

Chapter 17.13

M-U DISTRICT

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17.13.010 Mixed-Use Residential/Commercial District-Intent

The intent of the Mixed-Use Residence/Commercial Districts, hereinafter designated as M-U, is to regulate and control development of combined residential and commercial uses within a building site so as maintain the economic viability of such uses and to harmonize with surrounding non-commercial uses to the greatest extent possible. The district is established to recognize the existence of established mixed residential and commercial uses which have coexisted on the same property over several decades and which form a cohesive neighborhood of contiguous or nearly contiguous parcels sharing two or more of the following characteristics: a distinct lot pattern that is generally larger and distinct from that of the surrounding neighborhood; on-site buildings that have had a history of mixed residential and commercial retail or small manufacturing uses; location on an arterial street or corner; the existence of buildings that may be historically significant; and either the area of one or more lots comprise at least an acre or the lots have at least 200 feet of street frontage. Adherence to a specified site development review plan is required for the disposition of buildings, the relationship between residential and commercial uses, and the provision of parking and circulation in order to assure optimum utilization of the building site.

17.13.020 Site development review – When required

Expansion of an existing building or construction of a new building in the M-U district exceeding 1000 square feet shall be subject to site development review pursuant to Section 17.54.220. Where a conditional use permit or variance is also required, the decision making body for said site development review shall be the Board of Zoning Adjustments

17.13.030 Permitted uses

The following principal uses are permitted in any M-U district:

- A. Any residential uses created legally prior to August 6, 2005.
- B. Any uses listed as permitted in the C-N district, Section 17.36.020.
- C. Any uses listed as permitted in the C-O district, Section 17.34.020.

17.13.040 Conditional Uses – Board of Zoning Adjustments

Except as otherwise noted in the case of a combining district, in addition to the uses listed in Sections 17.52.480 and 17.52.580, the following are conditional uses in an M-U

district and may be permitted or expanded if approved by the board of zoning adjustments as provided in Section 17.54.130:

- A. After August 6, 2005, all residential uses conforming to the standards of the RS-D-35 zoning district.
- B. Any other uses conditional in the RS district, Sections 17.12.035 and 17.12.040.
- C. Any uses conditional in the C-O district, Sections 17.34.025 and 17.34.30.
- D. Any uses conditional in the C-N district, Section 17.36.030.

17.13.050 **Number of Dwelling Units**

The number of dwelling units permitted on a building site in an M-U district shall not exceed the number obtained by dividing the area in square feet of the residential portion of the building site by 3,500, disregarding any fraction, except that where such calculation results in an allowance of more than seven units, a fraction greater than three-fourths shall be adjusted to the next higher number.

17.13.060 **Building Site**

Except as otherwise specified in the case of a combining district, and except for mobile home parks as regulated by Chapter 17.52 of this title, every use in an M-U district shall be on a building site having a median lot width not less than fifty (50) feet, and an area not less than five thousand (5,000) square feet. A corner building site shall have a median lot width of not less than sixty (60) feet.

17.13.070 **Yards**

The yard requirements in M-U districts shall be as follows, subject to the general provisions of Section 17.52.330:

- A. Depth of front yard: none except when the abutting lot is in an R district, there shall be a front yard having a depth not less than 20 feet.
- B. Depth of rear yard: none except when the abutting lot is in an R district, there shall be a rear yard having a depth not less than 20 feet, and the building profile shall fit within a 45-degree angle measured at grade from the common property line.
- C. Width of side yard: none, except that where the abutting lot at the side is in any R district, there shall be side yard having a width not less than the minimum required in such R district and the side yard on the street side of a corner lot shall be not less than ten feet.

17.13.080 **Height of buildings**

No structure shall have a height in excess of thirty-five (35) feet except as provided by Section 17.52.090.

17.13.090 **Other regulations**

The following regulations shall also apply in M-U districts:

- A. The width of access driveways shall be not less than that required by Section 17.52.790; provided however, that the Board of Zoning Adjustments or Planning Director may require a driveway of greater width or provision for a street where found necessary to assure adequate circulation in the vicinity;
- B. The minimum setback from the access driveway shall be four feet along walls having openings or two feet for solid walls;
- C. There shall be effective structural or landscape screening of private open space and utility areas, and a system of walkways, independent of the driveways to give safe pedestrian access from the street to every dwelling unit and to all commonly utilized open spaces; and

D. The area of useable open space provided on the site shall be not less than two hundred (200) square feet for each dwelling unit thereon.

SECTION 8

Title 17 of the Alameda County General Ordinance is hereby amended in the following manner:

Seven parcels containing approximately 2.87 acres, located at 728 through and including 790 Bockman Road, south side, approximately 150 feet west of Via Arriba, unincorporated San Lorenzo area of Alameda County, bearing County Assessor's designations: 412-0085-061-00, 412-0085-062-00, 412-0085-063-00, 415-0085-064-00, 415-0085-065-00, 415-0085-066-00, and 415-0085-067-00, are hereby reclassified from the C-1 (Retail Business) and the PD (Planned Development) Districts to the M-U (Mixed Use Residential-Commercial) District.

A map of the Unit follows:



ZU-2218
PARCEL MAP
Alameda County CDA - Planning Department

