

# **CITY OF MENLO PARK**

## **Comparison of Peer Cities' Commercial and Industrial Zoning Regulations**

### **INTRODUCTION**

As part of the background research for the Commercial Zoning Ordinance Update process, Dyett & Bhatia, the City's consultant, collected information about commercial and industrial zoning regulations in ten other California cities and compared Menlo Park's current regulations with these provisions. The purpose of this investigation was to find out how jurisdictions that are comparable to Menlo Park in size, location, or economic base have structured their commercial zoning regulations. In particular, the consultants looked at the number and type of districts and use classifications the cities employed, the extent to which commercial and industrial uses are subject to discretionary review processes, such as conditional use permits, and who makes zoning decisions.

Except for Santa Monica, which was included because it is also engaged in a zoning revision process and shares many of the same concerns as Menlo Park, all of the cities are in San Mateo and Santa Clara Counties. Three of the communities (Burlingame, Los Gatos, and San Carlos) have populations that are similar in size to Menlo Park. The rest have populations that are two to about four times larger. Seven of the cities have more land area than Menlo Park. The median was 12.15 square miles compared with 10.1 miles in Menlo Park.

### **SUMMARY OF FINDINGS**

In general, the results indicate that Menlo Park's regulations are more restrictive, require discretionary review for a larger proportion of land uses, and provide less clarity about the basis for decisions. Menlo Park has more commercial and industrial districts than any of the peer communities except for Santa Monica, which has three times the population. At the same time, Menlo Park's ordinance includes only 31 commercial and industrial use classifications and provides definitions for only about half of the listed uses. The other cities' ordinances include a much larger number of use classifications and many, but not all of them, provide definitions. The other cities also tend to make greater use of limitations on specific land uses, such as limits on floor area or location within a building (upper-story vs. ground-floor). This degree of specification allows most of the peer communities to allow a large number of commercial and industrial uses without discretionary review.

The Menlo Park Zoning Ordinance has 11 commercial districts and two industrial districts. A purpose statement is provided for only one district, the M-1 Light Industrial District. About 60 percent of the land zoned for commercial use and close to 13 percent of the industrially-zoned land is in districts where no uses are permitted without discretionary review. Most conditional uses require Planning Commission approval, although the City also makes use of an "administrative use permit" that is approved by the Community Development Director. The ordinance includes definitions for only about half of the land uses that are listed, and very few of the uses are grouped into broader categories.

## **HIGHLIGHTS OF PEER COMMUNITIES COMMERCIAL AND INDUSTRIAL ZONING REGULATIONS**

**Burlingame** has five commercial districts and two industrial districts. The zoning ordinance is generally permissive. Retailing, office activities, and light manufacturing are permitted in all commercial and industrial districts, but use permits are required for drive-through facilities and multi-family residential uses in commercial districts.

**Los Gatos** has four commercial districts and two industrial districts. The Los Gatos Zoning Ordinance is fairly restrictive in its scope of commercial regulation. Conditional use permits are required for almost all business types in commercial districts. Industrial districts are more permissive, allowing drive-through windows, offices, and retail sales.

**Mountain View** has four commercial districts and two industrial districts. The Mountain View zoning code is notably thorough, with an extensive definitions section and an entire chapter devoted to standards for specific land uses. Conditional use permits are frequently required for retailing and services in the commercial and industrial districts, offices are allowed in most of the districts.

**Palo Alto** has three commercial districts and four industrial districts. The Zoning Ordinance, which was recently updated, is generally permissive. Offices, retailing, multi-family housing, and day care centers are permitted in all commercial districts but are limited in the industrial districts. Use permits are reserved for special uses such as financial institutions and uses with drive-through facilities.

**Redwood City** has seven commercial and office districts and three industrial districts. The Redwood City Zoning Ordinance is notably permissive; allowing uses like retail and offices (with limitations) in all commercial districts, even neighborhood commercial districts. Use permits are reserved for special uses such as retail sales of liquor, hotels/motels, and restaurants with drive-through facilities.

**San Carlos** has five commercial districts and three industrial districts. The ordinance regulates and defines a large number of land uses, and has relatively permissive use regulations. Retail sales are allowed (with varying limitations) in all commercial and industrial districts.

**San Mateo** has six commercial districts and three industrial districts. The zoning ordinance is fairly permissive. Retail uses and offices are most often permitted if within a certain square footage limitation.

The **City of Santa Clara** has eight commercial and office districts and three industrial districts. The ordinance, which was recently amended, is notably permissive. Use permits are not required for offices and retail uses in any commercial or industrial districts, and are most often reserved for uses such as drive-through service facilities, outdoor walk-up services, automobile service stations, and establishments serving alcohol.

**Santa Monica** has 10 commercial districts and two industrial districts. Updates to the zoning ordinance are currently underway. Currently, the ordinance allows uses such as retail sales, offices, and multi-family housing in most commercial districts without requiring a use permit and reserves conditional use permits for uses like hotels, drive-through facilities, and liquor stores.

**Sunnyvale** has four commercial districts, as well as a Downtown Specific Plan district that includes regulations for both residential and commercial parts of the downtown. There are two standard industrial districts, as well as a specific plan district for a particular business park. The Sunnyvale ordinance tends to be somewhat restrictive; requiring a use permit for many commercial and industrial uses, and imposing size and location limitations for some permitted uses such as retail sales and personal services.