

COMPARISON OF AMENDED CC ZONES TO EXISTING CH AND CC REGULATIONS

Please note:

- 1) No current business are retroactively impacted or displaced by amended zoning regulations. Current businesses are only impacted if there is a change in the use of their space or they need to apply for a building permit.
- 2) Business uses are regulated in three ways: allowed BY RIGHT, allowed but only with a CONDITIONAL USE PERMIT (CUP), not allowed unless there is a ZONING AMENDMENT
- 3) Language in “bold” across columns denotes no change in the “Amended CC” zone when compared to the “Current CC” and “Current CH” zones.

| | Current CC | Current CH | Amended CC |
|--|---|---|---|
| Location Note: maps are being prepared and will available at the Council meeting *approximate | Town center – See Map Total Acres*: 9.35 acres Total Parcels*: 66 parcels | Westside – see map Fair Anselm Plaza – see map Eastside - see map 7-11 on the corner of Park and Bolinas Total Acres*: 13.9 acres Total Parcels*: 36 parcels | CH and CC combined - see map Total Acres*: 23.25 acre Total Parcels*: 102 parcels |
| Residential uses | Allowed on second floor No size limitations | Second floor residences require CUP No size limitations | Allowed on second floor; Min 150sqft – Max 700 sq. ft. with average not to exceed 500sqft |
| Max # residences (aka “density”) | No Maximum | No Maximum | 4.5 Units per acre |
| Existing Number of Residences | Approx. 29 two-story buildings out of a total of 54 buildings Est. 40-50 existing residential units on 2 nd floor | Approx. 14 two-story buildings out of a total of 26 buildings Est. 8 existing residential units on 2 nd floor | Sets 4.5 units/acre limit in current CC Sets limit on “new” CC to approximately 57 units (e.g. gross acreage x 4.5 units/acre). Note: HE modeled 53 units in new CC area. |
| State Density Bonus | Applies | Applies | Applies |
| Permitted | List of allowed or conditional specific uses | List of allowed or conditional specific uses | Creates use classifications instead of a list of specific allowed or conditional uses Easier for staff to regulate and businesses to understand. This revision reflects the best practice of modern day zoning codes. |

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|---|--|---|---|
| Residential Parking | <p>Commercial space: Must meet requirements for on-site parking (e.g.,)</p> <p>Residential on-site requirement: 1 space for a studio/1bd 2 spaces for anything greater</p> | <p>Commercial space: Must meet requirements for on-site parking (e.g.,)</p> <p>Residential on-site: Residential on-site requirement: 1 space for a studio/1bd 2 spaces for anything greater</p> | <p>Commercial space: Must meet requirements for on-site parking (e.g.,)</p> <p>Residential on-site: If all commercial parking requirements are met and the unit is 500sqft or less, no on-site parking space required.</p> <p>Units over 500 sq. ft. all standard parking requirements would apply.</p> |
| Size of spaces | No limit | No limit | <p>Over 5,000 sq. ft. requires a use permit.</p> <p>Note: Existing businesses such as Fairfax Market, Good Earth, & Theater allowed to continue to operate.</p> |
| Formula Businesses (aka "chain stores") | <p>Requires a CUP*</p> <p>*conditional use permit</p> | Requires a CUP (amended 2015) | Requires a CUP |
| Automotive Uses (gas stations, repair shops etc.) Example: S&N, Marin Automotive | Not allowed | Requires CUP | <p>Gas stations not allowed</p> <p>Auto repair shops permitted with a CUP.</p> <p>Note: Existing auto repair and gas stations allowed to continue to operate (e.g., "legal non-conforming).</p> |
| Office Uses (all, medical, administrative etc.) – Example: Casa Manana bldg | <p>Allowed on second floor</p> <p>Anywhere on first floor requires a CUP</p> | Allowed anywhere | <p>Allowed on second floor and in non-street front on first floor.</p> <p>First floor street frontage requires a CUP with increased approval criteria to ensure use is similar to or compliments a retail establishment.</p> |
| Commercial Parking | Varies by type of business in all zones | Varies by type of business in all zones | Varies by type of business in all zones |
| Legal non-conforming uses | Allowed | Allowed | <p>Allowed</p> <p>Note: Existing businesses such as a gas station are allowed to remain even if not a permitted use under the amended zoning code.</p> |