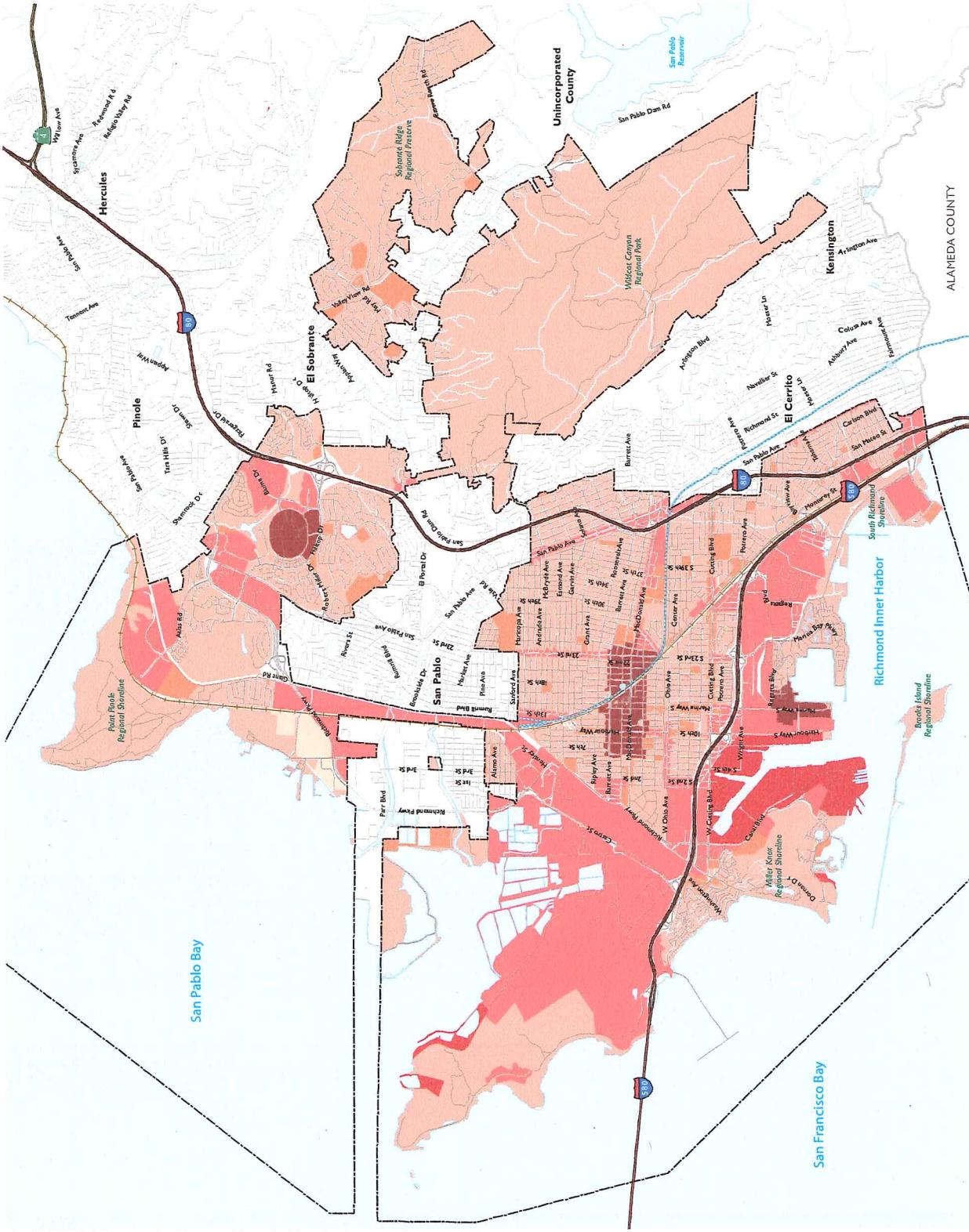
Data Source: City of Richmond, 2015; Contra Costa County GIS, 2015; Metropolitan Transportation Commission (MTC), 2015; Dyest and Bhatia, April 7, 2016

Exhibit D Maximum Building Height



- BART Stations
- Bay Area Rapid Transit (BART)
- Railroads
- Freeways
- Major Highways
- Roads
- Water/Ocean
- City of Richmond

Note: 1. See Section 15.03.250 (B) for additional regulations for Maximum Building Height in ILL Zone.



Data Source: City of Richmond, 2015; Contra Costa County GIS, 2015; Metropolitan Transportation Commission (MTC), 2015; Dyett and Bhatia, April 7, 2016

Chapter 15.03 INTERIM ZONING REGULATIONS

As recommended to the City Council for adoption, April 21, 2016

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EXHIBITS

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Article 15.03.000 General Provisions

15.03.010 Title

This chapter shall be known and cited as the “Interim Zoning Regulations of the City of Richmond” or the “Interim Zoning Regulations.”

15.03.020 Purpose and Authority

The purpose of these Interim Zoning Regulations is to implement the Richmond General Plan, adopted by the City Council by Resolution No. 52-12 on April 24, 2012, as amended, until such time as a new Zoning Ordinance is enacted. These regulations are enacted pursuant to the authority for adopting amendments established in Section 15.04.960.090 of the Zoning Ordinance.

The purpose of this article is to establish use and development regulations governing proposals for new uses and alterations and additions to existing uses in the interim zones. This article does not modify requirements of PA Planned Area Districts, RMO Resource Management Overlay Districts, SFO Special Features Overlay Districts, and TZO Transition Zone Overlay Districts. Notwithstanding the manner in which these regulations apply to proposals for new uses and revisions to existing uses, these interim regulations are not intended to designate any existing use as a prohibited use. Rather, nonconformities within the City shall be regulated in the same manner as under the existing Zoning Ordinance.

It is not the intent of this ordinance to affect the rights to build out a project under the prior land use and zoning regulations for property owners and/or applicants who have approved use permits, tentative maps and parcel maps or other entitlements or have obtained the necessary building permits prior to the effective date of this ordinance or have submitted an application for a ministerial permit, such as a building permit, that is under review by June 7, 2016. Applications for discretionary approvals consistent with the General Plan and deemed complete by the Director or Department of Planning and Building Services prior to the effective date of this ordinance shall continue to be processed under the zoning in effect on the “deemed complete” date. Applications for ministerial permits consistent with the General Plan and submitted to the appropriate department prior to June 7, 2016 to be processed under zoning in effect on the submission date.

15.03.030 Definitions and Key Terms of Reference

Definitions in the Zoning Ordinance are incorporated by reference. Additional definitions for key terms and groupings of land use (called “use groups”) are presented in Article 15.03.500.

As used in this chapter:

- A. “General Plan” means the Richmond General Plan adopted by the City Council by Resolution No. 52-12 on April 24, 2012.
- B. “General Plan Land Use Designations” and “General Plan Land Use Designations Map” means Map 3.14 of the General Plan entitled “Land Use Designations.”
- C. “Zoning Ordinance” means the ordinance codified in Chapter 15.04 of this title.
- D. "Zoning Map" means a map or maps that are a part of the Zoning Ordinance and delineate the boundaries of zone districts.
- E. “Zoning Districts” refer to the districts that are included in the Zoning Ordinance.
- F. “Interim Zones” or “Zones” refer to the zoning designations established in this chapter and delineated in Exhibit A.
- G. “Best Fit Zoning District” refers to the zoning district(s) in the Zoning Ordinance that most closely corresponds with the definition of the General Plan land use designation in terms of allowable uses, densities, intensities, and building height.

15.03.040 Applicability, Procedures, and Variances

The procedures for obtaining permits and other approvals are contained in Article 15.04.900 of the Zoning Ordinance and apply to all development subject to this chapter. In addition, no variance from the residential density, floor area ratios, and height limits established in this chapter shall be granted, because these limits are prescribed in the General Plan; any proposed deviation from a prescribed residential density, floor area ratio, or height limit requires a General Plan Amendment unless the General Plan specifically provides for such deviations (e.g. Planned Area rezoning, affordable housing density bonus).

The provisions of this article supersede the sections establishing permitted uses and conditional uses, and the building height, intensity and density regulations in the sections establishing development standards in Articles 15.04.100 through 15.04.430 of the Zoning Ordinance. The definitions in this article supersede definitions, land use classifications and use types in Article 15.04.000 for purposes of these regulations. This Article supersedes in part (as noted above) and supplements the Zoning Ordinance, but does not repeal any sections of the Zoning Ordinance, which remain in effect.

15.03.050 Consistency with General Plan; Director’s Decision and Appeals

These Interim Zoning Regulations are intended to be consistent with the General Plan and ensure that all new development and alterations and additions to existing uses that are subject to discretionary review are consistent with the General Plan. Should any provisions of this chapter be determined inconsistent with the General Plan, the General Plan shall prevail. The Director of Planning and Building shall have the authority to determine the extent of any such inconsistency and issue a decision to resolve the matter. The Director’s decision may be appealed to the Planning Commission (the Commission) under the procedures in Section 15.04.945 of the Zoning Ordinance for appeals of Zoning Administrator determinations. The Commission shall act on the appeal after a duly-noticed public hearing. The Commission’s decision may be appealed to the City Council under the

provisions of Section 15.04.980 of the Zoning Ordinance. In considering an appeal at a duly-noticed public hearing, the Council shall determine whether the proposal conforms to the General Plan and may affirm, overturn, or modify the proposed determination. The decision of the City Council shall be made by resolution and shall be final.

15.03.060 Criteria for General Plan Conformity Determinations

A. Proposals in conformance with General Plan.

1. *If permitted by the Zoning Ordinance (no “express conflict”).* A proposal that is permitted or conditionally permitted by this chapter and determined to conform to the General Plan shall be processed in accordance with the Zoning Ordinance.
2. *If not permitted by the Zoning Ordinance (“express conflict”).* A proposal that determined to conform to the General Plan but is not permitted by the Zoning Ordinance may be approved upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Article 15.04.910. A conditional use permit for such proposal may be granted only upon determination that the proposal conforms to the findings set forth in Article 15.04.910 and to the following additional findings:
 - a. The proposal is appropriate in consideration of the characteristics of the proposal and the surrounding area;
 - b. The proposal is consistent with the intent and desired character of the relevant land use classification or classifications of the General Plan and any associated policies; and
 - c. The proposal will promote implementation of the General Plan. Any such proposal shall be subject to the provisions of the Best Fit zoning district(s) corresponding to the land use classification in which the proposal is located. If there is more than one Best Fit zoning district, the Director of Planning and Building Services shall determine which zoning district or combination of districts to apply, with consideration given to the characteristics of the proposal and the surrounding area and any relevant provisions of the General Plan. A combination of districts may be used to establish a Best Fit Zoning District for mixed use development, with one zoning district determined to be the Best Fit for the commercial component and another for the residential component. If even with a combination of zoning districts the Best Fit zoning is imperfect because one or more standards do not correspond with the General Plan policies and standards, the General Plan standards for land use, density, floor area ratios and height and associated policies shall govern.
3. *Optional Rezoning in Lieu of Conditional Use Permit (“Express Conflict”).* At the applicant’s option, in lieu of the conditional use permit provided for above, the applicant may apply for a rezoning pursuant to the

procedures in Article 15.04.960. Any such rezoning shall be to the Best Fit zoning district or other possible zoning district corresponding to the General Plan land use classification in which the proposal is located. If such a rezoning is approved by the City Council, the proposal shall then be subject to all of the provisions of the new zoning district.

B. Proposals for which General Plan is silent or not precise on conformance.

1. *If permitted or conditionally permitted by Zoning Ordinance (no "express conflict").* A proposal for which the General Plan is silent or does not provide precise policy direction as regards to conformity and which is permitted or conditionally permitted by the Zoning Ordinance shall be processed in accordance with the Zoning Ordinance.
2. *If not permitted by Zoning Ordinance (no "express conflict").* Any proposal for which the General Plan is silent or does not provide precise policy direction as regards to conformity and which is not permitted by the Zoning Ordinance shall be denied in accordance with the Zoning Ordinance. At the applicant's option, the applicant may modify the project to conform to the Zoning Ordinance, may apply for a variance if the conformity question relates to a dimensional standard, or may apply for a rezoning. Any such rezoning shall be to the Best Fit zoning district or other possible zoning district that is consistent with the land use classification in which the proposal is located. If such a rezoning is approved, the proposal shall then be subject to all of the provisions of the new zoning district.

C. Proposals not in conformance with the General Plan. Any proposal determined not to conform to the General Plan shall not be allowed and no application shall be accepted, nor shall any permits be approved or issued for any such proposal, except as provided for below.

1. *If permitted or conditionally permitted by the Zoning Ordinance ("express conflict").* At the applicant's option, the applicant may modify the project to conform to the General Plan or may apply for a General Plan Amendment.
2. *If not permitted by Zoning Ordinance (no "express conflict").* If a proposal is not permitted under the Zoning Ordinance, the applicant may apply for a rezoning in addition to a General Plan amendment. Any such rezoning shall be to the Best Fit zoning district or other possible zoning district corresponding to the land use classification of the associated General Plan amendment. If such a rezoning is approved, the proposal shall then be subject to all of the provisions of the new zoning district, including but not limited to any required conditional use permit.

D. If permitted or conditionally permitted by the Zoning Ordinance, and where determined by the Director to be consistent with the surrounding land uses and appropriate for the area, notwithstanding that the project may not be consistent with the General Plan Land Use Designation. It is recognized that

the General Plan land uses have been broadly applied to areas without parcel-by-parcel specificity and that the General Plan Land Use Designations are largely illustrative of the General Plan's written goals and policies. Because these General Plan Land Use Designations are generalized and do not necessarily depict with accuracy the use of each parcel or very small land area, the Director may determine that a proposed use, building intensity, allowable height or maximum residential density that is different from that shown in the General Plan Land Use Designations Map is appropriate for the site in question and that the project is in conformance with the written goals and policies of the General Plan. The project may then be allowed upon the granting of a conditional use permit. This determination also may take into account timing considerations, the local real estate market, and site conditions, which may make near-term redevelopment infeasible. In this case, the Director also must find that granting the conditional use permit will not have a significant adverse effect on the overall timing and phasing of development under the General Plan.

15.03.070 Nonconforming Uses and Structures

Nonconformities within the City shall be regulated in the same manner as under the existing Zoning Ordinance which provides nonconforming provisions for uses, structures, and parcels in Section 15.04.940.

Article 15.03.100 Interim Zones

15.03.110 Purpose

The purpose of this article is to establish “interim zones” consistent with the General Plan, which shall govern determinations for conformity with the General Plan and decisions on development projects until such time as a new Zoning Ordinance is enacted.

15.03.120 Interim Zones

Interim zones are hereby established consistent with the General Plan. They are delineated in Exhibit A. The descriptions of the interim zones in this section are to be construed only as statements of intent, and are not regulatory; for regulations of uses within these zones, see Article 15.03.200. The interim zones are as follows:

- A. **RH Single Family Hillside Residential.** This zone is intended for areas designated as Hillside Residential in the General Plan and more specifically for attached and detached single-family housing on subdivided parcels and clustered multi-family residential on developable portions of hillside parcels below the 400-foot elevation. Hillside development should address key environmental challenges and constraints such as steep slopes and soil erosion. Neighborhood mixed-use development is allowed at neighborhood nodes.

- B. **RL Single Family Low Density Residential.** This zone is intended for areas designated for Low Density Residential in the General Plan and more specifically for attached and detached single-family residential development in level to moderately sloped areas. Neighborhood mixed-use development is allowed at neighborhood nodes. Existing multi-family residential structures may remain and may be improved without increasing densities, or may revert to single-family residential uses.
- C. **RM Multifamily Residential.** This zone is intended for areas designated for Medium Density Residential in the General Plan and more specifically for single and multi-family housing types such as duplexes, three- or four-plexes, one to three-story garden apartments, historic bungalows and cottages on small lots, townhouses and stacked flats. Neighborhood mixed-use development is allowed at neighborhood nodes.
- D. **CM-1 Commercial Mixed Use, Residential.** This zone is intended for areas designated for Medium Intensity Mixed Use (Residential Emphasis) in the General Plan and more specifically for mixed-use development with commercial uses encouraged at street-level along corridors. However, residential-only development 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 setbacks and parking located to the sides or rear of buildings.
- E. **CM-2 Commercial Mixed Use, Neighborhood.** This zone is intended for areas designated in the General Plan for Neighborhood Mixed Use and more specifically for residential and neighborhood-serving retail uses such as shops, markets, professional offices, boutiques, barber shops, beauty salons and restaurants. Residential development above ground floor commercial is strongly encouraged. Development is emphasized at neighborhood nodes.
- F. **CM-3 Commercial Mixed Use, Commercial Emphasis.** This zone is intended for areas designated in the General Plan for Medium Intensity Mixed Use (Commercial Emphasis) and more specifically for mixed-use development with commercial or office and limited industrial uses encouraged at street-level along corridors. This zone is distinguished from the Medium- Density Mixed-Use (Residential Emphasis) zone in that this zone allows residential-only, commercial-only development and limited industrial. Residential uses may include condominiums, townhouses or apartments and commercial uses may include small to large-scale retail or office. New development must have a pedestrian-oriented building design with minimal setbacks, and off-street parking shall be located to the sides or rear of buildings unless infeasible.
- G. **CM-4 Commercial Mixed Use, Gateway/Node.** This zone is intended for areas designated in the General Plan for Medium Intensity Mixed Use (Community Nodes and Gateways) and more specifically for mid-rise mixed-use development at key community nodes and gateways with commercial uses strongly encouraged at street-

level. Commercial development must have a pedestrian-oriented building design with setbacks allowing for public amenities and parking located behind buildings.

- H. **CM-5 Commercial Mixed Use, Activity Center** This zone is intended for areas designated in the General Plan for High Intensity Mixed Use (Major Activity Center) and more specifically for mid- and high-rise mixed-use development at major activity centers to serve the community and region. Office, retail, entertainment and residential uses are allowed. Areas with this designation are characterized by streets with minimal setbacks, wide sidewalks and public spaces that cater to pedestrians and transit riders. Medium-Intensity Mixed-Use (Commercial Emphasis) is allowed within this zone.
- I. **LW Live/Work.** This zone is intended for areas designated in the General Plan for Live/Work and more specifically for lofts and apartments connected to small-scale production spaces as well as office and storefront retail in transitional areas where it can be demonstrated that the use does not conflict with adjacent uses.
- J. **CR Regional Commercial.** This zone is intended for areas designated in the General Plan for Regional Commercial Mixed-Use and more specifically for mid-rise mixed-use development and regional shopping centers (e.g. Hilltop, Pacific East Mall, and other shopping centers in the I-80 corridor) characterized by intensive development of retail space in compact and pedestrian-friendly environments. Office, retail and residential uses are allowed in mid-rise buildings.
- K. **CC Coastal Commercial.** This zone is intended for areas designated in the General Plan for Marine and Waterfront Commercial and more specifically for water-oriented uses such as boat repair, recreation equipment rentals, water transit, marinas, services, restaurants and water-related storage and office uses. Development character should complement shoreline natural resources.
- L. **ILL Industrial, Limited Light.** This zone is intended for areas designated in the General Plan for Low Intensity Business/Light Industrial and more specifically for low intensity business/light industrial uses. Near sensitive resource areas, commercial and institutional Uses, such as research and development and office uses, are allowed at lower intensity than is generally permissible under the Business/Light Industrial designation.
- M. **IL Industrial, Light.** This zone is intended for areas designated in the General Plan for Business/Light Industrial and more specifically for commercial and institutional uses such as a large-scale research and development campus, light industrial, industrially-related storage and distribution, and office uses.
- N. **IG Industrial, General.** This zone is intended for areas designated in the General Plan for Industrial and more specifically for general industrial uses, such as manufacturing and assembly in areas near freeways and freight rail. Office and warehousing are allowed.
- O. **IW Industrial, Water-Related.** This zone is intended for areas designated in the General Plan as a Port Priority Area and more specifically for working waterfront

uses within the Port of Richmond, such as private and publicly-owned port terminals, warehousing, commercial fishing, ship repair, marine services, and related office uses.

- P. **OS Open Space.** This zone is intended for wetlands, mudflats, creek corridors and other natural preservation areas, as well as private lands deed-restricted for open space preservation. Public access should be allowed where appropriate.
- Q. **PR Parks and Recreation.** This zone is intended for publicly owned local and regional parks as well as privately owned recreational facilities such as golf courses. Small-scale recreation-supporting uses such as rental shops, bike repair facilities, small restaurants, interpretation centers and museums are also permitted.
- R. **PCI Public, Cultural and Institutional.** This zone is intended for public, semi-public and educational uses such as civic facilities, community centers, libraries, museums, national park facilities, hospitals and schools.
- S. **AG Agriculture.** This zone is intended for agricultural uses such as grazing, crop production, farming, community gardens and ancillary residential uses.
- T. **PA Planned Area Districts.** This zone is intended for a group of residential, commercial, industrial or institutional buildings, or a mixture thereof, where the City has approved development on the entire site; existing Planned Area Developments are not subject to the provisions of this chapter. Uses and development regulations in existing PA Districts shall be as stipulated in the various ordinances establishing the PA Districts. No modification or amendment to an existing PA District can be approved unless it is determined that the modification or amendment conforms to the General Plan.
- U. **S Study Zone.** This zone is intended to allow for discretionary review of development proposals in areas where changes in zoning regulations are contemplated or under study as part of General Plan implementation. These areas may include lands where the pre-existing zoning district has been deemed inappropriate under the General Plan and assignment of a new classification and new zoning awaits completion and Council adoption of a specific plan or other planning and zoning study.
- V. **Transition Zone (also known as the Industrial Buffer Zone).** This zone applies to the area of the Ford Peninsula bounded by I-580 on the north, Harbour Way South on the west, Marina Way South on the east and Hall Avenue on the south, excluding Marina Way Properties LLC site, where residential uses and related uses (e.g. day care centers, live/work, adult vocational schools, colleges, universities and educational facilities) are not allowed under the General Plan in order to avoid land use conflicts.

15.03.130 Overlay Districts

Overlay districts established in Article 15.04.500 are not subject to the provisions of this chapter and still apply, provided that any development within them is determined to be

consistent with the General Plan and all relevant provisions of the Zoning Ordinance not superseded by this chapter.

15.03.140 Interim Zoning Maps

The interim zones established by Sections 15.02.140 are delineated in Exhibit A, Interim Zones, and are based on the following maps, which are made a part of this chapter by this reference:

- A. **General Plan Land Use Designation Map.** Interim zones listed in Sections 15.03.130 (a) through (v) are as shown on the General Plan Land Use Designations Map, except as these are superseded by the RMO Resource Management Overlay District, SFO Special Features Overlay District, TZO Transition Zone Overlay District, and PA Planned Area Districts as shown on the Zoning Map.
- B. **Zoning Map.** The RMO Resource Management Overlay District and the SFO Special Features Overlay District are as shown on the Zoning Map and remain in force.

Article 15.03.200 Zoning District Regulations

15.03.210 Purpose

The purpose of this article is to establish use and development regulations in the interim zones, except existing PA Planned Area Districts, the RMO Resource Management Overlay District, the SFO Special Features Overlay District, and the TZO Transition Zone Overlay District.

15.03.220 Uses Permitted, Conditionally Permitted, and Prohibited

Uses, as classified in Section 15.04 of the Zoning Ordinance and in this section, are permitted, conditionally permitted, or prohibited in base and overlay zones as indicated in Tables 15.03.203-A and 15.03.203-B. Permitted uses are indicated by a “P”, conditionally permitted uses are indicated by a “C”, and prohibited uses are indicated by an “X”. Where a subclassification, which is indented, has a different designation from the one given to the more general land use, that designation governs. An “L” designation followed by a number refers to a numbered list of specific limitations or permit requirements listed at the end of the table. Conditionally permitted uses are allowed upon the granting of a conditional use permit pursuant to Article 15.04.910 of the Zoning Ordinance and any additional findings that may be required by this chapter. Use regulations in the overlay districts in Article 15.04.500 supersede those of the interim zones. Additional provisions are as indicated in the notes following the tables and in the following sections of this article. The requirements for design review in Section 15.04.930 also apply to all new uses that involve construction of buildings or exterior alterations and additions.

15.03.230 Special Regulations in the Residential Zones

- A. **Limitations on Certain Commercial Uses.** The RH, RL and RM zones are intended to be exclusive residential zones. In the Residential zones, certain compatible commercial uses, as indicated in Table 15.03.203-A, are permitted on the ground floor only, and are subject to the following restrictions:
1. Neighborhood-serving mixed use is only allowed at neighborhood nodes, as defined in the General Plan and further identified by the Planning Commission, and a conditional use permit is required.
- B. Each individual commercial establishment shall not exceed 2,500 gross square feet and shall be primarily local-serving, except neighborhood food stores, which may be up to 25,000 square feet.

TABLE 15.03.230-A: USES PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED IN RESIDENTIAL & MIXED USE ZONES AND THE REGIONAL COMMERCIAL ZONE									
Uses	Interim Zones								
	RH	RL	RM	CM-1	CM-2	CM-3	CM-4	CM-5	CR
RESIDENTIAL									
Single Family									
Detached	L14	P	P	x	x	x	x	x	x
Attached	L14	P	P	P	P	P	C	C	C
Second Dwelling Unit	P	P	P	x	x	x	x	x	x
Duplex	x	C	P	x	x	x	x	x	x
Multi-Unit Dwelling	L14	L1	P	P	L2	P	L2	L2	L2
Group Residential	(See below)			C	C	C	x	x	x
Congregate Housing	L13	L13	L13	C	C	C	x	C	x
Senior Group Residential	L13	L13	L13	C	C	C	x	C	x
Elderly and Long Term Care	x	x	C	L2	L2	L2	C	C	C
Family Day Care, Large	P	P	P	P	P	x	x	x	x
Family Day Care, Small	P	P	P	P	P	P	P	x	x
Planned Residential Groups	C	C	C	C	x	x	x	x	x
Residential Facility									
Residential Care, General	x	x	C	C	x	C	C	C	x
Residential Care, Limited	P	P	P	P	P	P	P	P	x
Residential Care, Senior	x	x	C	C	C	C	x	C	x
Hospice, General	x	x	C	C	C	x	x	x	x
Hospice, Limited	P	P	P	P	P	x	x	x	x
Supportive Housing	P	P	P	P	P	P	P	P	x
Transitional Housing	P	P	P	P	P	P	P	P	x
COMMERCIAL									
Adult Business	x	x	x	x	x	x	L4	L4	C
Animal Sales and Services									
Boarding Kennel	C	C	x	x	x	x	x	x	C

TABLE 15.03.230-A: USES PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED IN RESIDENTIAL & MIXED USE ZONES AND THE REGIONAL COMMERCIAL ZONE									
Uses	Interim Zones								
	RH	RL	RM	CM-1	CM-2	CM-3	CM-4	CM-5	CR
<i>Clinic/Hospital</i>	x	x	x	x	x	L3	L3	L3	C
<i>Grooming</i>	x	x	x	x	x	L3	L3	L3	C
<i>Retail Sales (Pet Shops)</i>	x	x	x	L3	L3	L3	L3	L3	P
<i>Veterinary Services</i>	x	x	x	x	x	L3	L3	L3	C
Auto/Vehicle Sales Services									
<i>Alternative Fuels and Recharging Facility</i>	x	x	C	x	x	L8	L8	L8	L8
<i>Automobile Rentals</i>	x	x	x	x	x	L8	L8	L8	L8
<i>Automobile/Vehicle Sales and Leasing, New</i>	x	x	x	x	x	L9	L9	L9	L9
<i>Automobile/Vehicle Sales and Leasing, Used</i>	x	x	x	x	x	x	x	C	C
<i>Automobile/Vehicle Repair, Minor</i>	x	x	x	x	x	L8	L8	L8	L8
<i>Automobile/Vehicle Washing</i>	x	x	x	x	x	x	x	x	C
<i>Service Stations</i>	x	x	C	x	x	C	x	C	C
Banks and Financial Institutions									
<i>Bank and Savings and Loan</i>	x	x	x	L3	L3	L3	L3	L3	C
<i>- With Drive-through Service</i>	x	x	x	x	x	C	C	C	C
<i>Non-traditional Financial</i>	x	x	x	x	x	C	x	C	C
Business Services	x	x	x	L3	L3	P	P	P	P
Catering Service	x	x	x	x	L2	L2	L2	L2	L2
Commercial Entertainment and Recreation									
<i>Cinema</i>	x	x	x	x	x	x	C	C	C
<i>Theatre</i>	x	x	x	x	C	C	C	C	C
<i>Large-scale Facility</i>	x	x	x	x	x	C	C	C	C
<i>Small-scale Facility</i>	x	x	x	C	C	C	C	C	C
Eating and Drinking Establishments									
<i>Bars/Night Clubs/Lounges</i>	x	x	x	C	C	C	C	C	C
<i>Restaurant, Full Service</i>	x	x	x	L3	L3	L3	L3	L3	L3
<i>Restaurant, Limited Service</i>	x	x	x	L3	L3	L3	L3	P	P
<i>Restaurant with Drive Through Service</i>	x	x	x	x	x	C	x	C	C
Finance, Insurance and Real Estate Services	x	x	x	L3	L3	P	L3	P	P
Food and Beverage Sales									
<i>Convenience Market</i>	x	C	C	C	C	C	C	L3	C
<i>Farmers Market</i>	x	x	C	x	C	x	x	C	C
<i>General Market</i>	x	x	x	P	P	P	P	P	P
<i>Liquor Store</i>	x	x	x	x	x	C	C	C	C

TABLE 15.03.230-A: USES PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED IN RESIDENTIAL & MIXED USE ZONES AND THE REGIONAL COMMERCIAL ZONE									
Uses	Interim Zones								
	RH	RL	RM	CM-1	CM-2	CM-3	CM-4	CM-5	CR
Funeral and Interment Service	x	x	x	x	x	C	x	C	C
Instructional Services	x	x	x	L3	L3	L2	L2	P	P
Media Production	x	x	x	C	x	L2	L2	C	C
Maintenance and Repair	x	x	x	L3	C	L3	P	P	L3
Mobile Vending Unit	x	x	x	x	C	C	x	C	C
Offices, Business and Professional	x	x	C	L3	L2	P	L2	L2	L2
<i>Medical and Dental</i>	L15	L12	L12	L3	L2	P	L2	L2	L2
<i>Walk-in Clientele</i>	L15	x	L3	P	P	P	P	P	P
Parking Facilities, Commercial	x	x	x	C	C	C	C	P	P
Personal Services	x	x	x	L3	L3	P	P	P	P
<i>General Personal Services</i>	x	x	C	L3	P	L3	L3	P	P
<i>Health/Fitness Facility</i>	x	x	x	L3	P	L3	L3	P	P
<i>Massage Establishment</i>	x	x	x	L4	x	L4	L4	C	C
<i>Tattoo or Body Modification Parlor</i>	x	x	x	x	x	C	C	C	C
Printing & Publishing	x	x	x	x	x	L2	L2	L2	L2
Retail Sales									
<i>General Retail Sales, Small-scale</i>	L15	x	x	L3	P	L3	L3	P	P
<i>General Retail Sales, Large-scale</i>	x	x	x	x	x	P	L3	P	P
<i>Pawn Shop; Secondhand Store</i>	x	x	x	x	x	L4	L4	L4	L4
<i>With Drive-Through Service</i>	x	x	x	x	x	C	C	C	C
Transient Lodging									
<i>Bed and Breakfast</i>	C	C	C	C	P	x	x	x	x
<i>Hotel and Motel</i>	x	x	L6	C	L6	C	C	C	C
INSTITUTIONAL AND COMMUNITY FACILITIES									
College and Trade School	x	C	C	C	x	C	x	C	C
Community Assembly	C	x	C	L3	x	C	C	C	C
Community Garden	P	P	P	x	P	C	x	C	x
Cultural Facility	C	C	C	P	C	P	P	P	P
Day Care Centers	C	C	C	C	C	C	C	C	L8
Emergency Shelter	L10	L10	L10	P	C	L19	x	P	L19
Government Buildings	x	x	C	P	P	P	P	P	P
Hospitals and Clinics	x	x	C	C	C	C	C	C	C
<i>Hospital</i>	x	x	C	C	x	C	C	C	x
<i>Clinic</i>	x	x	L3	L3	L3	L3	L3	L3	L3
<i>Skilled Nursing Facility</i>	x	x	C	C	x	C	C	C	x
Park and Recreation Facility	x	C	C	L2	L2	C	C	C	C

TABLE 15.03.230-A: USES PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED IN RESIDENTIAL & MIXED USE ZONES AND THE REGIONAL COMMERCIAL ZONE

Uses	Interim Zones								
	RH	RL	RM	CM-1	CM-2	CM-3	CM-4	CM-5	CR
Public Safety Facility	C	C	C	C	C	C	P	P	P
Schools	C	C	C	C	C	C	C	C	C
Social Service Center	x	x	x	x	x	L3	L3	L2	P
INDUSTRIAL									
Artisan/Small-scale Manufacturing	x	x	x	x	x	L16	x	C	x
Artist's Studio									
<i>Studio-Light</i>	x	x	P	L3	P	L3	x	L3	x
<i>Studio-Heavy</i>	x	x	C	C	C	C	x	C	x
Commercial Kitchen	x	x	x	x	x	x	x	C	C
Limited Industrial	x	x	x	x	x	L17	L17	x	x
Marijuana Cultivation Facility	x	x	x	x	x	x	L18	x	x
Recycling Facilities									
<i>Collection Facilities</i>	x	x	x	P	P	C	C	C	C
Research and Development	x	x	x	x	x	L2	L2	L2	x
TRANSPORTATION, COMMUNICATION AND UTILITIES									
Communication Facilities									
<i>Antennas and Transmission Towers</i>	x	x	x	L11	L11	L11	L11	C	C
<i>Equipment within Buildings</i>	x	x	x	x	x	L2	L2	L2	L2
Transportation Facilities									
<i>Transportation Passenger Terminal</i>	x	x	x	x	x	x	P	P	P
Utility Services	C	C	C	C	C	C	C	C	C
AGRICULTURE									
Agricultural Production and Services	C	C	C	x	x	x	x	x	x
Animal Husbandry	L7	L7	x	x	x	x	x	x	x
Indoor Agriculture	C	C	C	x	x	x	x	x	x
Outdoor Agriculture	C	C	C	x	x	x	x	x	x

Notes:

L1 Existing multifamily residential structures may be improved, subject to the nonconforming provisions of Section 15.040.940, if applicable.

L2 Permitted above the ground floor or behind an allowed ground floor use; a use permit is required for more than 10,000 square feet.

L3 Only allowed on the ground floor in mixed-use buildings; a conditional use permit is required for more than 3,000 sq. ft. and for Full-Service Restaurants of more than 1,500 sq. ft.

L4 Requires a conditional use permit and cannot be located within 500 feet of a school or park. Pawn shops are prohibited on San Pablo Avenue.

TABLE 15.03.230-A: USES PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED IN RESIDENTIAL & MIXED USE ZONES AND THE REGIONAL COMMERCIAL ZONE

Uses	Interim Zones									
	RH	RL	RM	CM-1	CM-2	CM-3	CM-4	CM-5	CR	
L5 Bed and Breakfast Inns are allowed only with a conditional use permit.										
L6 Allowed with a conditional use permit if the hotel has no more than 20 guest rooms.										
L7 The Contra Costa County animal keeping regulations, which are incorporated by reference, apply; a conditional use permit is required for any increase in the number of animals allowed in these regulations.										
L8 Only allowed on arterial streets, occupying 2,500 sq. ft. or less unless greater floor area, up to 5,000 square feet is approved with a conditional use permit.										
L9 Must be within an enclosed structure.										
L10 Allowed with 10 or fewer beds only. All of the standards of Section 15.04.810.040, Emergency Shelters, or Ordinance 15-15 N.S., adopted on May 19, 2015, are hereby incorporated by reference and apply.										
L11 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.										
L12 Permitted as a transitional use within a residential structure with a conditional use permit.										
L13 Permitted if the primary use of the property remains residential; requires a conditional use permit if it is the primary use.										
L14 Only attached and detached single-family housing on subdivided parcels and clustered multi-family residential are allowed with design review on developable portions of hillside parcels below the 400-foot elevation. Hillside development standards and density controls in Section 15.04.510.030 of the Zoning Ordinance apply.										
L15 Only allowed with a conditional use permit in a neighborhood mixed-use development at a neighborhood node.										
L16 Only allowed on the ground floor of a building; a conditional use permit is required for more than 25,000 square feet.										
L17 With the Study Area established for the Richmond Bay Specific Plan, as shown on Exhibit A, 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.										
L18 Permitted above the ground floor or behind an allowed ground floor use and with approval of a conditional use permit.										
L19 Up to 25 beds are permitted; for more than 25 beds, a conditional use permit is required. All of the standards of Section 15.04.810.040, Emergency Shelters, or Ordinance 15-15 N.S., adopted on May 19, 2015, are hereby incorporated by reference and apply.										

TABLE 15.03.230-B: USES PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED IN NON-RESIDENTIAL ZONES										
Uses	Interim Zones									
	LW	CC	ILL	IL	IG	IW	OS	PR	PCI	AG
COMMERCIAL										
Adult Business	x	x	x	C	C	x	x	x	x	x
Animal Sales and Services										
<i>Clinic/Hospital</i>	x	x	C	C	x	x	x	x	x	x
<i>Grooming</i>	x	x	LI	LI	x	x	x	x	x	x
<i>Retail Sales (Pet Shops)</i>	x	x	x	x	x	x	x	x	x	x
<i>Veterinary Services</i>	x	x	LI	LI	x	x	x	x	x	x
Auto/Vehicle Sales Services										
<i>Alternative Fuels and Recharging Facility</i>	P	P	P	P	P	P	x	x	x	x
<i>Automobile/Vehicle Repair, Major</i>	x	x	C	C	P	x	x	x	x	x
<i>Automobile/Vehicle Repair, Minor</i>	x	x	C	C	P	x	x	x	x	x
<i>Automobile/Vehicle Washing</i>	x	x	C	C	P	x	x	x	x	x
<i>Service Station</i>	x	P	C	C	P	x	x	x	x	x
<i>Towing and Impound</i>	x	x	x	x	C	x	x	x	x	x
Banks and Financial Institutions										
<i>Bank and Savings and Loan</i>	L2	x	LI	P	x	x	x	x	x	x
- <i>With Drive-through Service</i>	x	x	x	C	x	x	x	x	x	x
<i>Non-traditional Financial Institutions</i>	x	x	x	x	x	x	x	x	x	x
Business Services	L2	L8	LI	P	x	L8	x	x	x	x
Commercial Entertainment and Recreation										
<i>Large-scale Facility</i>	x	x	x	x	x	x	x	C	C	x
<i>Small-scale Facility</i>	P	x	C	C	x	x	x	P	P	x
Eating and Drinking Establishments										
<i>Restaurant, Full Service</i>	C	C	C	C	x	x	x	C	x	x
<i>Restaurant, Limited Service</i>	LI	L4	L4	L4	x	x	x	L9	x	x
Finance, Insurance and Real Estate Services	L2	x	LI	P	x	x	x	x	x	x
Food and Beverage Sales										
<i>Convenience Market</i>	P	L7	L4	L4	x	x	x	x	x	x
<i>General Market</i>	LI	x	x	x	x	x	x	x	x	x
Instructional Services	x	x	x	x	x	L8	x	x	x	x
Live/Work	P	x	C	C	x	x	x	x	x	x
Maintenance and Repair	L3	L8	L3	L3	x	x	x	x	x	x
Marinas	x	C	x	x	x	C	x	x	x	x

TABLE 15.03.230-B: USES PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED IN NON-RESIDENTIAL ZONES										
Uses	Interim Zones									
	LW	CC	ILL	IL	IG	IW	OS	PR	PCI	AG
Media Production	L1	x	P	P	x	x	x	x	x	x
Offices, Business and Professional	C	L1	P	P	P	L8	x	x	x	x
Personal Services										
General Personal Services	L3	L1	x	x	x	x	x	x	x	x
Health/Fitness Facility	L3	x	L3	L3	x	x	x	L9	x	x
Printing & Publishing	C	x	P	P	P	x	x	x	x	x
Retail Sales										
Building Materials and Services	x	L8	x	x	x	L12	x	x	x	x
General Retail Sales, Small-scale	L3	L7	x	x	x	L8	x	x	x	x
INSTITUTIONAL AND COMMUNITY FACILITIES										
College and Trade School	x	x	L5	L5	L5	x	x	x	C	x
Community Assembly	x	x	x	x	x	x	x	x	x	x
Community Garden	P	P	P	P	x	x	x	C	C	P
Cultural Facility	x	x	x	x	x	x	x	C	C	x
Day Care Centers	C	x	C	C	x	x	x	x	C	x
Emergency Shelter	x	x	x	x	x	x	x	x	L10	x
Government Buildings	C	P	P	P	P	P	x	C	C	x
Hospitals and Clinics	L1	x	L1	L1	x	x	x	x	L10	x
Park and Recreation Facility	x	C	x	x	x	x	x	C	C	x
Public Safety Facility	x	P	x	x	P	P	x	x	P	x
Schools	C	x	L13	L13	x	x	x	x	C	x
Social Service Center	x	x	x	x	x	x	x	x	C	x
INDUSTRIAL										
Artisan/Small-scale Manufacturing	P	L1	P	P	P	x	x	x	x	x
Artist's Studio										
Studio-Light	P	L1	P	P	x	x	x	x	x	P
Studio-Heavy	C	x	C	C	x	x	x	x	x	x
Commercial Kitchen	x	x	C	C	x	x	x	x	x	x
General Industrial	x	x	C	C	P	L6	x	x	x	x
Limited Industrial	C	L8	P	P	P	L6	x	x	x	x
Marijuana Cultivation Facility	x	x	C	C	C	x	x	x	x	x
Marijuana Product Manufacturer	x	x	C	C	x	x	x	x	x	x
Recycling and Waste Transfer Facilities										
Collection Facilities	C	P	P	P	P	P	x	x	x	x
Processing Facilities	x	x	x	x	C	C	x	x	x	x

TABLE 15.03.230-B: USES PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED IN NON-RESIDENTIAL ZONES										
Uses	Interim Zones									
	LW	CC	ILL	IL	IG	IW	OS	PR	PCI	AG
Waste Hauling and Transfer Facilities	x	x	x	x	C	C	x	x	x	x
Research and Development	x	x	L15	L15	P	x	x	x	x	x
Salvage and Wrecking	x	x	x	x	C	C	x	x	x	x
Warehousing, Wholesaling, Storage, and Distribution										
Chemical, Mineral and Explosives Storage	x	x	x	x	C	C	x	x	x	x
Indoor Warehousing and Storage	x	L11	P	P	P	P	x	x	x	x
Outdoor Storage	x	L11	x	x	L12	L12	x	x	x	x
Mini-Storage	x	L11	x	C	C	x	x	x	x	x
TRANSPORTATION, COMMUNICATION AND UTILITIES										
Communication Facilities										
Antennas and Transmission Towers	C	C	C	C	C	C	x	x	C	x
Equipment within Buildings	C	C	C	C	P	P	x	x	C	x
Freight/Truck Terminal and Warehouse	x	C	x	x	C	C	x	x	x	x
Light Fleet-Based Service	x	x	C	C	C	x	x	x	x	x
Transportation Facilities										
Transportation Passenger Terminal	x	C	x	x	x	C	C	x	C	x
Utilities, Major	C	C	C	C	C	C	C	C	C	C
Utilities, Minor	P	P	P	P	P	P	P	P	P	P
AGRICULTURE										
Agricultural Production and Services	x	x	x	x	P	x	x	x	x	P
Animal Husbandry	x	x	x	x	x	x	x	x	x	L14
Indoor Agriculture	x	x	C	C	P	x	x	x	x	P
Outdoor Agriculture	x	x	x	x	x	x	x	x	x	P
Notes:										
L1 Only allowed in mixed-use buildings; a conditional use permit is required for more than 3,000 sq. ft.										
L2 Only allowed above the ground floor with a conditional use permit.										
L3 Storefront retail, repair and personal services are allowed on the ground floor in mixed-use buildings; a conditional use permit is required for more than 3,000 sq. ft.										
L4 Small-scale establishments serving local businesses and workers occupying less than 1,000 sq. ft. are allowed										
L5 Colleges, universities, educational schools & educational institutions are allowed with a conditional use permit.										
L6 Transportation equipment, ship and boat building and repair are allowed; industrial uses including more than incidental use of hazardous materials require a conditional use permit.										
L7 Only water-related stores occupying less than 1,000 sq. ft. are allowed.										

TABLE 15.03.230-B: USES PERMITTED, CONDITIONALLY PERMITTED, AND PROHIBITED IN NON-RESIDENTIAL ZONES										
Uses	Interim Zones									
	LW	CC	ILL	IL	IG	IW	OS	PR	PCI	AG
L8	Only small-scale marine-related services occupying less than 3,000 sq. ft. are allowed.									
L9	Only small-scale establishments serving recreational uses are allowed									
L10	Permitted if associated with a Community Assembly use.									
L11	Only water-related storage allowed as an accessory use.									
L12	Prohibited as a principal use; allowed as an accessory use for a nursery, building materials, construction services and contractors yards, and marine-related industrial uses are allowable uses within the IG zone if screened from view from any abutting residential or mixed use zone.									
L13	Allowed with a conditional use permit on land in an existing M-I zoning district; the provisions of Section 15.03.230(A) also apply.									
L14	Any slaughtering and dressing of animals requires approval of a conditional use permit.									
L15	Laboratories used for biological research or commercial testing require a conditional use permit.									

15.03.240 Special Regulations in the Residential and Mixed Use Zones

A. RM Residential Multifamily Zone.

1. **Limitations on Commercial Development.** Commercial-only development is not allowed. The area devoted to commercial uses cannot exceed 30 percent of the total building floor area.
2. **Pedestrian Orientation.** New development is permitted only if the Design Review Board determines that the development has a pedestrian-oriented building design.
3. **Location of Parking.** Parking must be located to the side or rear of buildings, except for drop-off areas that allow for short-term parking, which may be in the front of buildings.

B. CM-3 and CM-4 Mixed Use Zones.

1. **Limitations on Residential Uses.** No residential or Live/Work uses are allowed within the Transition Zone/Industrial Buffer Zone, as shown on the Interim Zones Map.
2. **Pedestrian Orientation.** 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.
3. **Location of Parking.** Parking must be located to the side or rear of buildings, except for drop-off areas that allow for short-term parking, which may be in the front of buildings with approval of a conditional use permit.

4. **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 zone.
 5. **Marijuana Cultivation Facilities.** All indoor marijuana cultivation facilities are subject to the standards, review procedures, and any and all other requirements of Chapter 7.102 of the Richmond Municipal Code.
- C. **CM-5 Commercial Mixed Use Major Activity Center Zone.** No residential or Live/Work uses are allowed within the Transition Zone/Industrial Buffer Zone, as shown on the Interim Zones Map.
- D. **LW Live/Work Zone.**
1. **Limitations on Certain Commercial Uses.** Certain business services, commercial entertainment and recreation, and retail sales uses are conditionally permitted only if it can be demonstrated to the satisfaction of the Planning Commission that the uses are compatible with and will not adversely affect adjacent uses.
 2. **Regulations for Live/Work.** The Live/Work Regulations in Section 15.04.870 of the Zoning Ordinance apply to all Live/Work uses in this zone, except that references in that section to the M-1 district shall be construed to refer to mean the LW zone. No Live/Work use is allowed within the Transition Zone/Industrial Buffer Zone, as shown on the Interim Zones Map.

15.03.250 Special Regulations for the Industrial, Marine and Waterfront Commercial, and Parks and Recreation Zones

- A. **ILL Industrial, Limited Light and IL Industrial, Light Industrial Zones.**
1. **Live/Work.** The Live/Work Regulations in Section 15.04.870 of the Zoning Ordinance apply to all Live/Work uses in this zone, except that references to the M-2 district shall be construed to refer to mean the ILL and IL zones.
 2. **Marijuana Cultivation Facilities.** All indoor marijuana cultivation facilities are subject to the standards, review procedures, and any and all other requirements of Chapter 7.102 of the Richmond Municipal Code.
 3. **Marijuana Product Manufacturers.** All marijuana product manufacturers are subject to the standards, review procedures, and any and all other requirements of Chapter 7.102 of the Richmond Municipal Code.
- B. **ILL Industrial, Limited Light Zone.** *Intensity:* Up to 0.40 FAR; Up to 0.65 FAR with Design Review Board and Planning Commission approval of a Conditional Use Permit. *Height:* 25-55 feet; Buildings adjacent to the shoreline or sensitive resources shall begin at 25 feet in height and may be increased up to 55 feet subject to Design Review Board and Planning Commission approval of a Conditional Use Permit.
- C. **IG Industrial, General Zone.** Office uses for administrative and professional services shall not occupy more than 33 percent of the total building floor area on a

site and must be designed and operated so as not to interfere with other nearby uses on abutting sites that are permitted or conditionally permitted in the IG zone.

D. CC Coastal Commercial Zone.

1. ***Limitations on Residential Uses.*** Live-aboard boats may be permitted by the Harbor Master responsible for the marina, subject to the permit regulations of the Bay Conservation and Development Commission; all other residential uses are prohibited.
2. ***Limitations on Certain Civic and Commercial Uses.*** Retail, recreation, and food service uses must have a waterfront orientation.
3. ***Limitations on Gasoline Sales Uses.*** Fuel docks dispensing fuel for boats are conditionally permitted; all other gasoline sales uses are prohibited.

E. PR Parks and Recreation Zone. Food service and retail uses must be oriented to park users.

15.03.260 Special Regulations for Several Zones Conditionally Allowed

- A. **Establishment of New Schools.** New schools, including new charter schools, are only allowed with a conditional use permit if the Planning Commission determines that the location is appropriate for the use and adjacent uses will not be adversely affected, adequate access, student drop-off areas and off-street parking is provided, and outdoor play areas are safe and secure.
- B. **Alcoholic Beverage Retail Establishments (On-sale and Off-sale).** All businesses that engage in retail alcoholic beverage sales shall be subject to the provisions in Section 15.04.910H of the Richmond Municipal Code.

15.03.270 Use Regulations and Standards in All or Several Zones

- A. **Use Regulations.** The following use regulations shall continue to apply in all or several zones, as indicated:
 1. ***Factory-Built Housing.*** Factory-built housing shall be treated the same as conventional site-built housing.
 2. ***Small Family Day Care.*** Small family day care homes located in single-family dwellings are permitted with no additional restrictions.
 3. ***Large Family Day Care.*** Large family day care homes are subject to the applicable provisions of the Zoning Ordinance.
 4. ***Limited Residential Care Facilities.*** Small residential care facilities located in single-family dwellings are permitted as residential uses subject to the applicable provisions of the Zoning Ordinance.
 5. ***Second Dwelling Units.*** Second dwelling units are subject to the applicable provisions of the Zoning Ordinance.

6. ***Supportive Housing and Transitional Housing.*** Supportive Housing and Transitional Housing are treated as residential uses, subject only to those restrictions that apply to other residential uses of the same residential housing type in the same zone.
 7. ***Accessory Uses.*** Accessory uses and structures are subject to the provisions of the Zoning Ordinance.
 8. ***Home Occupations.*** Home occupations are permitted in any legal residential unit, subject to the applicable provisions of the Zoning Ordinance. No outdoor storage of equipment or goods and materials associated with a home occupation is allowed.
 9. ***Outdoor Storage.*** Outdoor storage associated with non-residential uses is only allowed with a conditional use permit, except in the Industrial and Marine and Waterfront Commercial zones, which it is permitted as an accessory use if associated with a permitted use, but requires a conditional use permit if associated with a conditionally permitted use.
 10. ***Temporary Uses.*** Temporary uses are permitted on individual properties, subject to applicable provisions of the Zoning Ordinance for the Best Fit zone corresponding to the Interim Zone established by this Ordinance.
- B. **Standards.** The following standards shall apply in all or several zones, as indicated:
1. ***Setbacks.*** The minimum setbacks of buildings from lot lines, referred to in this chapter as “yards”, shall be as prescribed in Article 15.03.300. Additional information and details are in the Zoning Ordinance and will apply in case of questions of conformity.
 2. ***Residential Density.*** Minimum and maximum residential density shall be as prescribed in Article 15.03.300 and illustrated on Exhibit B. Additional residential development, exceeding the maximum, may be approved when density bonuses are allowed for affordable housing in accordance with State law. In Mixed Use Zones, where commercial use buildings are allowed, the minimum density standard does not mean that a residential use is required. However, if a residential use is proposed, it must meet the minimum density standards for that portion of the site where the use would be located.
 3. ***Building Intensity.*** The maximum floor area ratio of buildings shall be as prescribed in Article 15.03.300 and illustrated in Exhibit C.
 4. ***Height.*** The maximum height of buildings and structures shall be as prescribed in Article 15.03.300 and illustrated in Exhibit D. The General Plan establishes height ranges, and the City expects new development generally to be within them.
 5. ***Landscaping, Buffering and Screening.*** Landscaping, buffering, and screening shall be provided as required by the Zoning Ordinance.

6. ***Off-street Parking and Loading.*** Off-street parking and loading shall be provided as required by the Zoning Ordinance, with the following exceptions:
 - a. Storefront uses in mixed use buildings in the CM-2 Commercial Mixed Use, Neighborhood zone and the RM Multifamily Residential zone are exempt from off-street parking and loading requirements if they occupy less than 3,000 square feet.
 - b. The Director of Planning and Building may approve parking space reductions of up to 25 percent for residential uses and business and professional offices that are located within one-quarter mile of a rail transit station or bus stop.
7. ***Performance Standards.*** All development shall be subject to the performance standards as set forth in the Zoning Ordinance. All lighting, interior or exterior, shall be designed and located so as to confine all direct rays to the premises on which it is located. Full cutoff lighting fixtures shall be used unless the Design Review Board approves a waiver for this requirement upon finding that adjacent properties will not be adversely affected by glare and spillover light.
8. ***Signs.***
 - a. ***General Requirement.*** The standards and permit procedures for signs are contained in the Zoning Ordinance and are incorporated by reference.
 - b. ***Substitution of Messages.*** Subject to the property owner's consent, a protected noncommercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed noncommercial message, provided that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within the Zoning Ordinance. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over protected noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, lot or land use; does not affect the requirement that a sign structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device; and does not allow the substitution of an off-site commercial message in place of an on-site commercial message.
9. ***Inclusionary Housing.*** All new residential and mixed use development projects with residential units, including live-work units, with for-sale units,

shall be subject to the inclusionary housing requirements prescribed in the Zoning Ordinance.

10. **Temporary Uses.** Temporary uses shall be as allowed, consistent with regulations for temporary uses for the Best Fit zoning district(s) under the Zoning Ordinance, except that the Director of Planning and Building may impose additional conditions related to size, location and hours of operation to ensure that the temporary use will not conflict with applicable General Plan policies. The Director may impose a time limit on a temporary use not to exceed 10 years, upon determining that authorizing the temporary use will not have a significant adverse effect on the overall timing and phasing of development under the General Plan and any applicable specific plan.

Article 15.03.300 Dimensional, Intensity, and Density Regulations

15.03.310 Purpose

The purpose of this article is to prescribe minimum required setbacks and maximum permitted residential density, building intensity, and height, for buildings and structures in all zoning districts; and to prescribe bonus density, intensity, and heights that may be conditionally permitted.

15.03.320 Zoning Ordinance Provisions Superseded

The provisions of this article supersede the setbacks, building height, intensity and density regulations in Articles 15.04.100 through 15.04.400 of the Zoning Ordinance.

15.03.330 Setbacks

The minimum setbacks of buildings from lot lines, referred to in this chapter as “yards”, shall be as prescribed in the Zoning Ordinance. General requirements for yards are as follows, subject to additional provisions in the Zoning Ordinance, which are hereby incorporated by reference. If there is more than one Best Fit zoning district for an interim zone, the Director of Planning and Building shall determine which zoning district to apply and what the required setbacks are, with consideration given to the characteristics of the proposal and the surrounding area and any relevant provisions of the General Plan.

TABLE 15.03.330-A: REQUIRED YARDS (SETBACKS).					
Required Yard:		Residential Zones:		All Other Zones:	
		RH Hillside Residential; RL Low Density Residential	RM Multifamily Residential	Abutting a Lot in a Residential Zone	Not Abutting a Lot in a Residential Zone
Front	If the two adjacent lots are developed: ¹	Average of front yards on the adjacent lots, with a 10-foot minimum.		Where a lot abuts a lot in a residential zone with the same street frontage, the setback from street line shall be the same as required on the adjacent residential lot. ²	None.
	If only one of the adjacent lots is developed: ¹	Same as front yard on developed lot but not less than 15 feet.	Same as front yard on developed lot but not less than 10 feet.		
	If neither of the adjacent lots is developed:	RH: 25 feet; RL: 20 feet	15 feet		
Street Side		10 feet; 5 feet in the RM zone, and 12.5 feet in the RH zone			
Interior Side		RH: 10 feet; Other R zones: 5 feet		10 feet, plus an additional 2 feet for each 1 foot by which the height of the building on the nonresidential lot exceeds 30 feet.	None.
Rear		20 feet; 25 feet for lots of 11,000 square feet or more.			
Notes:					
1. Detached garages and accessory buildings shall not be considered in determining existing front yards.					
2. Where a lot has frontage on two streets, and both such frontages abut property in a residential zone, the setback from the street line on each frontage shall be the same as required on the adjacent residential lot.					

15.03.340 Landscaping, Open Space and Parking

All of the provisions of the Zoning Ordinance applicable to the Best Fit zoning district shall apply to new development and alterations and additions subject to discretionary review under this Chapter.

15.03.350 Residential Density

- A. The maximum density of residential uses in dwelling units per acre shall be as prescribed by the General Plan. Exhibit C, Minimum and Maximum Residential Density, depicts these limits; this map is made a part of this chapter by this reference.
- B. Where there is no residential density provided for on Exhibit C, Minimum and Maximum Residential Density, residential uses are not permitted.
- C. **Interpretation of Residential Density Map.** If a lot is in two or more residential density zones on Exhibit C, Minimum and Maximum Residential Density, the density indicated on the map shall apply to each portion of the lot, provided that the

density for the entire lot may be increased up to the maximum density applicable to any portion of the lot upon the granting of a conditional use permit pursuant to the Zoning Ordinance if both of the following conditions are met:

1. At least 50 percent of the lot area is already covered by an existing zoning district with the maximum residential density; and
2. The entire lot could be included in the abovementioned zoning district by shifting that zoning district boundary by not more than 50 feet as measured perpendicularly to lot boundary at any point.

If subsections (1) and (2) above do not apply, the maximum permissible number of dwelling units for the lot shall be calculated based on the residential densities that apply to each portion of the lot. However, the resulting dwelling units may be located anywhere on the lot, subject to applicable height limits, setbacks, and any other dimensional requirements.

15.03.360 Building Intensity – Non-Residential Floor Area

- A. The maximum floor area ratio (FAR) for non-residential space in buildings shall be as prescribed on the General Plan. Exhibit D, Maximum Floor Area Ratio Map, depicts these limits; this map is made a part of this chapter by this reference.
- B. **Interpretation of Floor Area Ratio Map.** If a lot is in two or more floor area ratio zones on Exhibit D, Maximum Floor Area Ratio, the floor area ratio indicated on the map shall apply to each portion of the lot, provided that the floor area ratio for the entire lot may be increased up to the maximum floor area ratio applicable to any portion of the lot upon the granting of a conditional use permit if both of the following conditions are met:
 1. At least 50 percent of the lot area is already covered by a zoning district with the maximum floor area ratio; and
 2. The entire lot could be included in the abovementioned zoning district by shifting the floor area ratio zone boundary by not more than 50 feet as measured perpendicularly to the lot boundary at any point.

If subsections (1) and (2) above do not apply, the maximum permissible floor area for the lot shall be calculated based on the floor area ratios that apply to each portion of the lot. However, the resulting floor area may be located anywhere on the lot, subject to applicable height limits, setbacks, and any other dimensional requirements.

15.03.370 Height

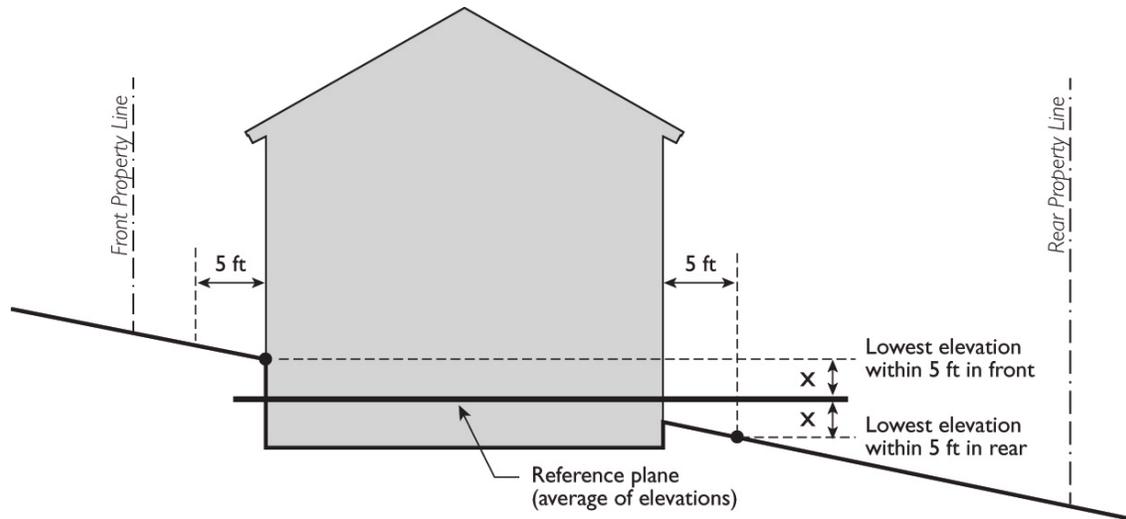
- A. **Maximum Building Height.** The maximum height of buildings and structures shall be as prescribed in the General Plan. Exhibit E, Maximum Heights Map, depicts these limits; this map is made a part of this chapter by this reference.
- B. **Determining Height.** The process for determining building height shall be as establishing in the Zoning Ordinance, meaning from grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average

height of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of the building along the grade directly below. For structures projecting over water, height will be measured from highest grade at front (landward) property line. For purposes of this Interim Zoning Ordinance, “grade” is the lowest of the following three levels: the curb level, the existing or mean street grade if no curb exists, or the finished grade adjoining the building if the building is setback more than 10 feet from the street right-of-way line. On lots with a grade change of 10 percent or more between the front and rear property lines, building height is measured from the “grade plane” as determined in the following subsection, and height shall be measured from the measure point at the top of the building, as determined above, to the grade plane.

C. **Determining Grade.** Grade is the location of the ground surface. For purposes of this chapter, the grade of a building used to determine building height shall be determined by one or more of the following:

1. **Average Grade.** A horizontal line approximating the ground elevation through each building on a site used for calculating the exterior volume of a building. Average grade is calculated separately for each building.
2. **Existing Grade.** The elevation of the ground at any point on a lot as shown on the required survey submitted in conjunction with an application for a building permit or grading permit. Existing grade also may be referred to as natural grade.
3. **Finished Grade.** The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the lot line, or when the lot line is more than five feet from the building, between the building and a line five feet from the building.
4. **Grade Plane.** A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than five feet from the building, between the building and a point five feet from the building.

FIGURE 15.03.370-B: GRADE PLANE



- D. **Exceptions to Height Limits.** No building and structure shall exceed the height limits except as provided in the General Plan and this section. The following structures may be permitted to extend up to ten feet above the maximum height limits, any extension above ten feet shall require a conditional use permit:
1. Chimneys;
 2. Domestic radio and television antennas; provided, however, that satellite dish antennas shall not extend above the maximum height limits;
 3. Fire and parapet walls;
 4. Roof structures for the housing of air conditioners, elevators, stairways, tanks, ventilating fans and similar equipment;
 5. Skylights;
 6. Solar energy panels;
 7. Unoccupiable building space; and
 8. Other appurtenances normally incidental to principal buildings and structures.
- E. **Interpretation of Height Map.** If a lot is in two or more height zones as shown on Exhibit E, Maximum Heights Map, the height limit indicated on the map shall apply to each portion of the lot, provided that the height limit for the entire lot may be increased up to the maximum height limit applicable to any portion of the lot upon the granting of a conditional use permit if both of the following conditions are met:
1. At least 50 percent of the lot area is already covered by an interim zone corresponding to a General Plan land use designation with the maximum height limit; and

2. The entire lot could be included in that interim zone by shifting the height zone boundary by not more than 50 feet as measured perpendicularly to the lot boundary at any point.

Article 15.03.400 Required Findings

15.03.410 Purpose

The purpose of this article is to prescribe findings for the granting of conditional use permits pursuant to the provisions of this chapter. In addition to the general findings required by the Zoning Ordinance, the findings required by this article must be made by the Planning Commission in order to grant a conditional use permit in the situations specified.

15.03.420 Neighborhood Mixed Uses in Residential Zones

To grant a conditional use permit for a use that is conditionally permitted in a Residential Zone, the Planning Commission must find that the use is compatible with existing and planned uses and integrated into a mixed use development at a neighborhood node, as required by the General Plan, and will not adversely impact adjacent neighborhoods. The Planning Commission has the authority to determine where neighborhood nodes are located.

15.03.430 Uses in Mixed Use Zones

To grant a conditional use permit for a use that is conditionally permitted in a Mixed Use Zone, the Planning Commission must find that the Design Review Board has determined that the building(s) proposed for the use is designed to support a pedestrian environment, as required by the General Plan.

15.03.440 Uses in ILL Industrial, Limited Light

To grant a conditional use permit for a use that is conditionally permitted in the ILL Industrial, Limited Light, the Planning Commission must find that the use will not cause, directly or indirectly, potential adverse impacts on nearby sensitive resources, as required by the General Plan. Conditions of approval may be imposed to reduce potential adverse impacts.

15.03.450 Uses in the Coastal Commercial Zone

To grant a conditional use permit for a use that is conditionally permitted in the CC Coastal Commercial Zone, the Planning Commission must find that the development complements shoreline natural resources, as required by the General Plan.

15.03.460 Uses in Planned Area (PA) Districts

No modification or amendment to an existing PA District or an application to create a new PA District can be approved unless the Planning Commission first determines that such

modification or amendment, or creation of a new PA District, is consistent with the General Plan.

Article 15.03.500 Definitions

15.03.510 Purpose

The purpose of this article is to define certain terms and concepts used in this chapter. If not otherwise specified, terms used in this chapter shall be as defined in the Zoning Ordinance.

15.03.520 Definitions of Terms

As used in this chapter:

- A. “Director” means the Director of Planning and Building of the City of Richmond.
- B. “Express Conflict” means that a proposal conflicts with a General Plan land use designation or limitation on residential density, building intensity (the floor are ratio), building height or any other applicable policy.
- C. “Intensity” means the intensity of land utilization as measured by the lot size or floor area ratio of all development.
- D. “Local-serving” or “neighborhood-serving” means having a market area generally not exceeding one mile in radius.
- E. “Mixed Use Zones” means the CM-1 Commercial Mixed Use, Residential; CM-2 Commercial Mixed Use, Neighborhood; CM-3 Commercial Mixed Use, Commercial Emphasis; CM-4 Commercial Mixed Use, Gateway/Node; and CM-5 Commercial Mixed Use, Activity Center.
- F. “Neighborhood node” means a location identified by the Planning Commission consistent with the General Plan where local-serving or neighborhood serving commercial and civic uses are allowed in mixed use development. Neighborhood nodes typically occur at the intersection of a local residential street with a collector or arterial street.
- G. “No Express Conflict” means that a proposal is consistent with the General Plan land use designation and all applicable limitation on residential density, building intensity (the floor area ratio), building height and all other relevant policies.
- H. “Pre-existing” means in existence prior to the effective date of this Interim Zoning Ordinance.
- I. “Residential Zones” means the RH Single Family Hillside Residential, RL Single Family Low Density Residential, and RM Multifamily Residential interim zones established by this chapter.

15.03.530 Use Groups

For purposes of this chapter, use classifications are divided into the following use types: Residential, Retail, Commercial, Office, Industrial, Civic and Community, Transportation, Communications and Utilities and Agriculture. These use types are defined as follows. Similar uses may be permitted by interpretation of the Director of Planning and Building or his designee.

A. Residential Use Types.

Single Unit Dwelling, Detached. A dwelling unit that is designed for occupancy by one household, located on a single parcel that does not contain any other dwelling unit (except a second dwelling unit, where permitted), and not attached to another dwelling unit on an abutting parcel. This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.

Single Unit Dwelling, Attached. A dwelling unit that is designed for occupancy by one household located on a single parcel that does not contain any other unit (except a second dwelling unit, where permitted), and is attached through common vertical walls to one or more dwellings on abutting parcel. An attached single-unit dwelling is sometimes called a “townhouse” or “zero-parcel line” development.

Second Dwelling Unit. An attached or detached accessory dwelling unit, as defined by State law providing complete independent living facilities for one or more persons that is located on a parcel with another primary, single-unit dwelling. A second unit may be within the same structure as the primary unit, in an attached structure, or in a separate structure on the same parcel. This use is distinguished from a duplex.

Duplex. A single building that contains two dwelling units or two single unit dwellings on a single parcel. This use is distinguished from a Second Dwelling Unit, which is an accessory residential unit as defined by State law.

Multiple-Unit Dwelling. Three or more dwelling units within a single building or within two or more buildings on a site or parcel. Types of multiple-unit dwellings include garden apartments, senior housing developments, and multi-story apartment buildings. This classification includes transitional housing in a multiple-unit format and Single-Room Occupancy (SRO) housing units that may have kitchen and/or bathroom facilities and are guest rooms or efficiency apartments as defined by the State Health and Safety Code. The classification is distinguished from Group Residential.

Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes rooming and boarding houses, dormitories, fraternities, convents, monasteries, and other types of organizational housing, and private residential clubs, but excludes extended stay hotels intended for long-term occupancy (see Hotel and Motel) and Residential Facilities.

Congregate Housing. A residential facility with shared kitchen facilities, deed-restricted or restricted by an agreement approved by the City for occupancy by low- or moderate-income households, designed for occupancy for periods of six months or longer, providing services that may include meals, housekeeping and personal care assistance as well as common areas for residents of the facility.

Senior Group Residential. A residential facility that provides residence for a group of senior citizens (persons 62 years of age or older) with a central kitchen and dining facilities and a separate bedroom or private living quarters.

Elderly and Long-Term Care. Establishments that provide 24-hour medical, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the State of California, including but not limited to, rest homes, nursing homes, and convalescent hospitals, but not Residential Care, Hospitals, or Clinics.

Family Day Care. A day-care facility licensed by the State of California that is located in a dwelling unit where a resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.

Small. A facility that provides care for up to six children or eight children including children who reside at the home and are under the age of 10.

Large. A facility that provides care for seven to 14 children, including children who reside at the home and are under the age of 10.

Planned Residential Group. Two or more grouped dwellings that may deviate from standard area, yard, height, parking or fencing requirements whose design and site layout have been approved through a conditional use permit process by the Planning Commission under pursuant to the Zoning Ordinance.

Residential Facility. Facilities that provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including group homes for minors, persons with disabilities, people in recovery from alcohol or drug additions, and hospice facilities.

Residential Care, General. A Residential Facility licensed by the State of California and providing care for more than six persons.

Residential Care, Limited. A Residential Facility licensed by the State of California providing care for six or fewer persons.

Residential Care, Senior. A housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator or other responsible person, where residents are 60 years of age or older and where varying levels of care and supervision are provided as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal. This classification includes continuing care retirement communities and life care communities licensed for residential care by the State of California.

Hospice, General. A facility that provides residential living quarters for more than six terminally ill persons.

Hospice, Limited. A facility that provides residential living quarters for up to six terminally ill persons.

Supportive Housing. Dwelling units with no limit on length of stay that are occupied by the target population as defined in subdivision (d) of Section 53260 of the California Health and Safety Code or individuals eligible for services provided pursuant to the Lanterman Development Disabilities Act (Division 45 of the Welfare and Institutions Code), and that are linked to onsite or offsite services that assist supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live and, where possible, work in the community and where no onsite medical care is provided. Supportive housing as defined by Subdivision (b) of Section 50675.14 may be provided in a multiple-unit structure or group residential facility. Facilities may operate as licensed or unlicensed facilities subject to applicable State requirements.

Transitional Housing. Dwelling units configured as rental housing but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time, that shall be not less than six months from the beginning of assistance. Transitional housing may be designated for homeless or recently homeless individuals or families transitioning to permanent housing as defined in subdivision (h) of Section 50675.2 of the California Health and Safety Code. Facilities may be linked to onsite or offsite supportive services designed to help residents gain skills needed to live independently. Transitional housing may be provided in a variety of rental housing types (e.g., multiple-unit dwelling, single-room occupancy, group residential, single unit dwelling). This classification includes domestic violence shelters.

B. Retail, Commercial and Office Use Types.

Adult Businesses. Adult businesses means any commercial activity, whether conducted intermittently or full time, which primarily involves the sale, display, exhibition or viewing of books, magazines, films, videos, photographs or other materials, distinguished or characterized by an emphasis on matter depicting, describing or relating to human sex acts, or by an emphasis on male or female genitals, buttocks or female breasts. Such activity includes adult book stores, adult arcades, adult movie theaters, sexual encounter establishments, adult cabarets, massage parlors and adult theaters, which exclude minors by virtue of age.

Agricultural Production and Services. Any establishment primarily engaged in either the keeping, grazing, feeding of livestock and for sale of livestock or livestock products; production of crops, plants, vines, and trees (excluding forestry operations); or performing services; crop services; veterinary services; other animal services; and landscape and horticultural services; for another on a contract or fee basis.

Animal Sales and Services. Sales and service activities related to the care and treatment of domestic animals.

Boarding Kennel. An establishment licensed to operate a facility providing shelter and care for domestic animals on a commercial basis for a period in excess of 48 hours. This classification includes activities such as feeding, exercising, grooming, and incidental medical care for domestic animals.

Clinic/Hospital. Establishments where domestic animals receive medical and surgical treatment. This classification includes only facilities that are enclosed, soundproofed, and air-conditioned. Grooming and temporary (up to 30 days) boarding of domestic animals is included if incidental to the hospital use.

Grooming. Provision of bathing and trimming services for domestic animals on a commercial basis. This classification includes boarding of domestic animals for a maximum period of 48 hours.

Retail Sales (Pet Shops). Retail sales and boarding of domestic animals, provided such activities take place within an entirely enclosed building. This classification includes grooming if incidental to the retail use.

Veterinary Services. Medical and health services for animals. Typical uses include veterinary offices, pet clinics and animal hospitals. This use type excludes kennels.

Auto/Vehicle Sales and Services. Retail or wholesale businesses that sell, rent, and/or repair automobiles, boats, recreational vehicles, trucks, vans, trailers, and motorcycles, including the following:

Alternative Fuels and Recharging Facility. A facility offering motor vehicle fuels not customarily offered by commercial refueling stations (e.g., LPG) as well as equipment to recharge electric-powered vehicles.

Automobile Rental. Rental of automobiles. Typical uses include car rental agencies.

Automobile Storage Parcel. Any property used for short- or long-term parking of vehicles for sale or lease at an automobile dealership or rental agency on a separate parcel from such agency or dealership.

Automobile/Vehicle Sales and Leasing. Sale or lease, retail or wholesale, of new or used automobiles, light trucks, motorcycles, motor homes, and trailers, together with

associated minor repair services and parts sales for vehicles sold or leased by the dealership. This classification includes on-site facilities for maintaining an inventory of vehicles for sale or lease but excludes buildings and property on a separate site that are used for storing vehicles.

- *New.* Sales and leasing of new cars, recreational vehicles, and trucks by new car dealers, including sales of previously-owned automobiles and trucks, and sales of parts and accessories, storage, and incidental maintenance and repair.
- *Used.* Sales and leasing of previously owned automobiles, recreational vehicles and trucks by car dealers not affiliated with a new car manufacturer.

Automobile/Vehicle Repair, Major. Repair of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, transmission shops, wheel and brake shops, auto glass services, vehicle painting, tire sales and installation, and installation of car alarms, sound, telecommunications, and navigation systems, but excludes vehicle dismantling or salvaging and tire retreading or recapping.

Automobile/Vehicle Service and Repair, Minor. The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, as well as smog check quick-service oil, tune-up and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight.

Automobile/Vehicle Washing. Washing, waxing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities that are the principal use of a building, structure, or site.

Large Vehicle and Equipment Sales, Service and Rental. Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other equipment used for construction, moving, agricultural, or landscape gardening activities. Includes large vehicle operation training facilities.

Service Station. Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; conducting state inspections (e.g. “smog checks”), selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services.

Towing and Impound. Establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as vehicle storage and emergency road repair services.

Banks and Financial Institutions.

Bank and Savings and Loan. Financial institution, including credit union office, that provides retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money. With drive-through service.

Nontraditional Financial Institutions. Establishments engaged in short-term lending and buy-back activities in which customers typically take part in one-time or infrequent transactions and do not open long-term accounts or deposit funds. Typical uses include check cashing services, pay day lenders (also known as deferred deposit originators), pawnbrokers, cash for gold dealers, and similar activities.

Business Services. The business services use type refers to establishments primarily engaged in the provisions of services of a clerical, employment, protective or minor processing nature to firms, rather than individuals, and where the storage of goods other than samples is prohibited. Typical uses include secretarial services, quick-printing services, and blueprint services.

Catering Service. A business that prepares food for consumption on the premises of a client or at any other location separate from where the food was prepared.

Commercial Entertainment and Recreation. Provision of participant or spectator entertainment to the general public. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Cinema. Facilities for indoor display of films and motion pictures.

Theater. Facilities designed and used for entertainment, including plays, comedy, and music, which typically contain a stage upon which movable scenery and theatrical appliances or musical instruments and equipment are used.

Large-scale Facility. This classification includes large outdoor facilities such as amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, drive-in theaters, driving ranges, golf courses. It also includes indoor and facilities with more than 5,000 square feet in building area such as fitness centers, gymnasiums, handball, racquetball, or large tennis club facilities; ice or roller skating rinks; swimming or wave pools; miniature golf courses; bowling alleys; archery or indoor shooting ranges; and riding stables.

Small-scale Facility. This classification includes small, generally indoor facilities that occupy less than 5,000 square feet of building area, such as billiard parlors, card

rooms, game arcades, health clubs, yoga studios, dance halls, small tennis club facilities, poolrooms, and amusement arcades.

Eating and Drinking Establishments. Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.

Bars/Night Clubs/Lounges. Businesses serving beverages for consumption on the premises as a primary use and including on-sale service of alcohol including beer, wine, and mixed drinks. This use includes karaoke bars and micro-breweries where alcoholic beverages are sold and consumed on site and any food service is subordinate to the sale of alcoholic beverages.

Restaurant, Full Service. Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Take-out service may also be provided.

Restaurant, Limited Service. Establishments where food and beverages are consumed on the premises, taken out, or delivered, but where limited table service is provided. This classification includes cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service restaurants, and snack bars with indoor or outdoor seating for customers. This classification includes bakeries that have tables for on-site consumption of products.

Restaurant with Drive Through. A restaurant where food or coffee-type beverages are purchased by motorists who remain in their vehicles during the sales transaction.

Finance, Insurance and Real Estate Services. The finance, insurance and real estate service use type refers to establishments primarily engaged in the provision of financial, insurance, real estate or securities brokerage services. Typical uses include banks, insurance agencies or real estate firms.

Funeral and Interment Service. Establishment primarily engaged in services involving the care, preparation or disposition of human dead other than in a cemetery. Typical uses include crematory, columbarium, or mortuary.

Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include food markets, groceries, and liquor stores.

Convenience Market. Retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, magazines, and other household goods, primarily for off-premises consumption. These establishments typically have long or late hours of operation and occupy a relatively small building. This classification includes small retail stores located on the same parcel as or operated in conjunction with a Service Station but does not include delicatessens or specialty food shops.

Farmers Market. A location where the primary activity is the sale of agricultural products by producers and certified producers. Sales of ancillary products may occur at the location. An open air farmers market may only be operated by a local government agency.

General Market. Retail food markets of food and grocery items primarily for offsite preparation and consumption. Typical uses include supermarkets and specialty food stores such as retail bakeries; candy, nuts and confectionary stores; meat or produce markets; vitamin and health food stores; cheese stores; and delicatessens. This classification may include small-scale specialty food production with retail sales.

Liquor Store. Establishments primarily engaged in selling packaged alcoholic beverages for off-site consumption.

Instructional Services. Services for the purpose of personal enrichment. Typical uses include classes or instruction in music, health, athletics, art, or academics. Instructional Services includes rehearsal studios as an accessory use.

Live-Work. A unit that combines a work space and incidental residential occupancy occupied and used by a single household in a structure that has been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential occupancy and work activity in compliance with the Building Code. The working space is reserved for and regularly used by one or more occupants of the unit.

Maintenance and Repair Service. Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of motor vehicles or boats (see Automotive/Vehicle Sales and Services) and personal apparel (see Personal Services).

Marinas. Facilities for the docking of boats and related accessory uses, including boat rentals, boat repairs, boat fueling facilities, retail sales and rentals of marine supplies and equipment, and a harbor masters office.

Media Production. Facilities for motion picture, television, video, sound, computer, and other communications media production.

Mobile Vending Unit. A vehicle (e.g., truck, trailer, wagon) or structure not permanently fixed to a permanent foundation that may be moved under its own power, moved by hand, towed by a motor vehicle or carried upon or in a motor vehicle or trailer. A mobile vending unit does not include news racks or vending machines but does include mobile vending food preparation units and vehicles, such as “taco trucks”.

Nursery and Garden Center. Establishments primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. Fertilizer and soil products are stored and sold in packaged form only.

Offices. Offices of firms, organizations, or public agencies providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, excluding banks and savings and loan associations with retail banking services (see Banks and Financial Institutions). This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings, but excludes clinics or independent research laboratory facilities (see Research and Development) and hospitals.

Medical and Dental. Offices providing consultation, diagnosis, therapeutic, preventive, or corrective personal-treatment services by doctors and dentists; medical and dental laboratories that see patients; and similar practitioners of medical and healing arts for humans licensed for such practice by the State of California. Incidental medical and/or dental research within the office is considered part of the office use.

Walk-In Clientele. Offices providing direct services to patrons or clients without prior appointments. This use classification includes employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and offices for elected officials. It does not include banks or check-cashing facilities, which are separately classified and regulated (see Banks and Financial Institutions).

Parking Facilities, Commercial. Surface lots and structures offering parking to the public for a fee when such use is not incidental to another activity. These facilities may be publicly or privately-owned.

Personal Services.

General Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber shops and beauty salons, seamstresses, tailors, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, video rental stores, photocopying and photo finishing services, and travel agencies mainly intended for the consumer. It does not include gyms, exercise clubs, or studios offering performing arts, martial arts, physical exercise, or yoga training and similar types of instruction.

Massage establishment. Any establishment having a fixed place of business where any individual, firm, association, partnership, corporation, joint venture or combination of individuals conducts, carries on or permits to be engaged in, conducted or carried on, for consideration or compensation, massages, baths or health treatments involving therapeutic massages or baths as regular functions. Exempted from this definition are massage therapists operating in conjunction with and on the same premises as a physician, surgeon, chiropractor, osteopath, nurse or any physical therapist (State-licensed professions or vocations) who are duly State-licensed to practice their respective professions in the State of California.

Health/Fitness Facility. A fitness center, gym, exercise club, health and athletic club, or studio offering martial arts, physical exercise, yoga training and similar types of instruction to classes and groups of more than five persons. The facility may include exercise machines, weight training equipment, group exercise rooms, sauna, spa or hot tub facilities, indoor tennis, handball, racquetball, and other indoor sports activities, indoor or outdoor pools.

Tattoo or Body Modification Parlor. An establishment whose principal business activity is one or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin; or 2) piercing of the body of a person for the purpose of inserting jewelry or other decoration.

Printing & Publishing. An establishment engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying; and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals; establishments manufacturing business forms and binding devices. Quick printing services are included in the Business Services use type.

Retail Sales.

Building Materials and Services. Retail sales or rental of building supplies or equipment. This classification includes lumberyards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include Construction and Material Yards, hardware stores less than 10,000 square feet or establishments engaged in the business of selling, leasing, or otherwise transferring any firearm or ammunitions.

General Retail Sales, Small-Scale. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes retail establishments with 25,000 square feet or less of sales area; including department stores, clothing stores, furniture stores, pet supply stores, small hardware and garden supply/nurseries stores (with 10,000 square feet or less of floor area), and businesses retailing goods including, but not limited to, the following: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs.

General Retail Sales, Large-Scale. Retail establishments with over 25,000 square feet of sales area that sell merchandise and bulk goods for individual consumption, including membership warehouse clubs, where sales of grocery items do not occupy more than 25 percent of the floor area.

Pawn Shop. Establishments engaged in the buying, selling, trading, accepting for consignment, accepting for auctioning, or auctioning of new or secondhand merchandise and offering loans in exchange for personal property. This classification excludes people who buy and sell second hand articles, as defined and regulated in Chapter 7.60 and close-out sales in Chapter 7.34 or the Municipal Code, nor does it include any business owned and operated by a charitable, nonprofit entity.

With Drive-Through. A retail establishment with drive-through facilities

Transient Lodging. Transient lodging refers to establishments primarily engaged in the provision of lodging services with incidental food, drink and other sales and services intended for the convenience of guests. Lodging services involve the provision of room and/or board. Typical uses include hotels and motels.

Bed and Breakfast. A residential structure that is in residential use by the property owner or manager and within which up to four bedrooms are rented for overnight lodging and where meals may be provided.

Hotel and Motel. An establishment providing temporary lodging to transient patrons. These establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general public. This use classification includes motor lodges, motels, apartment hotels, extended stay hotels, hostels and tourist courts, but does not include rooming houses, boarding houses, or private residential clubs, single-room occupancy housing, or bed and breakfast establishments within a single-unit residence.

C. **Institutional and Community Facilities Use Types.**

College and Trade School. Institutions of higher education providing curricula of a general, religious or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes junior colleges, business and computer schools, management training, technical and trade schools, but excludes personal instructional services such as music lessons.

Community Assembly. A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as day care centers and schools that are separately classified and regulated.

Community Garden. An area of land managed and maintained by a public or non-profit organization or a group of individuals to grow and harvest food crops and/or ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens may be accessory to public or institutional uses such as parks, schools, community centers, or religious assembly uses. This classification does not include gardens that are on a property in residential use when access is limited to those who reside on the property. Community Gardens to not include Medical Marijuana Collectives.

Cultural Facility. Facilities engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This classification includes performing arts centers for theater, music, dance, and events; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens. It does not include schools or institutions of higher education providing curricula of a general nature.

Day Care. Establishments providing non-medical care for persons on a less-than-24-hour basis other than Family Day Care (Small and Large). This classification includes commercial and nonprofit nursery schools, preschools, day care facilities for children or adults, and any other day care facility licensed by the State of California.

Emergency Shelter. A temporary, short-term residence providing housing with minimal supportive services for homeless families or individual persons where occupancy is limited to six months or less, as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided.

Government Buildings. Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, together with incidental storage and maintenance of vehicles. This classification excludes corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment (see Utilities, Major).

Hospitals and Clinics. State-licensed public, private, and non-profit facilities providing medical, surgical, mental health, or emergency medical services. This classification includes facilities for inpatient or outpatient treatment, including substance-abuse programs, as well as training, research, and administrative services for patients and employees. This classification excludes veterinaries and animal hospitals (see Animal Care, Sales, and Services).

Hospital. A facility providing medical, surgical, mental health, or services primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

Clinic. A facility providing medical, mental health, or surgical services exclusively on an out-patient basis, including emergency treatment, diagnostic services, administration, and related services to patients who are not lodged overnight. Services may be available without a prior appointment. This classification includes licensed facilities offering substance abuse treatment, blood banks, plasma, dialysis centers, and emergency medical services offered exclusively on an out-patient basis. This classification does not include private medical and dental offices that typically require appointments and are usually smaller scale.

Skilled Nursing Facility. A facility or a distinct part of a hospital that provides continuous skilled nursing care and supportive care to patients whose primary need is for the availability of skilled nursing care on an extended basis. It provides 24-hour inpatient care and, as a minimum, includes physician, nursing, dietary, pharmaceutical services and an activity program. Intermediate care programs that provide skilled nursing and supportive care for patients on a less-than-continuous basis are classified as skilled nursing facilities.

Park and Recreation Facility. Parks, playgrounds, recreation facilities, trails, wildlife preserves, and related open spaces, which are open to the general public. This classification also includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, and golf courses, botanical gardens, as well as related food concessions or community centers within the facilities and restrooms within a primary structure or in an accessory structure on the same site.

Public Safety Facility. Facilities providing public-safety and emergency services, including police and fire protection and emergency medical services, with incidental storage, training and maintenance facilities.

School. Facilities for primary or secondary education, including public schools, charter schools, and private and parochial schools.

Social Service Center. Facilities providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less-than-24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from licensed day care centers (See Day Care Center), clinics (see Clinic), and emergency shelters providing 24-hour or overnight care (See Emergency Shelter).

D. Industrial Use Types.

Artisan/Small-Scale Manufacturing. The artisan/small-scale manufacturing use type refers to establishments primarily engaged in on-site production of goods by hand manufacturing or artistic endeavor, which involves only the use of hands tools or domestic mechanical equipment not exceeding two (2) horsepower or kilns not exceeding eight (8) kilowatts, and the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, candle making shops, and custom jewelry manufacturers.

Artist’s Studio. Work space for an artist or artisan, including individuals practicing one of the fine arts or performing arts, or an applied art or craft. This use may include incidental display and retail sales of items produced on the premises and instructional space for small groups of students. It does not include joint living and working units (See Live-Work).

Studio-Light. Small-scale art production that is generally of a low impact. Typical uses include painting, photography, jewelry, glass, textile, and pottery studios.

Studio-Heavy. Art production on a medium or large scale generally using heavy equipment. Typical uses include large-scale metal and woodworking studios.

Commercial Kitchen. Kitchens used for the preparation of food to be delivered and consumed off-site. Typical uses include catering facilities. This classification does not include businesses involved in the processing or manufacturing of wholesale food products (See Industry, Limited).

Construction and Material Yard. Storage of construction materials or equipment on a site other than a construction site.

Industrial, General. The general industrial use type refers to industrial plants primarily engaged in the manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products. This classification includes operations such as agriculture processing; biomass energy conversion; production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; and automotive and heavy equipment manufacturing.

Industrial Limited. Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. This classification includes the manufacturing of finished parts or products primarily from previously prepared materials; commercial laundries and dry cleaning plants; monument works; printing, engraving, and publishing; sign painting shops; machine and electrical shops; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services. It also includes the preparation, manufacturing, and/or packaging of food for off-site consumption. Typical food manufacturing uses include canners, roasters, breweries, wholesale bakeries, and frozen food manufacturers.

Marijuana Cultivation Facility. Any building in which medical cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or that does all or any combination of these activities using artificial lighting in whole or in part, which is contained within one lot that has an existing, valid marijuana cultivation permit (including both Commercial and Non-Commercial) under Chapter 7.102 of the Richmond Municipal Code.

Marijuana Product Manufacturer. A “medical marijuana product manufacturer” as defined in Chapter 7.102 of this Code that an existing, valid medical marijuana product manufacturer permit under Chapter 7.102 of the Richmond Municipal Code.

Recycling Facilities. Collection or processing of recyclable materials or items.

Recycling Collection Facilities. A drop-off/collection and sorting point for recyclable materials such as paper, metal, plastic, and glass.

Recycling Processing Facilities. An industrial facility where recycled materials are processed into new materials or products.

Waste Hauling and Transfer Facilities. Facilities operated by private companies doing waste hauling and transfer, including storing, sorting and/or processing of solid and liquid waste and recyclable materials.

Research and Development. The research and development use type refers to establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but excludes uses which in the opinion of the planning commission, may be objectionable by reason of production of offensive odor, dust, noise, bright lights, vibration or the storage of hazardous material or products, or uses which in the opinion of the commission threaten public safety. Typical uses include biotechnology firms.

Salvage and Wrecking. Storage, dismantling and recycling of vehicles, equipment, metals, tires, or other used materials for sale as parts or raw materials, including but not limited to, the collection, storage, exchange or sale of goods, used building materials, used containers or drums, and similar articles or property.

Warehousing, Storage, and Distribution. Storage and distribution facilities without sales to the public on-site or direct public access except for public storage in small individual space exclusively and directly accessible to a specific tenant.

Chemical, Mineral, and Explosives Storage. Storage and handling of hazardous materials including but not limited to: bottled gas, chemicals, minerals and ores, petroleum or petroleum-based fuels, fireworks, and explosives.

Indoor Warehousing and Storage. Storage within an enclosed building of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials. This classification also includes cold storage, draying or freight, moving and storage, and warehouses. It excludes the storage of hazardous chemical, mineral, and explosive materials.

Outdoor Storage. Storage of vehicles or commercial goods or materials in open parcels.

Mini-Storage. A storage facility that is characterized by individual separate spaces which are accessible by customers for the storing and retrieval of personal effects and household goods. In no case shall storage spaces be used for manufacturing, retail or wholesale selling, office or other business services, or human habitation.

E. **Transportation, Communications and Utilities.**

Communications Facilities. Broadcasting and other information relay services.

Antennas and Transmission Towers. Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures designed to support reception or transmission systems. Typical uses include wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, and cellular telephone transmission/personal communications systems towers.

Equipment within Buildings. Indoor facilities containing primarily communication equipment and storage devices such as computer servers.

Freight/Truck Terminal and Warehouse. Facilities for freight, courier, and postal services by truck or rail. This classification does not include local messenger and local delivery services (see Light Fleet-Based Services).

Light Fleet-Based Service. Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 lbs. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses. This classification does not include towing operations (see Automobile/Vehicle Sales and Service, Towing and Impound) or taxi or delivery services with two or fewer fleet vehicles on-site.

Seaport. Facilities for freight service and operations by ship. This classification includes piers, marine terminals, container and break-bulk storage areas, related inter-modal facilities, and support services such as port and harbor operations and navigational services.

Transportation Passenger Terminals. Facilities for passenger transportation operations. This classification includes rail stations, bus terminals, ferry terminals, and scenic and sightseeing facilities.

Utilities, Major. Generating plants, electric substations, and solid waste collection, including transfer stations and materials recovery facilities, solid waste treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities.

Utilities, Minor. Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, and underground water and sewer lines.

F. **Agriculture Production and Services.**

Animal Husbandry. Breeding and raising of small domesticated animals for sale, or in order to use or sell products such as meat, honey, milk, eggs, and fibers.

Community Gardens. The cultivation of plants, excluding marijuana, by multiple gardeners for personal consumption or donation. This use type includes the accessory sale of goods produced on-site, but excludes marijuana cultivation.

Indoor Agriculture. Indoor areas used for the cultivation of plants, excluding marijuana. This use type includes the accessory sale of goods produced on-site, but excludes marijuana cultivation.

Outdoor Agriculture. Outdoor areas used for the cultivation of plants, excluding marijuana. This use type includes the accessory sale of goods produced on-site, but excludes marijuana cultivation.