

**APPENDIX D**

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**Proposed General Plan and Zoning Ordinance Amendments**



# PROPOSED GENERAL PLAN AMENDMENTS

## PART II

(page II-3)

### LAND USE/CIRCULATION DIAGRAMS AND STANDARDS

#### INDUSTRIAL DESIGNATIONS

##### **Limited Industry**

This designation provides for light manufacturing and assembly, distribution of manufactured products, research and development facilities, industrial supply, incidental warehousing, offices, limited retail sales (such as sales to serve businesses in the area), public and quasi-public uses, and similar and compatible uses. The maximum FAR shall be in the range of 45 percent to 55 percent.

##### ***Mixed-Use Commercial Business Park***

*This designation provides for light manufacturing and assembly, distribution of manufactured products, research and development facilities, industrial supply, incidental warehousing, offices, limited sales, services to serve businesses and hotel/motel clientele in the area (such as restaurants, cafes, and health/fitness centers), hotel/motel to serve the local and regional market, public and quasi-public uses, and similar and compatible uses. The maximum FAR for the commercial business uses (i.e., light manufacturing and assembly, distribution of manufactured products research and development facilities, industrial supply, incidental warehousing, offices, and limited sales) shall be 100 percent for developments with multiple properties. The FAR is based on the total area of all properties. In addition to the commercial business at 100 percent FAR, a project with mixed-use commercial business park designation may have an additional FAR of **12.5** percent for health and fitness centers, cafes and restaurants, day care facilities, and neighborhood-serving convenience retail/community facilities; and an additional FAR for hotel/motel use of **25** percent.*

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<b>TABLE II-3</b> <b>INDUSTRIAL USE INTENSITY</b>		
<b>Land Use Designation/Type</b>	<b>Use Intensity (Floor Area Ratio)</b>	<b>Applicable Zoning Districts</b>
<b>Limited Industrial</b>		
Industrial	55%	M-2
Offices	45%	M-2
<b>Mixed-Use Commercial Business Park</b>		
<i>Commercial businesses (i.e., light manufacturing and assembly, distribution of manufactured products, research and development facilities, industrial supply, incidental warehousing, offices, and limited sales)</i>	100%	M-3
<b>AND</b>		
<i>Health and fitness centers, cafes, restaurants, neighborhood-serving convenience retail, community facilities, and day care facilities</i>	12.5%	M-3
<b>AND</b>		
<i>Hotel/motel</i>	25%	M-3

The following existing Goals and Policies are supportive of the proposed project.

**PART I  
SECTION I: LAND USE**

**GOALS AND POLICIES**

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**COMMERCIAL**

**Goal I-E**      **To promote the development and retention of commercial uses which provide significant revenue to the City and/or goods or services needed by the community and which have low environmental and traffic impacts.**

**Policies**

I-E-1            All proposed commercial development shall be evaluated for its fiscal impact on the City as well as its potential to provide goods or services needed by the community.

I-E-2            Hotel uses may be considered at suitable locations within the commercial and industrial zoning districts of the city.

I-E-4            Any new or expanded office use must include provisions for adequate off-street parking, mitigating traffic impacts, and developing effective alternatives to auto commuting, must adhere to acceptable architectural standards, and must protect adjacent residential uses from adverse impacts.

**INDUSTRIAL**

**Goal I-F**      **To promote the retention, development, and expansion of industrial uses which provide significant revenue to the City, are well designed, and have low environmental and traffic impacts.**

**Policies**

I-F-5            Convenience stores and personal service uses may be permitted in industrial areas to minimize traffic impacts.

# PROPOSED ZONING ORDINANCE AMENDMENTS

(page i)

## Title 16 ZONING

### Chapters:

- 16.44 M-1 Light Industrial District
- 16.46 M-2 General Industrial District
- 16.47 *M-3 Mixed-Use Commercial Business Park*
- 16.48 OSC Open Space and Conservation District

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## Chapter 16.04 DEFINITIONS

### Sections:

- 16.04.200 Communications equipment building.
- 16.04.205 *Community facility.*
- 16.04.210 Conditional use.
- 16.04.220 Convalescent home.
- 16.04.225 *Child day care facility.*
- 16.04.230 District.
  
- 16.04.325 Gross floor area.
- 16.04.328 *Health and Fitness Centers.*
- 16.04.030 Height of structure.
  
- 16.04.470 Motel or hotel.
- 16.04.473 Neighborhood-serving convenience retail.
- 16.04.480 Nonconforming use.

**16.04.205** ***Community Facility.** A facility where community events and/or gatherings are held or sponsored by neighborhood, business, civic, cultural, religious or other community organizations.*

**16.04.225** ***Child Day Care Facility.** Any child day care facility, day care center, or preschool, other than a child day care home as defined in this section, which provides non-medical care to children under eighteen years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty-four-hour basis and which may or may not require a license by the State of California Department of Social Services.*

**16.04.328** ***Health and Fitness Centers.** A commercial athletic facility where a building or site is equipped for physical training, fitness, or athletic type games and sports, such as but not limited to, health spas, gymnasiums, group exercise, and personal fitness training; also including ancillary uses when incidental to the primary use, such as but not limited to, steam baths, weight*

*training, massage as defined in Section 16.04.465, saunas, food sales, and retailing of athletic supplies to be used in the facility. Does not include adult entertainment establishment as defined in Section 16.04.025.*

**16.04.385 Light industrial uses.** “Light industrial uses” mean uses engaged in prototype development, testing, repairing, manufacturing, assembling, packaging, storage, and/or distribution of finished or semi-finished products conducted within a building, including wet labs, dry labs and/or clean rooms, and not having any noxious or hazardous character. Uses with similar characteristics of the above listed activities, such as telecommunication hub facilities, may also be considered as light industrial uses. Incidental administrative offices and sales areas occupying less than 20% of the gross floor area of the building are allowed.

**16.04.470 Motel or hotel.** “Motel” or “hotel” means a single building or group of detached or semi-detached buildings containing guest rooms or apartments, with automobile storage space provided on the site, *or as a shared facility and meeting the requirements in subsection 16.72.055*, for such rooms or apartments provided in connection therewith, which group is designed and used primarily for the accommodation of transient ~~automobile~~ travelers *or visitors*, and not containing individual cooking facilities *except for limited facilities provided in extended stay hotels; and including associated recreational facilities (e.g., swimming pools, exercise facilities, and tennis courts) and associated restaurant.*

**16.04.473 Neighborhood-serving convenience retail.** “Neighborhood-serving convenience retail” means uses that support local residents or employees in the immediate area by serving their daily needs for goods and services, such as dry cleaning, coffee shops or cafes, restaurants, copy services, sundries, shoe repair, and other similar retailer service uses;

**16.04.550 Research and development.** “Research and development” means a *use which is involved in scientific or engineering investigation leading to the manufacture of new material or equipment and including the making of prototypes but not including the manufacture of such material or equipment.*

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## Chapter 16.08

### DISTRICTS ESTABLISHED – GENERAL REGULATIONS

#### Sections:

- 16.08.050 Ambiguity
- 16.08.060 Increase in building height in C-3, C-4, ~~and~~ M-2., *and M-3 districts.*
- 16.08.070 Cluster housing.

**16.08.010 Districts established—Designated.** There are established several districts into which the city is divided and which are designated as follows:

- M-1 Light Industrial District
- M-2 General Industrial District
- M-3 *Mixed-Use Commercial Business Park*
- OSC Open Space and Conservation District

(new page)

## Chapter 16.47

### M-3 MIXED-USE COMMERCIAL BUSINESS PARK

#### Sections:

- 16.47.010 Purpose
- 16.47.015 Applicability
- 16.47.020 Permitted Uses
- 16.47.030 Conditional Uses
- 16.47.040 Development Regulations

#### **16.47.010 Purpose.** *The purpose and intent of the M-3 district is to:*

- (1) *Provide for flexible zoning that would accommodate uses ranging from office to light industrial, including research & development businesses, allowing for modern business practices that often lead to shifts in primary business functions over time.*
- (2) *Provide an area that accommodates hotel uses to serve local and regional demand.*
- (3) *Allow supportive commercial services for nearby employment and hotel uses.*
- (4) *Provide a benefit to the City of Menlo Park that is negotiated through a Development Agreement.*

**16.47.015 Applicability.** *The district shall be limited to two areas with boundaries delineated by: (1) the Bayshore Freeway (US101), Independence Drive, and Chrysler Drive; and (2) the Bayfront Expressway, Independence Drive, Constitution Drive, and Chrysler Drive; and by the requirement of a Development Agreement approval at the time of rezoning.*

#### **16.47.020 Permitted Uses.** *Permitted uses in the M-3 district are as follows:*

- (1) *Administrative and Professional Offices;*
- (2) *Research & Development;*
- (3) *Light Industrial;*
- (4) *Motel or Hotel;*
- (5) *Health and Fitness Centers privately operated and intended to serve a hotel or motel and the employees of the surrounding area, and the broader community;*
- (6) *Cafes and restaurants serving beer, wine or alcoholic beverages of any type and providing live music or entertainment;*
- (7) *Day care facilities to serve the employees, hotel guests, and other patrons of uses in the immediate area;*
- (8) *Massage establishment or services associated with a hotel, health club or spa;*
- (9) *Neighborhood-serving convenience retail businesses intended primarily to serve the employees of the immediate area and limited to hours of operation between the hours of 6:00 a.m. and 9:00 p.m., Monday through Sunday;*
- (10) *Personal Services;*
- (11) *Community Facilities;*
- (12) *Parking Structure;*



- (13) *Activities involving the use of hazardous materials, incidental to a hotel, health club, or spa, or related to emergency power generators incidental to those uses listed above and subject to an approved Hazardous Materials Business Plan and a Menlo Park Fire Protection District Use Permit, and provided there are adequate safeguards therefor;*
- (14) *Outdoor events and temporary structures;*
- (15) *Any outside storage of material, equipment or vehicles associated with the main use, which meets the minimum screening and location requirements as defined within Chapter 16.64;*
- (16) *Cellular telecommunications towers or facilities.*

**16.47.030 Conditional Uses.** *Conditional uses allowed in the M-3 district, subject to obtaining a use permit are as follows:*

- (1) *Public utilities in accordance with Chapter 16.76 with the exception of those activities indicated in Section 16.47.020 (16);*
- (2) *Special uses in accordance with Chapter 16.78, with the exception of those uses indicated in Section 16.47.020;*
- (3) *Activities involving the use of hazardous materials, incidental to those uses allowed in Section 16.47.020 and subject to an approved Hazardous Materials Business Plan and a Menlo Park Fire Protection District Use Permit, and provided there are adequate safeguards therefor, with the exception of those activities indicated in Section 16.47.020 (13).*

**16.47.040 Development regulations.** *Development regulations in the M-3 district are as follows, these regulations apply across all parcels that are part of the Development Agreement.*

- (1) *Minimum yards:*
  - a) *Zero feet street-facing frontage;*
  - b) *10 feet along frontage facing Bayshore Freeway (US 101) and Bayfront Expressway (landscape buffer treatments within this frontage shall be determined through the architectural control process as part of building permit approvals);*
  - c) *5 feet along boundaries adjoining other property, except that a setback may be reduced to zero feet provided that the parallel setback is correspondingly increased to 10 feet or when abutting another district that allows residential use in which case the side yard shall be no less than required by the abutting district;*
- (2) *Land cover by all structures shall not exceed 45%*
- (3) *Maximum floor area ratio (FAR):*
  - a) *Administrative and Professional Offices, Research & Development, Light Industrial uses: 100% of the lot area that is part of the Development Agreement;*  
**AND**
  - b) *Health and Fitness Center, Cafes and Restaurants, Neighborhood-Serving Convenience Retail/Community Facilities, and Day Care Facilities: 12.5% of the lot area that is part of the Development Agreement;*  
**AND**
  - c) *Motel or Hotel: 25% of the lot area that is part of the Development Agreement.*
- (4) *Maximum height of structures shall be 140 feet to top of roof, parapet, or rooftop mechanical equipment or screen.*

- (5) *Motel or Hotel room limit: the total number of motel or hotel rooms allowed within one M-3 Zoning District project proposal shall not exceed 230 rooms.*
- (6) *In the case of conditional uses, the Planning Commission may require additional regulations.*

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## **Chapter 16.72 OFF-STREET PARKING**

### **Sections:**

- 16.72.045 M-1 district uses.
- 16.72.050 M-2 district uses.
- 16.72.055 *M-3 district uses.*
- 16.72.060 Public utility facilities.

**16.72.055** *M-3 district uses. Shared parking is allowed within the M-3 District. Parking requirements for M-3 district uses are consistent with ITE Parking Generation (3<sup>rd</sup> Edition) rates, as follows.*

- (1) *Administrative and Professional Offices, Research & Development, Light Industrial uses: one parking space for every 350 square feet of gross floor area;*
- (2) *Motel or Hotel: 0.91 of a parking space for every one guest room;*
- (3) *Health and Fitness Centers: one space for every 190 square feet of gross floor area;*
- (4) *Cafes and Restaurants: one space for every 65 square feet of gross floor area;*
- (5) *Day Care Facilities, Neighborhood-Serving Convenience Retail, Personal Services, or Community Facilities: one space for every 350 square feet of gross floor area;*
- (6) *Required parking shall not be provided in any required street-facing yard in M-3 districts on the subject properties.*
- (7) *Shared parking: The uses allowed within the M-3 district may have maximum parking demands at different times of day. Parking requirement reductions account for this, pursuant to the Urban Land Institute (ULI) Shared Parking Methodologies (2<sup>nd</sup> Edition, 2005, by allowing a shared parking agreement to be included in the Development Agreement, which is required to implement the M-3 district designation.*

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