

ORDINANCE NO. 1027

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK AMENDING CHAPTER 16.40, C-2-B (NEIGHBORHOOD COMMERCIAL DISTRICT, RESTRICTIVE) AND CHAPTER 16.72 (OFF STREET PARKING) OF TITLE 16 OF THE MENLO PARK MUNICIPAL CODE

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The City Council of the City of Menlo Park hereby finds and declares as follows:

- A. The General Plan (Land Use and Circulation Elements) and M-2 Area Zoning Update public outreach and participation process known as ConnectMenlo began in August 2014 and has included over 60 organized events including workshops and open houses, mobile tours of the City of Menlo Park and nearby communities, informational symposia, stakeholder interviews, focus groups, recommendations by a General Plan Advisory Committee composed of City commissioners, elected officials, and community members, and consideration by the Planning Commission and City Council at public meetings.
- B. The Planning Commission held duly noticed public hearing on October 19, 2016 and October 24, 2016 to review and consider the proposed amendments to Chapter 16.40 and Chapter 16.72 of Title 16 of the Menlo Park Municipal Code, whereat all interested persons had the opportunity to appear and comment.
- C. The amendments to Chapter 16.40, C-2-B, would update the title of the chapter from Neighborhood Commercial District, Restrictive to Neighborhood Mixed Use District, Restrictive and allow for residential uses in the C-2-B zoning district and set the parking standards based on various land uses; and the amendments to Chapter 16.72 (Off Street Parking) would remove the C-2-B district from Chapter 16.72 and be replaced by the land use-based parking standards as incorporated into Chapter 16.40.
- D. The City desires to amend Chapter 16.40 C-2-B (Neighborhood Commercial District, Restrictive) of Title 16 of the Menlo Park Municipal Code to create consistency with the updated Land Use Element of the General Plan and to implement General Plan goals, policies, and programs such as LU-3.A *Commercial Zoning Provisions*, which promotes an appropriate and attractive mix of uses.
- E. The City desires to amend Chapter 16.72 (Off Street Parking) of Title 16 of the Menlo Park Municipal Code to create consistency with the updated Land Use Element of the General Plan and to implement General Plan goals, policies, and programs such as LU-2.3 *Mixed Used Design*, LU-3.2 *Neighborhood Shopping Impacts*, LU-4.3 *Mixed-use and Nonresidential Development*, which address compatibility issues and limit impacts from neighborhood shopping areas.

- F. The City Council held a duly noticed public hearing on November 15, 2016 and November 29, 2016 to review and consider the proposed amendment to Chapter 16.40 and Chapter 16.72 of Title 16 of the Menlo Park Municipal Code, whereat all interested persons had the opportunity to appear and comment.
- G. After due consideration of the proposed amendment to Title 16, public comments, the Planning Commission recommendation, and the staff report, the City Council finds that the proposed amendment to Title 16 is consistent with the ConnectMenlo General Plan and M-2 Area Zoning Update and is appropriate.

SECTION 2. An Environmental Impact Report was prepared and certified by the City Council on November 29, 2016, in accordance with the provisions of the California Environmental Quality Act and CEQA Guidelines. The Environmental Impact Report considered the amendments to Chapter 16.40 C-2-B (neighborhood Commercial District, Restrictive) and Chapter 16.72 (Off Street Parking). Findings and a statement of overriding considerations were adopted by the City Council on November 29, 2016 by Resolution No. 6356; and

SECTION 3. The following section of Title 16, Zoning, Chapter 16.40, *Neighborhood Commercial District, Restrictive*, of the Menlo Park Municipal Code is hereby amended to modify the name of the district, to allow mixed use developments, include multiple family residential uses as permitted uses, and set the parking standards based on land uses to read as follows:

Chapter 16.40

C-2-B NEIGHBORHOOD MIXED USE DISTRICT, RESTRICTIVE

Sections:

- 16.40.010 Permitted uses.
- 16.40.015 Administratively permitted uses.
- 16.40.020 Conditional uses.
- 16.40.030 Development regulations.

16.40.010 Permitted uses. Permitted uses in the C-2-B district, all within a building and intended to serve the neighborhood and limited to the hours between eight a.m. and eight p.m., including loading and unloading of any kind, are as follows:

- (1) Retail services;
- (2) Personal services;
- (3) Cafes and restaurants, excluding (a) fast food restaurants, (b) drive-in restaurants, (c) restaurants serving beer, wine or alcoholic beverages, and (d) restaurants providing live music or entertainment;
- (4) Multiple dwellings.

16.40.015 Administratively permitted uses. Uses allowed in the C-2-B district, subject to obtaining an administrative permit, are as follows:

- (1) Financial services;
- (2) Professional offices;
- (3) All of the specified uses in this Chapter between the hours of eight p.m. and eight a.m., or when not intended to serve the neighborhood.

16.40.020 Conditional uses. Conditional uses allowed in the C-2-B district, subject to obtaining a use permit, are as follows:

- (1) Service stations;
- (2) Automotive repair with service station;
- (3) Mortuaries;
- (4) Convalescent homes;
- (5) Mini-warehouse storage;
- (6) Cafes and restaurants serving beer, wine, or alcoholic beverages and/or provides live music or entertainment;
- (7) Public utilities in accordance with Chapter 16.76;
- (8) Special uses in accordance with Chapter 16.78.

16.40.030 Development regulations. Development regulations in the C-2-B district are as follows:

- (1) Minimum district size: twenty-five thousand square feet;
- (2) Minimum lot area: none, except that the cumulative lot area of all property within the C-2-B district shall be no less than twenty-five thousand square feet;
- (3) Minimum lot dimensions: none;
- (4) Required minimum yards: front, ten feet; side, none; corner side, 10 feet, rear, none; except when abutting a residential district where twenty-foot yard shall be provided;
- (5) Land covered by all structures shall not exceed sixty percent of building site;
- (6) Not less than ten percent of building site shall be occupied by appropriate landscaping;
- (7) Height of structures shall not exceed thirty feet. For a mixed residential and commercial development, the maximum building height shall not exceed 40 feet;
- (8) In the case of conditional uses, additional regulations may be required by the planning commission;
- (9) The floor area ratio for non-residential uses shall not exceed forty percent (40%), except that fifty percent (50%) may be allowed with use permit approval and a minimum lot size of 20,000 square feet;
- (10) The maximum dwelling units per acre (du/ac) is 30 du/ac;
- (11) The floor area ratio for multiple dwelling units shall increase on an even gradient up to ninety percent (90%) for 30 du/ac. The maximum floor area ratio may be allowed when the maximum number of dwelling units is proposed, even if less than 30 du/ac;
- (12) In a mixed residential and commercial development, the combined maximum floor area ratio shall not exceed one hundred percent (100%). The maximum non-

- residential and residential floor area ratios for each component shall not exceed the maximum allowed per items (9) and (11) above;
- (13) Development in the C-2-B district shall meet the following parking requirements.
- (a) Parking shall not be located in any required yard adjacent to a street.

Land Use	Minimum Spaces (Per Unit or 1,000 Sq. Ft.)	Maximum Spaces (Per Unit or 1,000 Sq. Ft.)	Minimum Bicycle Parking ¹
<i>Residential Units</i>	1 per unit	1.5 per unit	1.5 long-term ² per unit; 10% additional short-term ² for guests
<i>Office</i>	2	3	1 per 5,000 sq.ft. of gross floor area
<i>Research and Development</i>	1.5	2.5	Minimum two spaces For Office and Research
<i>Retail</i>	2.5	3.3	Development:
<i>Financial services</i>	2	3.3	80% for long-term ² and 20% for short-term ²
<i>Eating and drinking establishment</i>	2.5	3.3	
<i>Personal services</i>	2	3.3	For all other commercial uses:
<i>Private recreation</i>	2	3.3	20% for long-term ² and 80% for short-term ²)
<i>Child care center</i>	2	3.3	
<i>Other</i>	At Transportation Manager discretion	At Transportation Manager discretion	At Transportation Manager discretion

¹ See Section 16.XX.120 (7) and the latest edition of best practice design standards in Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines.

² Long-term parking is for use over several hours or overnight, typically used by employees and residents. Short-term parking is considered visitor parking for use from several minutes to up to a couple of hours.

- (b) Electrical vehicle parking spaces shall be pre-wired for 5% of the total number of required parking stalls. A minimum of two (2) electrical vehicle spaces plus 1% of the total required parking stalls in the pre-wire locations shall be installed.

SECTION 4. The following section of Title 16, Zoning, Chapter 16.72, *Off Street Parking*, of the Menlo Park Municipal Code is hereby amended to remove the C-2-B Zoning District to read as follows:

Sections:

- 16.72.010** Requirements generally.
- 16.72.020** R district uses.
- 16.72.030** Professional district uses.
- 16.72.040** C-2, C-2-A, and C-4 district uses.
- 16.72.050** M-2 and M-3 district uses.
- 16.72.060** Public utility facilities.
- 16.72.080** Other uses.

16.72.040 C-2, C-2-A, and C-4 district uses. C-2, C-2-A, and C-4 district uses are as follows: six (6) spaces per one thousand (1,000) square feet of gross floor area, not in any required yard or loading area.

SECTION 5. Projects that receive discretionary approvals and/or submitted a complete building permit application prior to the effective date of this ordinance shall be exempt from the provisions contained herein.

INTRODUCED on the 29th day of November, 2016.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of the City Council of the City of Menlo Park on the 6th day of December, 2016, by the following vote:

AYES:	Carlton, Keith, Ohtaki
NOES:	None
ABSENT:	Cline, Mueller
ABSTAIN:	None

APPROVED:



Richard Cline
Mayor, City of Menlo Park

ATTEST:



Pamela Aguilar, CMC
City Clerk