

## 17.33.030 - Permitted and conditionally permitted activities.

Table 17.33.01 lists the permitted, conditionally permitted, and prohibited activities in the CN Zones. The descriptions of these activities are contained in [Chapter 17.10](#). Section [17.10.040](#) contains permitted accessory activities.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a Conditional Use Permit (CUP) in the corresponding zone (see [Chapter 17.134](#) for the CUP procedure).

"L" designates activities subject to certain limitations or notes listed at the bottom of the table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

**Table 17.33.01: Permitted and Conditionally Permitted Activities**

Activities	Zones				Additional Regulations
	CN-1	CN-2	CN-3	CN-4	
Residential Activities					
Permanent	P(L2)(L3)	P(L2)(L3)	P(L3)	P(L3)	
Residential Care	P(L1)(L2)(L3)	P(L1)(L2)(L3)	P(L1)(L3)	P(L1)(L3)	<u>17.103.010</u>
Supportive Housing	P(L2)(L3)	P(L2)(L3)	P(L3)	P(L3)	
Transitional Housing	P(L2)(L3)	P(L2)(L3)	P(L3)	P(L3)	
Emergency Shelter	P(L1)(L3)(L5)	P(L1)(L3)(L5)	P(L1)(L3)(L5)	P(L1)(L3)(L5)	<u>17.103.010</u> <u>17.103.015</u>
Semi-Transient	—	—	P(L3)	P(L3)	
Bed and Breakfast	C(L3)(L4)	C(L3)(L4)	C(L3)(L4)	C(L3)	
Civic Activities					

Essential Service	P(L17)	P(L17)	P(L17)	P(L17)	
Limited Child-Care Activities	P(L2)	P(L2)	P(L6)	P(L6)	
Community Assembly	C(L4)	C(L4)	C(L4)	C	
Recreational Assembly	P	P	P	P	
Community Education	C(L4)	C(L4)	C(L4)	C	
Nonassembly Cultural	P(L6)	P(L6)	P(L6)	P(L6)	
Administrative	P(L2)	P(L2)	P(L6)	P(L6)	
Health Care	C(L4)	C(L4)	C(L4)	C	
Special Health Care	C(L4)(L7)	C(L4)(L7)	C(L4)(L7)	C(L7)	<u>17.103.020</u>
Utility and Vehicular	C(L4)	C(L4)	C(L4)	C	
Extensive Impact	C(L4)	C(L4)	C(L4)	C	
<b>Commercial Activities</b>					
General Food Sales	P(L9)	P(L9)	P(L9)	P(L9)	
Full-service restaurants	P(L6)	P(L6)	P(L6)	P(L6)	
Limited Service Restaurant and Cafe	P(L6)	P(L6)	P(L6)	P(L6)	
Fast-Food Restaurant	C(L4)	C(L4)	C(L4)	C	<u>17.103.030</u> and 8.09
Convenience Market	C(L4)	C(L4)	C(L4)	C	<u>17.103.030</u>

Alcoholic Beverage Sales	C(L4)	C(L4)	C(L4)	C	<u>17.103.030</u> and <u>17.114.030</u>
Mechanical or Electronic Games	P(L6)	P(L6)	P(L6)	P(L6)	
Medical Service	P(L8)	P(L8)	P(L8)	P(L8)	
General Retail Sales	P(L9)	P(L9)	P(L9)	P(L9)	
Large-Scale Combined Retail and Grocery Sales	—	—	—	—	
Consumer Service	P(L6) (L10)	P(L6) (L10)	P(L6) (L10)	P(L6) (L10)	
Consultative and Financial Service	P(L11)	P(L11)	P(L6)	P(L6)	
Check Cashier and Check Cashing	—	—	—	—	
Consumer Cleaning and Repair Service	P(L6)	P(L6)	P(L6)	P(L6)	
Artisan Production	P	P	P	P	
Consumer Dry Cleaning Plant	C(L4)	C(L4)	C(L4)	C	
Group Assembly	P(L6) (L12)	P(L6) (L12)	P(L6) (L12)	P(L6) (L12)	
Personal Instruction and Improvement Services	P	P	P	P	
Administrative	P(L2)	P(L2)	P(L6)	P(L6)	

Business, Communication, and Media Services	P(L2)	P(L2)	P(L6)	P(L6)	
Broadcasting and Recording Services	P(L2)	P(L2)	P(L6)	P(L6)	
Research Service	P(L2)	P(L2)	P(L6)	P(L6)	
General Wholesale Sales	—	—	—	—	
Transient Habitation	—	—	—	—	
Building Material Sales	—	—	—	—	
Automobile and Other Light Vehicle Sales and Rental	—	—	—	—	
Automobile and Other Light Vehicle Gas Station and Servicing	—	—	—	C	
Automobile and Other Light Vehicle Repair and Cleaning	—	—	—	—	
Taxi and Light Fleet-Based Services	—	—	—	—	
Automotive Fee Parking	C(L4)	C(L4)	C(L4)	C	<u>17.103.055</u>
Animal Boarding	—	—	—	—	
Animal Care	C(L4)	C(L4)	P(L6)	P(L6)	
Undertaking Service	—	—	—	—	
<b>Industrial Activities</b>					
Custom Manufacturing	C(L4)	C(L4)	C	C	

Light Manufacturing	—	—	—	—	
General Manufacturing	—	—	—	—	
Heavy/High Impact	—	—	—	—	
Research and Development	—	—	—	—	
Construction Operations	—	—	—	—	
Warehousing, Storage, and Distribution					
A. General Warehousing, Storage and Distribution	—	—	—	—	
B. General Outdoor Storage	—	—	—	—	
C. Self- or Mini-Storage	—	—	—	—	
D. Container Storage	—	—	—	—	
E. Salvage/Junk Yards	—	—	—	—	
Regional Freight Transportation	—	—	—	—	
Trucking and Truck-Related	—	—	—	—	
Recycling and Waste-Related					
A. Satellite Recycling Collection Centers	—	—	—	—	
B. Primary Recycling Collection Centers	—	—	—	—	

Hazardous Materials Production, Storage, and Waste Management-Related	—	—	—	—	
<b>Agriculture and Extractive Activities</b>					
Limited Agriculture	C(L14)	C(L14)	P(L15)	P(L15)	
Extensive Agriculture	C(L16)	C(L16)	C(L16)	C(L16)	
Plant Nursery	C(L4)	C(L4)	C(L4)	C	
Mining and Quarrying	—	—	—	—	
<b>Accessory off-street parking serving prohibited activities</b>	C(L4)	C(L4)	C(L4)	C	17.116.075
<b>Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone</b>	C(L4)	C(L4)	C(L4)	C	<u>17.102.110</u>

**Limitations on Table 17.33.01:**

- L1.** See Section 17.103.010 for other regulations regarding Residential Care Residential Activities, and Sections 17.103.010 and 17.103.015 for other regulations regarding Emergency Shelter Residential Activities.
- L2.** These activities are only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when located within thirty (30) feet of the principal street frontage on the ground floor of a building. Incidental pedestrian entrances that lead to one of these activities elsewhere in the building are exempted from this Conditional Use Permit requirement. In addition to the CUP criteria contained in Section 17.134.050, these conditionally permitted ground floor activities must also meet the criteria contained in L4, below.
- L3.** See Section 17.33.040 for limitations on the construction of new ground floor Residential Facilities.

- L4.** Any Conditional Use Permit (CUP) required in the above table or its associated limitations shall conform to the CUP criteria contained in Section 17.134.050 and to each of the following additional criteria:
- a. That the proposal will not detract from the character desired for the area;
  - b. That the proposal will not impair a generally continuous wall of building facades;
  - c. That the proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not impair the retention or creation of an important shopping frontage;
  - d. That the proposal will not interfere with the movement of people along an important pedestrian street; and
  - e. That the proposal will conform in all significant respects with any applicable district plan which has been adopted by the City Council.
- L5.** Emergency Shelters are permitted by-right on properties owned by churches, temples, synagogues, and other similar places of worship approved for Community Assembly Civic Activities; and within those portions of Martin Luther King Jr. Way, San Pablo Avenue, and Macarthur Boulevard corridors described in Section 17.103.015(A)(1)(2)(7) respectively and subject to the development standards in Section 17.103.015(B); permitted upon the granting of a Conditional Use Permit elsewhere in the zone subject to the standards in Section 17.103.010.
- L6.** The total floor area devoted to these activities on the ground floor by any single establishment shall only exceed seven thousand five hundred (7,500) square feet upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, these conditionally permitted ground floor activities must also meet the criteria contained in L4, above.
- L7.** No new or expanded Special Health Care Civic Activity shall be located closer than two thousand five hundred (2,500) feet from any other such activity, or five hundred (500) feet from any K-12 school or Licensed Emergency Shelters. See Section 17.103.020 for further regulations regarding Special Health Care Civic Activities.
- L8.** A Medical Service Commercial Activity that is located on the ground floor of a building and occupies either: 1) a street corner space, or 2) an interior lot space with more than thirty-five (35) linear feet of frontage facing the principal street, is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). All ground floor window space facing the principal street shall be clear, non-reflective, and allow views into the indoor space.

- L9.** The total floor area devoted to these activities on the ground floor by any single establishment may only exceed twenty thousand (20,000) square feet upon the granting of a Conditional Use Permit (see [Chapter 17.134](#) for the CUP procedure), except for grocery stores located within a food desert as defined in Section [17.09.040](#). Grocery stores in food deserts are not subject to Conditional Use Permit requirements and do not have a size threshold. In addition to the CUP criteria contained in Section [17.134.050](#), these conditionally permitted ground floor activities must also meet the criteria contained in L4, above.
- L10.** See Section [17.102.170](#) for special regulations relating to massage services and Section [17.102.450](#) for special regulations relating to laundromats.
- L11.** With the exception of retail bank branches, these activities are only permitted upon the granting of a Conditional Use Permit (see [Chapter 17.134](#) for the CUP procedure) when located both on the ground floor of a building and within thirty (30) feet of the principal street frontage. Incidental pedestrian entrances that lead to one of these activities elsewhere in the building are exempted from this Conditional Use Permit requirement. In addition to the CUP criteria contained in Section [17.134.050](#), these conditionally permitted ground floor activities must also meet the criteria contained in L4, above. The size threshold triggering the requirement for a Conditional Use Permit described in L6, above, shall apply to retail bank branches.
- L12.** No new or expanded Adult Entertainment Activity shall be located closer than one thousand (1,000) feet to the boundary of any Residential Zone or three hundred (300) feet from any other Adult Entertainment Activity. See Section [17.102.160](#) for further regulations regarding Adult Entertainment Activities.
- L13.** Not permitted on the ground floor.
- L14.** Limited Agriculture is only permitted upon the granting of a Conditional Use Permit (see [Chapter 17.134](#) for the CUP procedure). In addition to the CUP criteria contained in Section [17.134.050](#), this activity must meet the following use permit criteria:
1. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic;
  2. Agricultural chemicals or pesticides will not impact abutting properties or the surrounding neighborhood; and
  3. The soil used in growing does not contain any harmful contaminants and the activity will not create contaminated soil.

**L15.** Limited Agriculture is permitted if the activity occupies less than twenty thousand (20,000) square feet acre of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

**L16.** Extensive Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, this activity must meet the following use permit criteria:

- a. The proposal will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood in terms of noise, water and pesticide runoff, farming equipment operation, hours of operation, odor, security, and vehicular traffic.

**L17.** Community Gardens are permitted if they do not include any livestock production or the cultivation of animals and/or animal products by agricultural methods, except for bee keeping involving no more than three (3) hives.

(Ord. No. 13763, § 5, 10-3-2023; Ord. No. 13393, § 2(Exh. A), 10-4-2016; Ord. No. 13357, § 3(Exh. A), 2-16-2016; Ord. No. 13270, § 3(Exh. A), 11-18-2014; Ord. No. 13248, § 3(Exh. A), 7-15-2014; Ord. No. 13172, § 3(Exh. A), 7-2-2013; Ord. No. 13064, § 2(Exh. A), 3-15-2011)