

**Attachment B - Central Business District Property Development Standards
(see section 17.58.030 below)**

Nonresidential Facilities					
Enclosed Nonresidential	P	P	P	P	
Open Nonresidential	C	C	C	C	
Sidewalk Cafe	P	P	P	P	17.102.335
Drive-In Nonresidential	—	—	—	C	
Drive-Through Nonresidential	—	—	—	C	
Telecommunications Facilities					
Micro Telecommunications	C	P	P	P	17.128
Mini Telecommunications	C	P	P	P	17.128
Macro Telecommunications	C	C	C	C	17.128
Monopole Telecommunications	C	C	C	C	17.128
Tower Telecommunications	—	—	—	—	17.128
Sign Facilities					
Residential Signs	P	P	P	P	17.104
Special Signs	P	P	P	P	17.104
Development Signs	P	P	P	P	17.104
Realty Signs	P	P	P	P	17.104
Civic Signs	P	P	P	P	17.104
Business Signs	P	P	P	P	17.104
Advertising Signs	—	—	—	—	17.104

Limitation:

L1. See Chapter 17.114, Nonconforming Uses, for additions and alterations to legal nonconforming One-Family Dwellings.

(Ord. No. 13090, § 4(Exh. A), 10-4-2011; Ord. No. 12999, § 4(Exh. A), 3-16-2010; Ord. No. 12955, § 2(Exh. A), 7-21-2009)

17.58.060 - Property development standards.

A. Zone Specific Standards. Table 17.58.03 below prescribes development standards specific to individual zones. The number designations in the right-hand column refer to the additional regulations listed at the end of the Table.

Table 17.58.03: Property Development Standards

Development Standards	Zones				Additional Regulations
	CBD-R	CBD-P	CBD-C	CBD-X	
Minimum Lot Dimensions					
Width	25 ft	25 ft	50 ft	50 ft	1
Frontage	25 ft	25 ft	50 ft	50 ft	1
Lot area	4,000 sf	4,000 sf	7,500 sf	7,500 sf	1
Minimum/Maximum Setbacks					

***Attachment B - Central Business District Property Development Standards
(see section 17.58.030 below)***

Minimum front	0 ft	0 ft	0 ft	0 ft	2
Maximum front and street side for the first story	None	5 ft	5 ft	10 ft	3
Maximum front and street side for the second and third stories or 35 ft, whatever is lower	None	5 ft	5 ft	None	3
Minimum interior side	0 ft	0 ft	0 ft	0 ft	4
Minimum corner side	0 ft	0 ft	0 ft	0 ft	
Rear	10 ft	0 ft	0 ft	0 ft	5
Design Regulations					
Ground floor commercial facade transparency	50%	70%	60%	50%	6
Minimum height of the ground floor	15 ft	15 ft	15 ft	15 ft	7
Minimum separation between the grade and ground floor living space	2.5 ft	Not Applicable	Not Applicable	2.5 ft	8

Additional Regulations:

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, width and street frontage regulations.
2. See Section 17.108.040 for the minimum front yard setback when fifty percent (50%) or more of the frontage on the same block and side of the street is in a residential zone.
3. The following notes apply to the maximum yard requirements:
 - a. The requirements only apply to the construction of new principal buildings and to no more than two property lines. One of these property lines shall abut the principal street.
 - b. The requirements do not apply to lots containing Recreational Assembly, Community Education, Utility and Vehicular, or Extensive Impact Civic Activities or Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities as principal activities.
 - c. In the CBD-P, CBD-C, and CBD-X zones, these maximum yards apply to seventy-five percent (75%) of the street frontage on the principal street and fifty percent (50%) on other streets, if any. All percentages, however, may be reduced to fifty percent (50%) upon the granting of regular design review approval (see Chapter 17.136 for the design review procedure). In addition to the criteria contained in 17.136.035, the proposal must also meet each of the following criteria:
 - i. The additional yard area abutting the principal street is designed to accommodate publicly accessible sidewalk cafes and restaurants;
 - ii. The proposal will not impair a generally continuous wall of building facades;
 - iii. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and
 - iv. The proposal will not interfere with the movement of people along an important pedestrian street.
 - d. The maximum yard requirements above the ground floor may be waived upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in 17.134.050, the proposal must also meet each of the following criteria:

***Attachment B - Central Business District Property Development Standards
(see section 17.58.030 below)***

- i. It infeasible to both accommodate the use proposed for the space and meet the maximum yard requirement;
 - ii. The proposal will not weaken the street definition provided by buildings with reduced setbacks; and
 - iii. The proposal will not interrupt a continuity of 2nd and 3rd story facades on the street that have minimal front yard setbacks.
4. In the CBD-R zone, portions of a building over fifty-five (55) feet in height shall have a setback of at least one (1) foot from the required interior side yard for every four (4) feet that portion is above fifty-five (55) feet. This setback, however, need not exceed forty (40) feet. Also, see Section 17.108.080 for the required interior side and rear yard setbacks on a lot containing two or more living units and opposite a legally-required living room window. See Section 17.108.130 for allowed projections into required yards.
5. In the CBD-R zone, portions of a building over fifty-five (55) feet shall setback at least one (1) foot from the required rear yard for every four (4) feet that portion is above fifty-five (55) feet. This regulation shall not apply when the rear yard faces a street. This setback, however, need not exceed forty (40) feet. The following other minimum rear yard setback regulations apply in all CBD zones:
 - a. A minimum ten (10) foot rear yard setback is required whenever a rear lot line abuts any portion of a lot in a residential zone;
 - b. See Section 17.108.110 for reduced required rear yards setbacks next to an alley; and
 - c. See Section 17.108.130 for allowed projections into required yards.
6. This percentage of transparency is only required for principal buildings that include ground floor nonresidential facilities and only apply to the facade facing the principal street. On all other street facing facades, the requirement is one-half the standard for the facade facing the principal street. The area of required transparency is between two (2) feet and ten (10) feet in height of the ground floor and must be comprised of clear, non-reflective windows that allow views out of indoor commercial space, residential space, or lobbies. The bottom of any window used to satisfy this requirement may not be more than four (4) feet above the adjacent sidewalk. Glass block does not quality as a transparent window. Exceptions to this regulation may be allowed for unique facilities such as convention centers, gymnasiums, parks, gas stations, theaters and other similar facilities.
7. This height is required for all new principal buildings and is measured from the sidewalk grade to the second story floor.
8. This regulation only applies to ground floor living space located within fifteen (15) feet of a street frontage.

B. Design Standards Applying to All Zones. The following regulations apply to all of the zones:

1. **Entrance.** Newly constructed principal buildings shall have at least one prominent pedestrian entrance facing the principal street. Entrances at building corners facing the principal street may be used to satisfy this requirement. Building entrances include doors to one or more shops, businesses, lobbies, or living units. Entrances shall be made prominent through some combination of projecting or recessing the door area, change in material, an awning above a door, additional detailing, stairs leading to the door, and/or other features. The entrance for nonresidential facilities shall be at grade.
2. **Ground Floor Treatment.** All ground-floor building materials shall be durable, of high quality, and display a sense of permanence. Such materials include, but are not limited to stone, tile, brick, metal panel systems, glass, and/or other similar materials. Further, the ground level of a newly

**Attachment B - Central Business District Property Development Standards
(see section 17.58.030 below)**

constructed building shall be designed to enhance the visual experience for pedestrians and distinguish it from upper stories. This is achieved by designing a building base that is distinct from the rest of the building through the use of some combination of change of material, enhanced detailing, lighting fixtures, cornices, awnings, canopies, and/or other elements. For buildings with nonresidential ground floor space, visual interest shall also be achieved through modulating the ground floor into a regular cadence of storefront sized windows and entrances.

3. **Active Space Requirement.** For newly-constructed principal buildings, parking spaces, locker areas, mechanical rooms, and other non-active spaces shall not be located within thirty (30) feet from the front of the ground floor of the principal building except for incidental entrances to such activities elsewhere in the building. Driveways, garage entrances, or other access to parking and loading facilities may be located on the ground floor of this area as regulated by subsection (E4).
 4. **Parking and Loading Location.** For newly constructed principal buildings, access to parking and loading facilities through driveways, garage doors, or other means shall not be from the principal street when alternative access is feasible from another location such as a secondary frontage or an alley. Open parking areas shall not be located between the sidewalk and a principal building.
 5. **Massing.** The mass of newly-constructed principal buildings shall be broken up into smaller forms to reduce the scale and enhance the visual interest of the streetscape. The massing requirements contained in this note shall be applied on all visible facades and achieved through some coordinated combination of changes in plane, building articulation, varied materials, contrasting window patterns and treatments, varying roof heights, separating upper-story floor area into two or more towers, contrasting colors, a distinct base, middle, and top, or other methods.
 6. **Upper Story Windows.** An ample placement of windows above the ground floor is required at all street-fronting facades. To create visual interest, the placement and style of windows shall contribute to a coherent and appealing composition on the facade. Less window space is only permitted in exceptional cases if it contributes to a specific objective of the visual style and aesthetic effect of the building. Whenever possible, windows should be on all sides of a tower.
 7. **Building Terminus.** The top of each newly-constructed principal building shall include an element that provides a distinct visual terminus. The visual terminus shall be integrated into the design concept of the building. Examples include, but are not limited to, curvilinear or stepped forms that soften the truncated tops of buildings, cornices, and other architectural forms. These rooftop elements shall be sized, shaped, and sited to screen all rooftop mechanical equipment from view.
 8. **Utility Storage.** For newly-constructed buildings, areas housing trash, storage, or other utility services shall be located in the garage or be otherwise completely concealed from view of the public right-of-way. Backflow prevention devices shall be located in a building alcove, landscaped area, or utility room within the building, outside of the public right-of-way, and completely screened from view from the public right-of-way unless required otherwise by a department of the City.
- C. **Height, Bulk, and Intensity.** Table 17.58.04 below prescribes height, bulk, and intensity standards associated with the height/bulk/intensity areas described in Map 17.58A (see Section 17.58.080). The numbers in the right-hand column refer to the additional regulations listed at the end of the Table.

Table 17.58.04 Height, Density, Bulk, and Tower Regulations

Regulation	Height/Bulk/Intensity Area							Notes
	1	2	3	4	5	6	7	
Maximum Density (Square Feet of Lot Area Required Per Unit)								
Dwelling unit	300	200	90	90	90	90	90	1,2

**Attachment B - Central Business District Property Development Standards
(see section 17.58.030 below)**

Rooming unit	150	100	45	45	45	45	45	1,2
Maximum Floor Area Ratio	4.5	6.0	8.0	14.0	17.0	20.0	20.0	2
Maximum Height								
Building base	55 ft	85 ft	55 ft	85 ft	85 ft	85 ft	120 ft	3
Total	No tower permitted	No tower permitted	170 ft	275 ft	400 ft	No height limit	No height limit	3
Minimum Height								
New principal buildings	None	None	None	45 ft	45 ft	45 ft	45 ft	4
Maximum Lot Coverage								
Building base (for each story)	Not applicable	Not applicable	100% of site area	100% of site area	100% of site area	100% of site area	100% of site area	
Average per story lot coverage above the base	Not applicable	Not applicable	50% of site area or 7,500 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	85% of site area or 10,000 sf, whichever is greater	5
Tower Regulations								
Maximum average area of floor plates	Not applicable	Not applicable	10,000 sf	15,000 sf	20,000 sf	25,000 sf	No maximum	6
Maximum building length	Not applicable	Not applicable	115 ft	150 ft	175 ft	195 ft	No maximum	7
Maximum diagonal length	Not applicable	Not applicable	145 ft	180 ft	210 ft	235 ft	No maximum	
Minimum distance between towers on the same lot	Not applicable	Not applicable	40 ft	40 ft	40 ft	40 ft	No minimum	

Notes:

1. See Chapter 17.107 for affordable and senior housing density incentives.
2. No portion of lot area used to meet the density requirements for a Residential Facility shall be used as a basis for computing, through the maximum floor area ratio, the maximum amount of floor area for any nonresidential facility on the same lot, and visa versa.
3. In Height Areas 4, 5, and 6, lots having frontage on Broadway, San Pablo Avenue, or Telegraph Avenue where the width of the right of way is greater than eighty-five (85) feet shall have a maximum base height equal to the width of that right of way. Also, see Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.
4. This minimum height excludes the height of the allowed projections into the height limit contained in 17.108.030.
5. The average floor area of the stories above the base cannot exceed this percentage of lot area, with the following qualifications:
 - a. When a project contains more than one tower above the base, the floor area of a story is calculated by adding the square footages of the equivalent story in each tower. For example, if there

***Attachment B - Central Business District Property Development Standards
(see section 17.58.030 below)***

are two towers above the base and the 5th story of one tower is fifteen thousand (15,000) square feet and the 5th story of the other tower is twenty thousand (20,000) square feet, then the total floor area of the 5th story is thirty five thousand (35,000) square feet.

b. To allow a variety of articulation in a building, the floor area of an individual story can be as much as fifteen percent (15%) greater than the maximum average per story floor area above base.

c. A story that is more than fifteen percent (15%) less than the maximum average floor area is not included in the average per story floor area above the base.

6. The average floor plate of an individual tower cannot exceed this area, with the following qualifications:

a. The floor area of an individual tower floor plate cannot be more than fifteen percent (15%) greater than the maximum average tower floor plate.

b. An individual tower floor plate that is more than fifteen percent (15%) less than the maximum average tower floor plate is not included in the maximum average tower floor plate area calculation.

7. The following regulation applies to lots that both: 1) are designated as Special Area A on Map 17.58; and 2) have either a west or east side property line that is more than ninety (90) feet in length: the cumulative building length of the east or west elevation of all towers on such a lot shall be no more than two-thirds (2/3) the length of any east or west side property line.

(Ord. No. 13064, § 2(Exh. A), 3-15-2011; Ord. No. 12955, § 2(Exh. A), 7-21-2009)

17.58.070 - Usable open space standards.

A. General. This section contains the usable open space standards and requirements for residential development in the CBD zones. These requirements shall supersede those in Chapter 17.126

B. Definitions of CBD usable open space types. The following includes a list of available usable open space types eligible to fulfill the usable space requirements of this Chapter and the definitions of these types of open space:

1. "Private Usable Open Space". Private usable open space is accessible from a single unit and may be provided in a combination of recessed and projecting exterior spaces.

2. "Public Ground-Floor Plaza". Public ground-floor plazas (plazas) are group usable open space (see Section 17.127.030) located at street-level and adjacent to the building frontage. Plazas are publicly accessible during daylight hours and are maintained by the property owner. Plazas shall be landscaped and include pedestrian and other amenities, such as benches, fountains and special paving.

3. "Rooftop Open Space". Rooftop open space, a type of group usable open space, includes gardens, decks, swimming pools, spas and landscaping located on the rooftop and accessible to all tenants.

4. "Courtyard". A courtyard is a type of group usable open space that can be located anywhere within the subject property.

C. Standards. All required usable open space shall be permanently maintained and shall conform to the following standards:

1. Area. On each lot containing residential facilities with a total of two or more living units, usable open space shall be provided for such facilities at a rate of seventy-five (75) square feet per dwelling unit and thirty-eight (38) square feet per rooming unit.