

## **CHAPTER xx. “NMU” DISTRICT** **(NEIGHBORHOOD MIXED USE DISTRICT)**

**SECTION xxxx. REGULATIONS FOR “NMU” DISTRICT.** The following regulations shall apply within those areas in North Fair Oaks and other areas of the unincorporated County which are zoned NMU.

### **SECTION xxxx.1. PURPOSES.**

1. Provide commercial areas intended primarily for the location of neighborhood-serving trades and services to meet the needs of surrounding residential areas, as well as higher-density living options for residents.
2. Protect the viability of surrounding and/or adjacent residential land uses by restricting incompatible uses and regulating certain land uses which may otherwise have negative external impacts, and by requiring that commercial development meets minimum design standards.
3. Promote and enhance the creation of an attractive neighborhood mixed use district accessible by a variety of transportation modes, including private vehicles, transit, bicycling and walking.
4. Protect the functional and economic viability of commercial mixed use areas by restricting incompatible land uses.
5. Support and strengthen the local economy by providing trade and employment opportunities.
6. Implement the policies of the San Mateo County General Plan.

### **SECTION xxxx.2. DEFINITIONS.**

x. **Administrative, Professional and Business Offices**

Establishments where management, administrative, professional or consulting services are conducted including, but not limited to, government, law, real estate, accounting and other business offices.

x. **Bars**

Commercial establishments engaged in the sale of alcoholic beverages to the general public for immediate consumption on the premises as a primary use, which may also offer food and entertainment on a limited basis, but not adult entertainment as defined in Section 6102.1.5.

x. Community Centers

Facilities used by local residents for civic activities, classes, meetings, performances, presentations or other purposes. Includes “clubs” (Section 6102.25) and “meeting halls”(Section 6201.62.5).

x. Day Care Centers (Institutional Day Care Facilities for Children)

Licensed facilities including infant centers and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.

x. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

x. Farmers Markets

An outdoor market at a fixed location, open to the public, operated by a government agency, a nonprofit corporation, or one or more Producers, at which (a) at least 75 percent of the vendors sell Farm Products or Value-added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market’s hours of operation are Producers, or family members or employees of Producers.

Farm Products – Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products, (including meat, milk, cheese, and other dairy products), and fish.

Producer – A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.

Value-added Farm Product – Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.

x. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

x. Food and Beverage Stores

Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens.

x. Liquor Stores

A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.

x. Food Establishments Specializing in Take-Out Service

Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or drive-through take-out service, but not including businesses engaged exclusively in catering. ***(Deleted "delivery service")***

x. Home Occupations

Vocations conducted in a dwelling by a resident which are accessory uses incidental to the principal residential use of the dwelling.

***(Will bring back to May meeting; needs further work with current planning staff to further modernize the definition and limit the size/scale/type of home occupations)***

x. Indoor Retail Sales, Rental or Repair Establishments

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.

x. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit; or (b) per business establishment. This use does not include "pet sitting" or "doggie day care" where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment. ***(Revised to clarify that doggie day care not included)***

x. Medical and Dental Offices

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.

x. Mixed-Use Development

A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional.

x. Motor Vehicle Fuel Sales

(Deleted)

x. Motor Vehicle Service Stations

(Deleted)

x. Non-Chartered Financial Institution

A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution”. **(Inserted)**

x. Other Compatible Uses

Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

x. Outdoor Retail Sales, Rental or Repair Establishments

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.

x. Parking Lots and Parking Garages

Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.

x. Personal Convenience Service Establishments

Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage establishments.

x. Pet Sales and/or Grooming Establishments

Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.

x. Religious Facilities

Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques and temples.

x. Restaurants

Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a full, working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.

x. Retail Cleaning Establishments

Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry cleaning pick up stores with limited equipment and laundromats where coin-operated washers and dryers are provided for self-service to the public.

x. Small Collection Facilities for Recyclable Materials

A small collection facility occupies an area of not more than 500 square feet, is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers or bulk reverse vending machines. These facilities are generally temporary, and accessory to a primary use on the same parcel. **(Inserted)**

x. Small Indoor Exercise and Leisure Facilities

Facilities of 2,000 square feet or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to exercise facilities, dance academies and martial arts studios.

x. Educational Facilities

Public or private educational facilities, schools or pre-schools offering instruction, including academic or specialized instruction, to students.

x. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

**SECTION xxxx.3. USES PERMITTED.**

<b>PERMITTED USES</b>	<b>REQUIRED PLANNING PERMIT FOR THIS DISTRICT<sup>1</sup></b>
<b><u>RESIDENTIAL USE CLASSIFICATION</u></b>	
X. <b><u>DWELLINGS</u></b> x. Dwelling, Multiple a. Above the ground floor b. Ground floor	  None  Use Permit
<b><u>X. MIXED USE CLASSIFICATION</u></b>	
x. Mixed Uses with ground floor commercial and residential above the ground floor x. All other mixed uses	None  Use Permit
<b><u>COMMERCIAL AND OFFICE USE CLASSIFICATION</u></b>	
X. <b><u>SPECIALIZED NEIGHBORHOOD TRADES AND SERVICES</u></b> x. Personal Convenience Service Establishments <b>x. Retail Cleaning Establishments</b> x. Pet Sales and/or Grooming Establishments x. Veterinary Hospitals for Small Animals	  <b>Use Permit</b>  <b>None</b>  <b>Use Permit</b>  Use Permit
X. <b><u>RETAIL SALES, RENTAL OR REPAIR ESTABLISHMENTS</u></b> 1. Food and Beverage Stores <b>x. Liquor Stores</b> 2. Indoor Retail Sales, Rental or Repair Establishments	  None  <b>Use Permit</b>  None

<b>PERMITTED USES</b>	<b>REQUIRED PLANNING PERMIT FOR THIS DISTRICT<sup>1</sup></b>
3. Outdoor Retail Sales, Rental or Repair Establishments	Use Permit
X. <u>FOOD SERVICES</u>  x. <b>Bars</b> x. <b>Restaurants</b>  x. Food Establishments Specializing in Take-Out Service  x. Farmers Markets	Use Permit  None  Use Permit  Farmers Market Permit (?)
X. <u>OFFICES, PROFESSIONAL SERVICES</u>  1. Administrative, Professional and Business Offices 2. Medical and Dental Offices 3. Financial Institutions 4. Non-Chartered Financial Institution	None  None  None  Use Permit <sup>2</sup>
X. <u>INDOOR RECREATION FACILITIES</u>  Small Indoor Exercise and Leisure Facilities	None
<b><u>INSTITUTIONAL USE CLASSIFICATION</u></b>	
X. <u>NEIGHBORHOOD INSTITUTIONAL FACILITIES</u>  x. Community Centers x. Day Care Centers x. Religious Facilities x. <b>Educational Facilities</b>	Use Permit Use Permit Use Permit Use Permit



<b>PERMITTED USES</b>	<b>REQUIRED PLANNING PERMIT FOR THIS DISTRICT<sup>1</sup></b>
<b><u>ACCESSORY USE CLASSIFICATION</u></b>	
X. <u>RESIDENTIAL ACCESSORY USES</u> <i>Home Occupations</i>	None
X. <u>LIMITED KEEPING OF PETS</u> <i>Limited Keeping of Pets</i>	None
X. SMALL COLLECTION FACILITIES FOR RECYCLABLE MATERIALS	None
<b><u>OTHER USE CLASSIFICATION</u></b>	
X. <u>PARKING</u> Parking Lots and Parking Garages	Use Permit
X. <u>OTHER COMPATIBLE USES</u> Other Compatible Uses	To Be Determined by Community Development Director
<sup>1</sup> Other permits may be required by a combining district, e.g., Design Review approval. <sup>2</sup> Subject to performance requirements contained in Section 6251(f)(8) of these Zoning Regulations.	