

## MEMORANDUM

DATE July 10, 2023

TO Michael Van Lonkhuysen, Planning Manager

FROM Bruce Brubaker and Janet Chang (PlaceWorks)  
Brian Canepa and Mark Spencer (W-Trans)

SUBJECT Recommended Commercial Mixed Use (C-MU) Zoning District Standards

### Introduction

The City of Daly City is developing a new Commercial Mixed Use (C-MU) zoning district for its Mission Street and Geneva Avenue corridors to allow for the future development of new multi-family residential and mixed use development. The new C-MU zoning district would replace the existing zoning for many of the properties adjacent to or in close proximity of the Mission Street and Geneva Avenue corridors.

Most parcels within the Mission Street and Geneva Avenue project boundaries are zoned Light Commercial (C-1) and other zoning districts that do not allow for multifamily residential development. However, these parcels have a land use designation of Commercial Mixed Use (C-MU) in the General Plan, which envisions vibrant mixed-use corridors on Mission Street and Geneva Avenue. The Land Use Element in the General Plan contains several policies that encourage the revitalization of Mission Street and Geneva Avenue and promote higher-density mixed-use development along these corridors through Zoning Ordinance amendments. These include the following:

- Increase minimum property sizes in all commercial zones and restrict the ability of existing sites to subdivide (Policy LU-1)
- Incorporate a lot merger incentive allowance to incentivize property owners to merge two or more adjacent lots for the purpose of new development (Policy LU-1)
- Explore increased building height within the new C-MU zone along Mission Street and Geneva Avenue (Policy LU-4)
- Review, amend, and augment existing design guidelines for mixed-use development to incorporate methods for repositioning mixed-use building mass away from lower-density neighborhoods (Policy LU-4)
- Amend parking regulations to allow for a 30 percent parking reduction for all mixed-use development projects and clarify that the mixed-use parking reduction is allowed for buildings containing residential and retail components and parking available to both uses (Policy LU-4)

- Establish parking regulations for the C-MU zone to require that any new restaurant provide the same number of parking spaces as that of a retail business (one space per each 300 square feet) (Policy LU-6)

Therefore, the zoning code needs to be updated to align with the General Plan to allow mixed use and residential development, along with commercial development. This memo describes the recommended development and design standards for the new C-MU district as proposed text to be incorporated into Chapter 17 of the City of Daly City Zoning Ordinance.

## Recommended Standards

The following describes the recommended development and design language and standards to be included in the City's Zoning Ordinance for the C-MU Zoning District. The requirement standards were discussed with City staff and the project team, and influenced by case studies of model development projects and requirements from other similar cities. The standards include requirements for the following topics or sections, which are typical sections included for other zoning districts within Daly City:

- Permitted uses
- Building height
- Lot area, width, and coverage
- Parking
- Yard and open space
- Objective design standards

## PURPOSE

Every zoning district within Daly City starts with a purpose statement or intent for the district. The purpose for the creation of the C-MU Zoning District is:

*To allow and provide regulatory incentives and/or requirements for developers to construct buildings which contain a high density of housing and/or a vertical mix of uses (e.g., retail or restaurant uses) at the street level and office or residential uses at levels above the street. This district generally includes areas fronting Mission Street and Geneva Avenue, and includes certain areas within the BART Station Area Specific Plan intended for mixed-use development.*

## USES

Permitted, accessory, and conditional uses from Daly City's residential and commercial zoning districts were reviewed and adjusted accordingly to create a list of uses for the C-MU district. When a use is not specifically listed, it shall be assumed that when the unlisted use is similar to or more objectionable

than a permitted use, such use shall be permitted in the district to the same requirements of the most similarly listed use. Otherwise, the use shall be presumed to be not allowed.

## **Permitted Uses**

The following structures and uses are permitted in the CMU district:

### ***Residential Uses***

Multiple-family Dwellings, when constructed in conjunction with retail or office space at the street level; Group home/boarder house; Rest home; Live/work residential units; Secondary dwellings (per city standards).

### ***Non-residential Uses***

Animal grooming not involving overnight boarding; Athletic clubs and health studios; Assembly uses, including churches, lodges, and social and meeting halls; Business and trade schools; Childcare facilities and play gyms; Hotels, including extended stay hotels; Movie theaters and complexes; Offices uses, including professional offices, medical and dental offices, and medical clinics; Personal service uses, including nail and hair salons, massage businesses where employees are licensed by the State of California; Restaurants that do not provide a drive-through window; Retail uses, including alcohol sales, not specified as requiring a use permit; and Seasonal temporary uses (e.g., Christmas tree lots).

## **Accessory Uses**

The following uses are permitted in the C-MU district when accessory to or commenced concurrently with or subsequent to permitted uses:

Other accessory uses and structures customarily appurtenant to a multi-family residential permitted use when in compliance with Title 25 of the California Administrative Code.

## **Conditional Uses**

The following structures and uses are permitted in the C-MU district upon first receiving approval of a use permit, subject to the requirements of Chapter 17.44:

Animal hospitals and kennels; Businesses whose principal use is for the operation of amusement devices, i.e., arcades; Emergency medical care, including urgent care clinics and hospitals; Food sales on temporary basis, including farmers markets and food truck sales; Retailers where more than 50 percent of the store stock retail value is products containing tobacco, electronic cigarettes, personal vaporizers, or electronic nicotine delivery systems; Vehicle or equipment rental; and Vehicle storage.

## **Prohibited Uses**

The following uses shall not be allowed in the C-MU district:

Automotive dealers and auto retail, sales, and repair, unless previously allowed on the same site; Retailers where more than 10 percent of the store stock retail value is products that are firearms, such as handguns and long guns, to individuals in an open shopping format, or firearm parts, or any business that engages in the repair of firearms and/or firearm parts; Car wash and detailing shops; Manufacturing uses; Outdoor retail sales; Restaurants providing a drive-through window; and Service stations, including operational and physical expansions thereto.

## **Nonconforming Uses**

As required by Chapter 17.42 “Nonconforming Uses” of the Daly City Zoning Ordinance, existing nonconforming uses within the C-MU district shall be permitted to continue or remain until there has been a structural alteration, an enlargement or increase in space occupied, change in the nonconforming use, moving of said nonconforming building, abandonment or discontinuance of the nonconforming use, damage pursuant to Section 17.42.060, or the use has been determined to be a nuisance by the city council. Otherwise, the nonconforming use shall be changed to a conforming use and the nonconforming use cannot thereafter be reestablished.

## **HEIGHT REGULATIONS**

No new structure in the C-MU district shall exceed ten stories or 120 feet in height, as measured from any street frontage. The minimum height of any new structure in the C-MU district shall be three stories or 30 feet. Any new buildings abutting lots zoned R-1 (Single-family Residential District) or R-1/A (Single-family/Duplex Residential District) and over three stories or 30 feet high (whichever is lesser), shall adhere to the transitional height requirements in the C-MU Objective Design Standards.

Building height is measured from the curb at the centerline of the building to the building’s highest point. See Section 17.40.040 of the Daly City Zoning Ordinance for building height exceptions. For building structures with a flat roof, the height of the building shall be measured to the roof, not the parapet.

## **LOT AREA AND LOT WIDTH**

For the purpose of subdividing land, the minimum lot area in the C-MU district shall be ten thousand square feet.

For the purpose of subdividing land, the minimum lot width in the C-MU district shall be one hundred feet.

The proposed lot area and lot width are higher than the minimum lot areas and widths required within other City zoning districts to 1) encourage lot mergers or the assemblage of smaller contiguous parcels

to develop a larger residential or mixed-use project and 2) prohibit sites larger than ten thousand square feet to subdivide into sites smaller than ten thousand square feet.

## LOT COVERAGE

A minimum of fifty percent of the lot is required to be covered by new buildings and structures in the C-MU district.

A maximum of one hundred percent of the lot shall be allowed to be covered by buildings and structures in the C-MU district. These lot coverages include all accessory structures including carports, storage buildings, and awnings.

New buildings abutting lots zoned R-1 (Single-family Residential District) or R-1/A (Single-family/Duplex Residential District) and over three stories or 30 feet high (whichever is lesser) shall follow the transitional height requirements and yard requirements in the C-MU Objective Design Standards.

## USABLE OPEN SPACE REQUIREMENTS

The requirements for usable open space shall follow the City's existing requirements in Section 17.38.020 of the Zoning Ordinance or requiring one hundred and fifty square feet of usable open space for each dwelling unit.

However, the C-MU district shall allow flexibility in which the one hundred and fifty square feet calculation may include private open space for the dwelling unit (i.e., decks and balconies), shared open space for the building's occupants (i.e., terraces, roof decks, etc.), and publicly accessible open space on the ground floor.

## YARD REQUIREMENTS

All structures in the C-MU district shall be subject to the following regulations:

- A. **Minimum Front Yard.** Minimum front yard shall be dependent on the existing sidewalk width along the primary building frontage to create a minimum of a 10-foot sidewalk if the primary building frontage is along Mission Street and a 10-foot sidewalk if the primary building frontage is along Geneva Avenue. Any new sidewalk within the property line will require a public right-of-way easement or dedication to the City.
- B. **Maximum Front Yard.** The building structure shall be set back no more than ten feet from the property line. The setback space may be used for landscape or usable open space but not parking. Larger setbacks are allowed where needed for usable public gathering space, driveways, or garage entries.
- C. **Minimum Rear Yard.** No requirement. If the building structure is abutting lots zoned R-1 (Single-family Residential District) or R-1/A (Single-family/Duplex Residential District) and over three

stories or 30 feet high (whichever is lesser), the project must adhere to C-MU Objective Design Standards that address context sensitivity.

- D. **Minimum Side Yard.** No requirement. If the building structure is abutting lots zoned R-1 (Single-family Residential District) or R-1/A (Single-family/Duplex Residential District) and over three stories or 30 feet high (whichever is lesser), the project must adhere to C-MU Objective Design Standards that address context sensitivity.

## PARKING

W-Trans has provided a set of parking requirement and management recommendations for the proposed C-MU District along Mission Street and Geneva Avenue within the Daly City boundaries. This section includes appropriate strategies given recent State legislation related to parking requirements and describe how they have been implemented in other nearby jurisdictions.

### AB2097

Assembly Bill 2097 (AB2097) prohibits a City from imposing a minimum parking requirement on a development for most residential and commercial land uses within a half-mile of a major transit stop.

A major transit stop is defined in Section 21155 and 21064.3 of the *Public Resources Code* as a site containing an existing or planned rail or rapid bus station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with service intervals of 15 minutes or less during the morning and evening peak commute periods. Almost the entire study area is exempt from parking requirements as BART, SamTrans, and Muni provide rail or high-frequency bus service on Mission Street and Geneva Avenue. There is a small section roughly 800 feet long on Mission Street between Bismark Street and Gambetta Street that is not within half-mile of a major transit stop (see Figure 1), but it is recommended that the same absence of minimum requirements be applicable there to promote continuity of development.



**Figure 1** Area not covered by AB2097

AB2097 also states that if no parking is required within a half-mile of a major transit stop, a public agency may impose other requirements on parking that is voluntarily provided by developers. For these developments, the City can mandate that parking provided include spaces for car share vehicles (typically through a car share provider), include publicly accessible spaces (i.e., shared between designated residential and/or commercial uses, or simply made available to the general public), or be priced by the property owners.

## Parking Requirements

Although AB 2097 removes minimum parking requirements for most residential and commercial uses, many developers may still choose to provide parking to meet market demands. In order to promote broader City goals such as multi-modal access, sustainability, and affordability, the City may wish to consider the following provisions.

- **Maximum Parking** – Maximum parking requirements limit the amount of parking that can be provided for various land uses to help limit vehicle trips and associated greenhouse gas emissions. It is recommended that maximums be set high enough (e.g., peak ITE demand) to not stymie development. Local communities with maximum requirements include:
  - **Belmont (Belmont Village):** four spaces per thousand square feet of commercial space, one space per hotel room, and 2.5 spaces per residential unit.
  - **Redwood City (Downtown):** six spaces per thousand square feet of commercial space, one space per hotel room, and 1.5 to 3 spaces per residential unit, depending on the number of bedrooms.
  - **Mountain View (East Whisman):** 2.9 spaces per thousand square feet of office or research and development space, and one to two spaces per residential unit, depending on the number of bedrooms.
  - **Mountain View (North Bayshore):** 2.7 spaces per thousand square feet of office or research and development space, and 0.25 to one space per residential unit, depending on the number of bedrooms.
  - **Sunnyvale (Moffett Park):** 0.75 to two spaces per thousand square feet of office or research and development space, 1.25 spaces per thousand square feet of retail/commercial/restaurant space, 0.75 spaces per hotel room, and 0.75 to one space per residential unit.

Based on these case studies and discussion with City staff, PlaceWorks recommends the following maximum parking requirements for the C-MU district: two spaces per residential unit, six spaces per thousand square feet of commercial space, and one space per hotel room.

- **Vehicle Trip Reduction/Transportation Demand Management (TDM)** – Mandatory vehicle trip reduction goals or TDM programs reduce both vehicle trip generation and parking demand, and can improve multi-modal accessibility. Local communities with either mandatory vehicle trip reduction targets or TDM programs include Burlingame, San Carlos, Redwood City, and Menlo Park. The City/County Association of Governments of San Mateo County (C/CAG) TDM Program also provides a recommended countywide TDM policy for jurisdictions with trip reductions ranging from 13.5 to 35 percent, depending on the type and size of the development. Typical TDM measures include transit/rideshare subsidies, a designated TDM coordinator, education materials, and secure bicycle storage.
- **Shared Parking** – As noted above, AB2097 allows the City to mandate that any parking provided voluntarily must be made publicly accessible. The City should exercise this option on a case-by-case basis (considering security or other concerns) so that new developments that do provide parking share their resources during non-peak hours. Parking could be either shared between designated residential and/or commercial uses, or simply made available to the general public.



- **Unbundled Parking** – In order to reduce auto-ownership and auto use, projects can be required to “unbundle” the cost of parking from the price of residential units by charging separately for parking. In this way, residents can opt to pay for parking based on their need, in turn encouraging households with fewer vehicles to locate there based on its affordability. Local communities with required unbundled parking include Belmont (Belmont Village), Redwood City (Downtown), Mountain View (East Whisman, North Bayshore), and Sunnyvale (Moffett Park).
- **Bicycle Parking/Facilities** – The requirement to provide both short-term and long-term bicycle parking as well as other related showers, lockers, and facilities has been implemented in several jurisdictions including San Mateo, Redwood City, Palo Alto, and Burlingame. An increasing number of cities are updating their codes to conform to the latest bicycle parking standards set forth in the CalGreen Building Code. The Code currently requires short-term bicycle parking at a rate of five percent of visitor vehicle parking with a minimum of one two-bike capacity rack, and long-term bicycle parking at a rate of five percent of all tenant vehicle parking with a minimum of one secure bicycle facility (e.g., locker).

## Parking Management Strategies

With the absence of minimum parking requirements, some new developments may opt to provide little to no parking while still having auto trips coming to and from them that require parking. This can result in “spillover” parking demand into on-street spaces and nearby residential neighborhoods. The following strategies should be considered and implemented on an as-needed basis.

- **Residential Parking Permit** – The City currently has a residential parking permit (RPP) program operating in four different zones. The program as a whole should be reassessed to both limit the overall number of permits available to each household and/or price permits on a graduated scale to disincentive households from parking more than two vehicles on street.
- **(Residential) Parking Benefit District** – The City may wish to consider offering the option of converting some or all of the RPP zones into Residential Parking Benefit Districts (RPBD). RPBDs function similarly to RPPs except that they offer the option for permits in those areas to be “leased” to local employees or other users if there is an adequate supply of vacant on-street spaces.
- **Dynamic Parking Pricing** – Also known as “demand-responsive pricing”, dynamic pricing means that on-street meter rates are set to meet particular occupancy thresholds (e.g., 85 percent occupancy). By doing so, motorists are better able to find available spaces and reduce vehicle traffic associated with searching for parking. Redwood City has had this policy in place for several years and updates its rates periodically.

## OBJECTIVE DESIGN STANDARDS

Unlike design guidelines, objective design standards are written to have “no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public



official prior to submittal.” Objective design standards will provide a clear and straight forward application and approval process for future multifamily housing and mixed use construction within the C-MU district.

After gathering a review of the Mission Street and Geneva Avenue context, input from local stakeholders and the Daly City City Council, and using our professional experience, PlaceWorks recommends the following topics and standards which we feel are relevant to the C-MU district and should be included as standards in the municipal ordinance or as a separate accompanying Objective Design Standards document:

## 1. Site Design

- a. Building-Street Edge
  - Building orientation
  - Building façade
- b. Corner Sites
  - Corner building siting
  - Enhanced corner treatments
- c. Public Open Space
  - Size
  - Access
- d. Parking and Service
  - Parking siting
  - Parking and service access
  - Number of curb cuts and widths for driveways
  - Services-restricted parking spaces
- e. Trash and Service Areas
  - Siting and screening
  - Access to trash collection facilities
- f. Ground-level Services and Utilities
  - Location restrictions
  - Location exception requirements
  - Utility meters
  - Location of electrical transformers and generators
  - Screening of backflow preventers

## 2. Building Design

- a. Street Frontage
  - Ground floor height
  - Building entrances
  - Active ground floor frontage
- b. Windows
  - Recess/trim
  - Street frontage

- Orientation and proportion
    - Glazing
    - Subdivision and mullions
  - c. Architecture
    - Architectural roof details
    - Architectural design features
  - d. Massing and Articulation
    - Massing breaks
    - Building composition
    - Rooflines
  - e. Building Materials
    - Appropriate building materials
    - Brick and stone veneer requirements
    - Inappropriate building materials
- 3. Context Sensitivity
  - Height transitions (horizontal stepbacks)
  - Windows
  - Parking
- 4. Landscaping
  - a. Parking Lot Planting
    - Fences and walls
    - Tree spacing
    - Landscaped setbacks
    - 
    - Surface parking lot perimeter area
  - b. Street Trees
    - Planting pattern