

PROPOSED REVISED LAND USE CLASSIFICATIONS

Proposed additions are shown in underline type, deletions in ~~strikeout~~ type, and comments in *italics*.

Chapter 17.10 USE CLASSIFICATIONS

17.10.010 Title, purpose, and applicability.

The provisions of this chapter shall be known as the use classifications. The purpose of these provisions is to classify uses into a number of specially defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby providing a basis for regulation of uses in accordance with criteria which are directly relevant to the public interest. These provisions shall apply throughout the zoning regulations. (Prior planning code § 2200)

17.10.020 Definitions.

"Activity" means the performance of a function or operation.

"Facility" means a structure, open area, or other physical contrivance or object. (Prior planning code § 2201)

17.10.030 Listing of activity classifications.

All activities are classified into the following activity types, which are described in Article II of this chapter. (See Section 17.10.050 for classification of combinations of activities resembling different types.) The names of these activity types start with capital letters throughout the zoning regulations.

A. Residential Activities:

Permanent

Semi-Transient

Residential Care

Service-Enriched Permanent Housing

Transitional Housing

Emergency Shelter

B. Civic Activities:

Essential Service

Limited Child-Care

Community Assembly

Community Education

Nonassembly Cultural

Administrative

Health Care

Special Health Care

Utility and Vehicular

Extensive Impact

Telecommunications

C. Commercial Activities:

General Food Sales

- [A. Restaurant](#)
- [B. Limited Service Restaurant](#)
- [C. Fast Food Restaurant](#)
- [D. Vehicular Food Vending](#)
- [E. Grocery](#)
- [F. Convenience Market](#)

~~Convenience Market~~

~~Fast-Food Restaurant~~

Alcoholic Beverage Sales

~~Convenience Sales and Service~~

Mechanical or Electronic Games

Medical Service

[Therapeutic Massage Service](#)

General Retail Sales

[Large-scale Combined Retail and Grocery Sales](#)

General Personal Service

Consultative and Financial Service

Consumer Laundry and Repair Service

Group Assembly

- [A. Personal Instructional Services](#)
- [B. Training Centers and Trade Schools](#)
- [C. Live Entertainment](#)
- [D. Commercial Recreation and Entertainment – Outdoor/Large-scale](#)
- [E. Commercial Recreation and Entertainment – Indoor](#)

[Business and Professional Office Administrative](#)

Business and Communications Service

- [A. Business Services](#)
- [B. Media Production](#)

Retail Business Supply

Research Service

General Wholesale Sales

Transient Habitation

[Building Materials Construction Sales and Service](#)

[Wholesale Building Materials Sales and Service](#)

Automotive Sales, [Leasing, and Rental, and Delivery](#)

Automotive Service [ing Station](#)

Automotive Repair and Cleaning

- [A. Cleaning and Detailing](#)
- [B. General repair](#)
- [C. Body work and painting](#)

Automotive Fee Parking

[Taxi and Light Fleet-based Services](#)

[Transport and Warehousing](#)

[Self Storage](#)

Animal Care

- [A. Animal Care and Services](#)
- [B. Kennels](#)

Undertaking Service

Scrap Operation

D. Manufacturing- Industrial Activities:

Custom Manufacturing

Light Manufacturing

General Manufacturing

Heavy Manufacturing

Research and Development

Construction Operations

Warehousing, Storage, and Distribution

A. Warehousing, Storage, and Distribution

B. Warehousing, Storage, and Distribution - with Accessory Store

Outdoor Storage

A. General Outdoor Storage

B. Container Storage

C. Salvage/Junk Yards

D. Oil and Gas Storage

Regional Freight Transportation-

A. Seaport

B. Rail Yard

Trucking

A. Freight/Truck Terminal

B. Truck Yard

C. Truck Weigh Station

D. Truck and Other Heavy Vehicle Sales, Rental, and Leasing

E. Truck and Other Heavy Vehicle Repair, Refueling, and Service

Recycling and Waste-Related Activities

A. Small Recycling Collection Centers

B. Large Recycling Collection Centers

C. Intermediate Recycling Processing

Hazardous Waste Management

A. Small Scale Transfer and Storage Hazardous Waste Management

B. Industrial Transfer/Storage Hazardous Waste Management

C. Residuals Repositories Hazardous Waste Management

E. Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

Mining and Quarrying

(Ord. 12138 § 4 (part), 1999; Ord. 12072 § 4, 1998; Ord. 11904 § 5.02, 1996; prior planning code § 2210)

17.10.040 Accessory activities.

In addition to the principal activities expressly included therein, each activity type shall be deemed to include such activities as are customarily associated with, and are appropriate, incidental, and subordinate to, such a principal activity; are located on the same lot as such principal activity except as otherwise provided in subsections A, J, and K of this section; and meet the further conditions set forth hereinafter. Such accessory activities shall be controlled in the same manner as the principal activities within such type except as otherwise expressly provided in the zoning regulations. Such accessory activities include, but are not limited to, the activities indicated below, but exclude the sale of alcoholic beverages to the

general public except at a full-service restaurant. (See also Section 17.10.050 for additional activities included within activity types in the case of combinations of different principal activities.)

A. Off-street parking and loading serving a principal activity, whether located on the same lot thereas or on a different lot, but only if the facilities involved are reserved for the residents, employees, patrons, or other persons participating in the principal activity;

B. Home occupations, subject to the applicable provisions of the home occupation regulations in Chapter 17.112;

C. Residential occupancy in connection with a principal nonresidential activity on the same lot, but only:
1. If the residents are required to remain on the premises for protective, conference, or comparable technical purposes, or

2. As joint living and work quarters subject to the applicable provisions of Section 17.102.190;

D. Operation of an employee cafeteria by a firm engaging in a principal nonresidential activity on the same lot;

E. Sale of goods on the same lot as a principal Civic Activity, but only if such goods are available only to persons participating in the principal activity;

F. Production of goods for sale by a firm engaged in a principal Commercial Activity on the same lot, but only if:

1. All goods so produced are sold at retail by the same firm either on the same or other lots, and

2. Such production does not occupy more than seventy-five (75) percent of the total floor area and open sales, display, storage, and service area occupied by such firm on the lot, and

3. Such production does not in any case occupy more than three thousand (3,000) square feet of such floor area and open area;

G. Storage of goods sold by a principal Commercial Activity, or used in or produced by a principal Manufacturing Activity, engaged in by the same firm on the same lot;

H. Operation of an administrative office of a firm engaged in a principal Manufacturing Activity on the same lot, but only if such office does not occupy more than fifty (50) percent of the total floor area and open sales, display, storage, and service area occupied by such firm on the lot;

I. Wholesale sale, or retail sale to the buyer's custom order, of goods produced by a principal Manufacturing Activity engaged in by the same firm on the same lot;

J. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time;

K. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots;

L. Benches, street furniture, lighting, public art, sheds, and similar infrastructure associated with city and regional parks;

M. Public restrooms serving park and recreational facilities. (Ord. 12078 § 5 (part), 1998; prior planning code § 2211)

N. Light entertainment within existing restaurants, but only if:

1. The live entertainment is primarily intended to create background ambiance and enhance the primary dining experience; and

2. Entertainment will occur only within existing dining areas, and separate non-dining seating for spectators only will not be provided; and

3. The entertainment does not require a special stage, lighting or other performance prop that competes with existing dining floor area; and

4. Live entertainment will only occur during normal dining hours. The existing hours of operation of the restaurant are not modified to accommodate the accessory entertainment activities.

17.10.050 Classification of combinations of principal activities.

The following rules shall apply where a single lot contains activities which resemble two or more different activity types and which are not classified by Section 17.10.040 as accessory activities:

A. Separate Classification of Each Establishment. The principal activities conducted on a single lot by each individual establishment, management, or institution shall be classified separately.

B. Separate Classification of Different Major Classes of Activities Conducted by Single Establishment. If the principal activities conducted on a single lot by a single establishment, management, or institution resemble two or more different major classes of activities--Residential, Civic, Commercial, Manufacturing, or Agricultural and Extractive Activities--the principal activities resembling each major class shall be classified separately.

C. Classification of Different Activities Within Same Major Class, Conducted by Single Establishment. If principal activities conducted on a single lot by a single establishment, management, or institution resemble two or more different activity types within the same major class of activities, all such principal activities shall be classified in the activity type within said class the description of which type most closely portrays the overall nature of such activities. However, when they have any of the characteristics of Utility and Vehicular, Health Care, or Extensive Impact Civic Activities; Alcoholic Beverage Sales, General Wholesale Sales, or Scrap Operation Commercial Activities; General or Heavy Manufacturing Activities; or Crop and Animal Raising or Mining and Quarrying Agricultural or Extractive Activities, all such principal activities within the same major class of activities as any of such types shall be classified within that one of such types the description of which most closely portrays said principal activities; except that all such Commercial Activities shall be classified within the Scrap Operation Commercial Activities type if they have any of its characteristics, and all such Manufacturing Activities shall be classified within the Heavy Manufacturing Activities type if they have any of its characteristics.

D. Classification of Different Activities Within the Same Major Class Conducted on the Site of an Automotive Servicing Commercial Activity. All principal activities conducted on the site of an Automotive Servicing Commercial Activity shall be classified as Automotive Servicing Commercial Activities regardless of separate ownership or management. (Prior planning code § 2213)

17.10.060 Listing of facility classifications.

All facilities are classified into the following facility types, which are described in Section Article III of this chapter. (See Section 17.10.080 for classification of combinations of facilities resembling different types.) The names of these facility types start with capital letters throughout the zoning regulations.

A. Residential Facilities:

One-Family Dwelling

One-Family Dwelling with Secondary Unit

Two-Family Dwelling

Multifamily Dwelling

Rooming House

Mobile Home

B. Nonresidential Facilities:

Enclosed

Open

Drive-in

C. Signs:

Residential

Special
Development
Realty
Civic
Business
Advertising
D. Telecommunications Facilities:
Micro
Mini
Macro
Monopole
Tower
(Ord. 11904 § 5.03, 1996; prior planning code § 2220)

17.10.070 Accessory facilities.

In addition to the principal facilities expressly included therein, each Residential and Nonresidential Facility type shall be deemed to include such facilities as are customarily associated with, and are appropriate, incidental, and subordinate to, such a principal facility; are located on the same lot as such principal facility except as otherwise provided in subsections A, F, and G of this section; and meet the further conditions set forth hereinafter. Such accessory facilities shall be controlled in the same manner as the principal facilities within such type except as otherwise expressly provided in the zoning regulations. They include but are not limited to the following facilities, but shall not be deemed to include Signs, which are classified and controlled separately:

- A. Off-street parking and loading facilities serving a principal Residential or Nonresidential Facility, whether located on the same lot thereas or on another lot, but only if they are reserved for the residents, employees, patrons, or other persons utilizing the principal facility;
- B. Open areas devoted to decorative paving or to swimming pools, located on the same lot as a principal facility;
- C. Storage and service areas and accessory buildings, other than those listed elsewhere in this section, if serving a principal facility on the same lot; provided, however, that no such facilities which are unenclosed shall qualify as accessory to any principal Enclosed Nonresidential Facility except for open areas, not exceeding two hundred (200) square feet each, for the temporary storage of trash;
- D. A single trailer incidental to and on the same lot as principal Residential Facilities, but only if said trailer is not intended for habitation while it is on the lot;
- E. Living quarters in connection with a principal Nonresidential Facility on the same lot, but only:
 - 1. If the residents are required to remain on the premises for protective, conference, or comparable technical purposes, or
 - 2. As joint living and work quarters subject to the applicable provisions of Section 17.102.190;
- F. Temporary construction yards and similar facilities which are necessary and incidental to development of facilities on the same lot, or on another of several lots being developed at the same time;
- G. A temporary real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots. (Prior planning code § 2221)

17.10.080 Classification of combinations of principal facilities.

If the facilities on a single lot resemble two or more different facility types, each facility which is not classified by Section 17.10.070 as an accessory facility shall be classified separately. (Prior planning code § 2223)

17.10.090 Classification of unlisted uses.

Any activity or facility which is not expressly classified within an activity type or facility type shall be included in that type the description of which most closely portrays it, subject to the applicable provisions of Sections 17.10.050 and 17.10.080 with respect to combinations of uses. In case of uncertainty as to the classification of any use, the Director of City Planning shall classify said use, subject to the right of appeal from such determination pursuant to the administrative appeal procedure in Chapter 17.132. (Prior planning code § 2230)

17.10.095 Classification of Manufacturing Activities

In addition to the definitions of Custom, Light, General, and Heavy Manufacturing in Sections 17.10.550, 17.10.560, 17.10.570, and 17.10.580, the Director of City Planning may determine that a manufacturing activity is most appropriately classified in a more or less intensive activity type based on the following factors: the scale of the activity, including the volume of input or output, and/or the floor or site area devoted to manufacturing, and/or the size of equipment used; volume of truck activities; air emissions; noise, vibration, dust, or odors generated; hazardous materials used in or resulting from production; and toxicity of waste generated. Any interested party may request that such a determination be made in writing, upon payment of a fee as prescribed in the city master fee schedule. Appeal for such determination may be made pursuant to the administrative appeal procedure in Chapter 17.132.

(NOTE: RESIDENTIAL ACTIVITY TYPES (SECTIONS 17.10.100 – 120 OMITTED FROM THIS TEXT IN ORDER TO SAVE SPACE).

17.10.130 General Description of Civic Activities.

Civic Activities include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other activities which are strongly vested with public or social importance. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2300)

17.10.140 Essential Service Civic Activities.

Essential Service Civic Activities include the maintenance and operation of the following installations. They also include certain activities accessory thereto, as specified in Section 17.10.040.

- A. Electric, gas, and telephone distribution lines and poles, and water, storm drainage, and sewer lines, with incidental appurtenances thereto, but excluding electric transmission lines;
- B. Community and botanical gardens;
- C. Private streets;
- D. Public polling places;

- E. Freeways, rapid transit routes, streets, alleys, and paths, but excluding uses on, under, or over such ways which uses are not customarily appurtenant thereto;
- F. Seasonal retail sales conducted for a limited duration under valid license or lease on property owned by the city;
- G. All activities not classified elsewhere in the use regulations that are conducted on city and regional parklands and which are specifically referenced in master plans which are adopted by the Oakland City Council. (Ord. 12078 § 5 (part), 1998; prior planning code § 2310)

17.10.150 Limited Child-Care Activities.

Limited Child-Care Civic Activities include the provision of day-care service for ~~fourteen (14) twelve~~ ~~(12)~~ or fewer children, provided, however, that care for six or more children be provided only in facilities licensed by a state or county agency. They also include certain activities accessory thereto, as specified in Section 17.10.040. (Prior planning code § 2311)

17.10.170 Community Assembly Civic Activities.

Community Assembly Civic Activities include the activities typically performed by, or at, the following institutions or installations. They also include certain activities accessory thereto, as specified in Section 17.10.040.

- A. Churches, temples, and synagogues;
- B. Food service and other concessions located within public parks;
- C. Public, parochial, and private nonprofit clubs, lodges, meeting halls, and recreation centers;
- D. Public and parochial playgrounds and playing fields;
- E. Temporary nonprofit festivals;
- F. Basketball courts, tennis courts, handball courts, lawn bowling, and similar outdoor park and recreational facilities;
- G. Public, parochial, and private nonprofit gymnasiums;
- H. Community swimming and wading pools, and other water play features;
- I. Picnic areas. (Ord. 12078 § 5 (part), 1998; prior planning code § 2314)

17.10.180 Community Education Civic Activities.

Community Education Civic Activities include the activities typically performed by the following institutions. They also include certain activity accessory thereto, as specified in Section 17.10.040.

- A. Public, parochial, and private day-care centers for ~~thirteen-fifteen~~ ~~(1315)~~ or more children;
- B. Public, parochial, and private nursery schools and kindergartens;
- C. Public, parochial, and private elementary, junior high, and high schools;
- D. Support services provided for independent living skills development including self-improvement education, employment and job training for both on-site and off-site residents in conjunction with Service-Enriched Permanent Housing and Transitional Housing Residential Activities. (Ord. 12138 § 4 (part), 1999; prior planning code § 2316)

17.10.190 Nonassembly Cultural Civic Activities.

Nonassembly Cultural Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 17.10.040.

- A. Public, parochial, and private nonprofit museums and art galleries;
- B. Public, parochial, and private nonprofit libraries, conservatories, and observatories. (Ord. 12078 § 5 (part), 1998; prior planning code § 2317)

17.10.200 Administrative Civic Activities.

Administrative Civic Activities include the activities typically performed by public, parochial, and public utility administrative offices. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2318)

17.10.220 Health Care Civic Activities.

Health Care Civic Activities include all activities which primarily provide medical care and supervision other than those defined elsewhere in the Zoning Regulations and are typically performed by ~~the following institutions~~ hospitals, government agencies, or non-profit organizations at the following facilities. They also include certain activities accessory thereto, as specified in Section 17.10.040.

- A. Health clinics;
- B. Hospitals;
- C. Emergency rooms
- ED. Skilled nursing, extended care, residential care (including facilities licensed for six or fewer residents), and assisted living facilities, all of which provide medical care on site;
- DE. Nonresidential centers providing psychological or family counseling ~~and mental hygiene~~ services to individuals or groups;
- EF. Support services which include regular individualized case management for both on-site and off-site residents in conjunction with Service-Enriched Permanent Housing and Transitional Housing Residential Activities;
- FG. Facilities which provide inpatient and/or outpatient medical and/or psychological treatment for mental illness, substance and alcohol abuse and addiction;
- GH. State licensed "Adult Day Care Facilities" and "Adult Day Support Centers". (Ord. 12138 § 4 (part), 1999; prior planning code § 2320)

17.10.220

17.10.225 Special Health Care Civic Activities.

Special Health Care Civic Activities include all activities defined by Health Care Civic Activities in Section 17.10.220(F) when such services are provided primarily to persons who currently use hypodermic needles to illegally inject controlled substances and where such services may include needle exchange, drug treatment, drug counseling or such other health services frequently required by persons currently using hypodermic needles to illegally inject controlled substances. (Ord. 12450, § 3, 2002).

17.10.230 Utility and Vehicular Civic Activities.

Utility and Vehicular Civic Activities include the maintenance and operation of the following installations. They also include certain activities accessory thereto, as specified in Section 17.10.040.

A. Communications equipment installations and exchanges, but excluding Telecommunications Activities specified in Section 17.10.250;

B. Electrical substations;

~~C. Emergency hospitals operated by a public agency; (moved to Health Care Civic Activities)~~

D. Gas substations;

E. Neighborhood newscarryer distribution centers;

F. Police stations and fire stations;

G. Post offices, but excluding major mail-processing centers;

H. Publicly operated off-street parking lots and garages available to the general public either without charge or on a fee basis.

(Prior planning code § 2321)

17.10.240 Extensive Impact Civic Activities.

Extensive Impact Civic Activities include the activities typically performed by, or the maintenance and operation of, the following institutions and installations. They also include certain activities accessory thereto, as specified in Section 17.10.040.

A. Airports, heliports, and helistops;

B. Cemeteries, mausoleums, and columbariums;

C. Colleges, junior colleges, and universities, but excluding business schools operated as profit making enterprises;

D. Detention and correction institutions;

E. ~~Recreational or passenger docks and wharves~~ operated by a public agency; *(Shipping docks and wharves for commercial freight moved to Transportation under Industrial).*

F. Electric transmission lines;

G. Garbage dumps;

H. ~~Public~~ Golf courses and driving ranges;

I. Major mail-processing centers;

J. Military installations;

~~K. Public and public utility corporation or truck yards~~ *(moved to Transportation under Industrial);*

L. Radio and television transmission stations;

M. Railroad and bus ~~passenger stations and~~ terminals *(other terminals moved to Transportation under Industrial);*

~~N. Railroad rights-of-way and yards and bus storage areas~~ *(moved to Transportation under Industrial);*

O. Reservoirs and water tanks;

P. Sewage disposal tanks;

Q. Stadiums, sports arenas, auditoriums, and bandstands;

~~R. Truck terminals operated by a public agency~~ *(moved to Transportation under Industrial);*

S. Zoological gardens and wildlife preserves;

~~T. Reverse vending machines and other recycling collection centers;~~ *(moved to Recycling and Waste-Related Activities under Industrial)*

~~U. Large recycling collection centers;~~ *(moved to Recycling and Waste-Related Activities under Industrial)*

V. Campgrounds;

W. Stormwater detention ponds and facilities;

X. Facilities supervised by or under contract with the State Department of Corrections, including alternative sentencing and community work release programs. (Ord. 12138 § 4 (part), 1999; Ord. 12078 § 5 (part), 1998; prior planning code § 2322)

17.10.260 General description of Commercial Activities.

Commercial Activities include the distribution and sale or rental of goods; the provision of services other than those classified as Civic Activities; and the administrative and research operations of private, profit-oriented firms, other than public utility firms. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2350)

17.10.270 General Food Sales Commercial Activities.

General Food Sales Commercial Activities include the retail sale, from the premises, of food or beverages for home consumption, as well as the retail sale of prepared food or beverages for on-premises consumption, ~~but exclude the activities described in Sections 17.10.280, 17.10.290, and 17.10.300.~~ They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2360)

The Food and Beverage Sales Commercial Activity type includes the following subclassifications:

A. Restaurant. Restaurants providing food and beverages to patrons who typically order and are served while seated in the establishment, and pay after eating. Only a minor proportion, if any, of the food is sold for consumption off-premises.

(The definition of Full-service Restaurant in Chapter 17.09 still applies as related to alcohol sales).

B. Limited Service Restaurant. An establishment that provides food and beverage services to patrons that order and pay before eating. Food and beverages are typically served in disposable containers and may be consumed on the premises, taken out, or delivered. Seating for on-premises consumption is usually available and no table service is provided. Examples: This classification includes but is not limited to coffee shops, salad bars, cafes, pizza delivery, and snack bars. Exclusions: This classification does not include specialty food stores, vehicular food vending, or fast food restaurants.

C. Fast Food Restaurant. Restaurants that meet the definition of Limited Service Restaurant and in addition, typically devote substantial interior floor area for a high capacity of customer queuing; are typically located within a freestanding structure with exclusive on-site parking; and typically include a Drive-Through Facility for service from a building to persons in vehicles through an outdoor service window. (Note: Drive-Through Facilities are also regulated as a facility type) **Exclusions:** In those areas of the city subject to the vehicular food vending pilot program ordinance, vehicular food vending is not considered a Fast Food Restaurant Commercial Activity.

D. Vehicular Food Vending. In those areas of the city subject to the vehicular food vending pilot program ordinance, Vehicular Food Vending is the sale of ready-to-consume prepared foods from trucks. The use involves locating mobile catering trucks on private property on a semi-permanent basis during hours of operation. Vehicular Food Vending generally has the following characteristics:

1. Food is ordered and served from a take-out counter that is integral to the catering truck;

2. Food is paid for prior to consumption;
3. Catering trucks from which the food is sold typically have a take-out counter and space for customer queuing; and
4. Foods and beverages are served in disposable wrappers, plates or containers.

Within those areas of Oakland subject to the vehicular food vending pilot program ordinance, and during such time that the pilot program is in effect, vehicular food vending is regulated by Chapter 8.09 of this code. (Ord. 12314 § 2, 2001; prior planning code § 2362)

E. Grocery. Retail sales of food and beverages typically for offsite preparation and consumption. Typical uses include supermarkets, specialty food stores, and grocery stores that offer a sizeable assortment of fresh fruits and vegetables. A limited selection of foods and beverages may also be provided for on-site consumption. This category also includes large-scale stores that sell food items and beverages in bulk. **Exclusions:** This classification excludes establishments classified as Large-scale Combined Retail and Grocery Sales Commercial Activities (Sec. 17.10.345)

F. Convenience Market. Retail sale of food, beverage, and small personal and household convenience items, primarily for off-premises consumption, and typically found in establishments with long or late hours of operation and a relatively small building. Exclusions: This category excludes all uses categorized as Groceries and establishments that have a sizable assortment of fresh produce and fresh-cut meat.

Exclusions: The General Food Sales Commercial Activity classification excludes those activities classified as Large-scale Combined Retail and Grocery Sales and Alcoholic Beverage Sales Commercial Activities.

~~17.10.280 Convenience Market Commercial Activities.~~ *(moved under "General Food Sales")*

Convenience Market Commercial Activities include the retail sale of food, beverages, and small personal convenience items, primarily for off-premises consumption and typically found in establishments with long or late hours of operation and a relatively small building; but exclude delicatessens and other specialty food shops and also exclude establishments which have a sizeable assortment of fresh fruits and vegetables and fresh-cut meat. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2361)

~~17.10.290 Fast-Food Restaurant Commercial Activities.~~ *(moved under "General Food Sales")*

Fast-Food Restaurant Commercial Activities include the retail sale of ready-to-eat prepared foods and beverages, for on- or off-premises consumption, whenever the foods and beverages are available upon a short waiting time and are primarily served in or on disposable wrappers, containers, or plates. Fast-Food Restaurants may also exhibit other design and operating characteristics, including: (A) a limited menu; (B) food is typically ordered and served at a service counter; (C) food is paid for prior to consumption; (D) the facility in which the activity/use is occurring provides a take-out counter space and space for customer queuing. They also include certain activities accessory to the above, as specified in Section 17.10.040.

In those areas of the city subject to the vehicular food vending pilot program ordinance, "vehicular food vending" is not considered a "Fast-Food Restaurant Commercial Activity" and is defined as follows:

"Vehicular food vending" is the sale of ready-to-consume prepared foods from trucks. The use involves locating mobile catering trucks on private property on a semi-permanent basis during hours of operation. Vehicular food vending generally has the following characteristics:

1. Food is ordered and served from a take-out counter that is integral to the catering truck;
2. Food is paid for prior to consumption;
3. Catering trucks from which the food is sold typically have a take-out counter and space for customer queuing; and
4. Foods and beverages are served in disposable wrappers, plates or containers.

~~Within those areas of Oakland subject to the vehicular food vending pilot program ordinance, and during such time that the pilot program is in effect, vehicular food vending is regulated by Chapter 8.09 of this code. (Ord. 12314 § 2, 2001; prior planning code § 2362)~~

17.10.300 Alcoholic Beverage Sales Commercial Activities.

Alcoholic Beverage Sales Commercial Activities include the retail sale, for on- or off-premises consumption, of liquor, beer, wine, or other alcoholic beverages, but exclude full-service restaurants. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2363)

~~17.10.310 Convenience Sales and Service Commercial Activities.~~

~~Convenience Sales and Service Commercial Activities include the retail sale, from the premises, of drugs and other frequently needed small personal convenience items such as toiletries, tobacco, and magazines, as well as the provision of personal convenience services which are typically needed frequently or recurrently, such as barber and beauty care; and include shoe shining and operation of self-service laundromats and laundry or dry cleaning pick-up stations but exclude other apparel cleaning and repair services. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2364)~~

~~*This classification is subsumed into "General Retail Sales" and "General Personal Service."*~~

17.10.320 Mechanical or Electronic Games Commercial Activities.

Mechanical or Electronic Games Commercial Activities include the provision of pinball machines, video game devices, or other mechanical or electronic games, as defined in the Oakland Municipal Code, where the games can be played or operated by the public or by customers; but exclude the provision of such games in a pool- or billiard room or bowling alley for which a permit is required pursuant to Chapter 5.02 of the municipal code and from which persons under eighteen (18) years of age are barred at all times by the owner or operator, or in premises which are licensed by the State Department of Alcoholic Beverage Control for on-sale consumption of alcoholic beverages and which do not lawfully allow minors. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2365)

17.10.330 Medical Service Commercial Activities.

Medical Service Commercial Activities include the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as the provision of medical testing and analysis services where patients are tested on-site or where the testing and analysis is associated with an adjacent medical office. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2366)

Exclusions: Medical laboratories and medical research activities with no on-site patients and not associated with a medical office on the same site shall instead be classified as “Research Service Commercial Activities.”

This classification previously included ambulance services, but ambulance services should go in a different category relating to fleets.

17.10.335 **Therapeutic Massage Services**

Definition: Therapeutic Massage Services include establishments where manipulative exercises are practiced upon the human body with hands or with the aid of any mechanical or other devices by a certified massage therapist.

Exclusions: This classification does not include services described under Adult Entertainment Activities (Section 17.09.040) or massage activities within licensed medical facilities, athletic clubs, health clubs, gymnasiums, beauty salons, reducing salons, spas, or similar establishments where massage or similar manipulation of the human body is offered as an incidental or accessory service and is not the primary activity.

17.10.340 General Retail Sales Commercial Activities.

Definition: General Retail Sales Commercial Activities include the retail sale or rental from the premises, primarily for personal or household use, of ~~new or used goods and merchandise consisting primarily of items other than food and beverages and those convenience items described in Section 17.10.310; but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware.~~ This classification includes establishments selling bulk goods to ultimate consumers, rather than for re-sale. This classification includes the retail sale or rental of merchandise not specifically listed under another activity type. ItThey also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2367).

Examples: Examples include, but are not limited to drug stores; department stores; discount stores; commercial art galleries; retail showrooms; gift shops; florists; and stores selling home furnishings; household goods and appliances; electronics, personal communication devices; clothing and shoes; costumes; jewelry; luggage and leather goods; fabric; sporting goods; art supplies, cameras and photographic supplies; books and periodicals; videos; gifts, novelties, and collectibles; cards and stationery; bicycles and bicycle equipment (including on-site bicycle repair); musical instruments; toys and games; and automotive parts (with no on-site automotive servicing or repair, and excluding salvage yards). This classification includes small hardware stores selling paint, fixtures, hardware, small hand and power tools, floor and wall coverings, plants and garden supplies and other small home improvement items. It also includes showrooms for lighting fixtures, kitchen

and bathroom fixtures and cabinets, floor or wall coverings, hot tubs, and other items, where the display of such items is primary and warehousing and storage is secondary.

Exclusions: This classification excludes establishments selling bulky building and landscaping materials and classified as Building and Landscaping Materials Sales and Service (Sec. 17.10.450). This classification excludes establishments devoted primarily to the sale of food and beverages and classified as General Food Sales – Grocery (Sec. 17.10.270(E)). It also excludes those activities classified as General Food Sales - Convenience Markets (Sec. 17.10.270(F)); Automotive Sales, Leasing, and Rental (Sec.17.10.460); Tobacco Oriented Activities (Sec. 17.09.040); Adult Entertainment Activities (Sec. 17.09.040); and Large-Scale Combined Retail and Grocery Sales (Sec. 17.10.345).

Currently, drug stores and newsstands are under “Convenience Sales and Service.” Staff proposes moving drug stores and newsstands to General Retail Sales.

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17.10.345 Large-Scale Combined Retail and Grocery Sales Commercial Activities.

Large-Scale Combined Retail and Grocery Sales Commercial Activities include the retail sale, from the premises, of goods and merchandise, primarily for personal or household use, from stores whose total sales floor area exceeds 100,000 square feet and which devote more than 10% of sales floor area to the sale of non-taxable merchandise, but exclude wholesale clubs or other establishments selling primarily bulk merchandise and charging membership dues or otherwise restricting merchandise sales to customers paying a periodic access fee. This classification excludes the sale or rental of motor vehicles, except for parts and accessories, and the sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. This classification includes certain activities accessory to the above, as specified in Section 17.10.040. -

The above use classification is part of a zoning text amendment (ZT03-393) scheduled for consideration by the full City Planning Commission on 9/17/03 and the Community and Economic Development Committee of the Oakland City Council on 9/23/03.

17.10.350 General Personal Service Commercial Activities.

Definition: General Personal Service Commercial Activities include the provision to individuals of informational, instructional, amusement, and similar services of a nonprofessional nature ~~which are not typically needed frequently~~, other than the services classified as Civic Activities or described in Sections 17.10.320, 17.10.360, 17.10.380, and 17.10.440. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2368)

Examples: Examples include barber and beauty shops, nail salons, tanning salons, seamstresses, tailors, shoe repair, self-service laundries, photographic studios, photo processing, framing services, key shops, and steam bath or hot tub rental.

Proposed text would move some of the “Convenience Sales and Service” uses under here. They currently include barber and beauty shops, nail salons, tanning salons, seamstresses, tailors, shoe repair, self-service laundries.

17.10.360 Consultative and Financial Service Commercial Activities.

Definition: Consultative and Financial Service Commercial Activities include the provision of financial, insurance, and real estate brokerage services, as well as the provision of advice, designs, information, or consultation of a professional nature, other than the services classified as Civic Activities or described in Sections 17.10.330, 17.10.400, and 17.10.420 from small offices oriented to customer traffic. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2369)

Examples: banks, savings and loans, automatic teller machines, real estate offices, tax and other personal accounting assistance offices, insurance offices, real estate offices, mortgage lending and other loan offices, architectural or interior design offices, small law offices.

Exclusions: Administrative or headquarters offices of financial, insurance, or real estate companies. -

Note: Banks with drive-through facilities are also regulated by their classification in the facility type “Drive-through Facility.”

17.10.370 Consumer Laundry and Repair Service Commercial Activities.

Definition: Consumer Laundry and Repair Service Commercial Activities include the cleaning or repair of personal apparel and household appliances, furniture, and similar items, other than the services listed in Section 17.10.310; but exclude repair of motor vehicles and of structures. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2370)

Examples: Examples include dry cleaning and laundering (except self-service laundries or pick-up stations), television repair, audio or video equipment repair, computer repair, household appliance repair, repair of office machines, and home and garden equipment.

17.10.380 Group Assembly Commercial Activities.

Definition: Group Assembly Commercial Activities include the provision of cultural, entertainment, educational, and athletic services, other than those classified as Civic Activities or described in Section 17.10.320, to assembled groups of spectators or participants. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2371)

The Group Assembly Commercial Activities classification includes the following subclassifications:

A. Personal Instructional Services includes the provision of instructional services or athletic training to groups of people. Examples include but are not limited to diet centers; aerobics studios; meditation centers; yoga, martial art, dance, or other movement arts studios; drama studios; and fine arts studios.

Exclusions: Driving schools with on-site practice areas.

B. Training Centers and Trade Schools includes the provision of educational or vocational instruction and training to groups of people. Examples include but are not limited to private business colleges, technical and trade schools, management training, job training centers, computer training,

private language schools, motivational coaching, and private academic/educational coaching such as college entrance exam coaching.

C. Live entertainment – Includes the provision of live entertainment to assembled groups of spectators. Examples include but are not limited to banquet rooms, dance halls, live music venues, comedy clubs, spoken word, karaoke, studio recording with live audience, and theaters.

Exclusions: Occasional gatherings that are accessory to a primary activity. Examples of group gatherings as an accessory use include occasional art openings within a commercial art gallery, occasional author readings at a bookstore or cafe. Also, see Section 17.10.040 for live background music as an accessory use to General Food Sales.

D. Commercial Recreation – Outdoor and Large-Scale. This classification includes large, generally outdoor facilities on sites of two acres or more, although some facilities may be indoor. Examples include but are not limited to: sports stadiums and arenas; amusement and theme parks; racetracks; golf courses and country clubs; driving ranges; fitness and sports clubs with outdoor facilities, ice or roller skating rinks, swimming or wave pools; entertainment complexes and movie theaters; drive-in movie theaters; bowling centers; miniature golf courses; archery or shooting ranges; riding stables; private campgrounds, commercial marinas, and similar facilities. **Exclusions:** Public park and recreation facilities.

E. Commercial Recreation - Indoor, Small-Scale. This classification includes small, generally indoor facilities occupying less than 25,000 square feet. Examples include small fitness centers and athletic clubs.

F. Gambling. Establishments where games of chance and similar activities are operated or carried on for the return of money, cash, prizes, or anything that could be redeemed for money, cash, or prizes.

17.10.390 ~~Administrative~~ Business and Professional Office Commercial Activities.

~~Administrative~~ Business and Professional Office Commercial Activities (formerly “Administrative Commercial Activities”) include the professional, executive, management, administrative, and clerical activities of private, profit-oriented/for-profit firms and non-profit organizations, other than public utility firms. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2372)

Examples: Examples include but are not limited to administrative headquarters offices, business offices, and the offices of investment firms, law firms, accounting firms (except customer-oriented tax and personal financial assistance offices), advertising; architectural and engineering consulting firms; management consulting firms; computer consulting; software design; data management and billing services offices, bank and insurance headquarters or regional offices, administrative offices of non-profit organizations.-

Note: Name of this classification changed from “Administrative Commercial Activities” to “Business and Professional Office Commercial Activities” in order to better distinguish from “Administrative Civic Activities.”

17.10.400 Business and Communication Service Commercial Activities.

Business and Communication Service Commercial Activities include the provision, primarily to firms rather than to individuals, of services of a clerical, goods brokerage, communication, or minor processing nature, including multicopy and blueprinting services; but exclude printing of books, other than pamphlets and small reports for another firm, and the storage of goods, other than small samples, for sale. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2373)

The Business and Communication Service Commercial Activities classification includes the following subclassifications:

A. Business Services *(definition pending)*

Examples: Examples include but are not limited to blueprinting, copying, desktop publishing, photographic development labs, mail receiving and boxes. It also includes building maintenance services, janitorial services, and document delivery services with no more than two motorized fleet vehicles on site.

B. Media Production includes fixed-base facilities for music, motion picture, television, video, sound, and other communications media production.

Examples: Examples include but are not limited to music recording studios, sound stages, administrative and technical production support facilities, and post-production facilities (editing studios, etc.).

17.10.410 Retail Business Supply Commercial Activities.

Definition: Retail Business Supply Commercial Activities include the retail sale or rental from the premises, primarily to firms and other organizations using the goods rather than to individuals, of office equipment and supplies and similar goods, together with the provision of incidental maintenance services; but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2374)

Examples: Examples include but are not limited to restaurant equipment supply stores, office machine stores, duplicating and other office machine repair.

17.10.420 Research Service Commercial Activities.

Definition: Research Service Commercial Activities include research of an industrial or scientific nature, ~~other than medical testing and analysis and routine product testing,~~ which is offered as a service or which is conducted by and for a private profit-oriented firm, other than a public utility firm. They also include medical testing and analysis where there are no on-site patients and the testing and analysis is not accessory to or within an adjacent medical office. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2375)

Examples: Examples include but are not limited to forensic laboratories, soils laboratories, water testing, medical diagnostics laboratories, bacteriological analysis, air and particulate testing.

Exclusions: Activities classified as Research and Development Industrial Activities (Section 17.10.---).

17.10.430 General Wholesale Sales Commercial Activities.

Definition: General Wholesale Sales Commercial Activities include the storage and sale, from the premises, of goods to other firms for resale, as well as the storage of goods on the premises and their transfer therefrom to retail outlets of the same firm. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2378).

Exclusions: This classification excludes the sale or storage of motor vehicles, except for parts and accessories, and the sale or storage of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. This classification also excludes the sale of bulk goods and merchandise at discount prices to ultimate customers, rather than for re-sale (Sec. 17.10.340, General Retail Sales).

Comment: The section on “storage of goods on the premises and their transfer therefrom to retail outlets of the same firm” is deleted in order to avoid overlap between this activity type and Warehousing, Storage, and Distribution.

17.10.440 Transient Habitation Commercial Activities.

Transient Habitation Commercial Activities include the provision of lodging services to transient guests on a less-than-weekly basis, other than in the case of activities classified by Section 17.10.120 as Residential Activities. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2379)

17.10.450 ~~Construction~~ Building Materials Sales and Service Commercial Activities.

~~Construction~~Building Materials Sales and Service Commercial Activities include ~~construction and incidental storage activities performed by construction contractors on lots other than construction sites, as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, other than paint, fixtures, and hardware.~~ the sale, from the premises, of building and landscaping materials and supplies, as well as the rental of light construction or landscaping equipment. This classification also includes services such as the custom cutting of wood, stone, glass, or other unfinished building materials for on-site sale. It includes stores selling to the general public, even if contractor sales account for a portion of total sales. It also includes establishments selling both larger building materials and smaller home improvement items such as paint, fixtures, and hardware that would otherwise be classified as General Retail Sales. It also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2380).

Examples: Examples include but are not limited to large home improvement stores, lumber yards, light tool and equipment sales or rental establishments, and used/recycled building materials sales (but excluding scrap operations), and establishments that sell and cut stone on-site (but where stone cutting and processing is not the primary activity). Examples of bulky building and landscaping materials include but are not limited to lumber, sheetrock, stone, insulation, windows, solar panels, heating and mechanical equipment, and packaged soil amendments.

Exclusions: This classification excludes contractors’ yards (Section 17.10.--- Construction Operations). This classification also excludes those uses classified as General Retail Sales, retail showrooms and establishments devoted exclusively to the retail sales of paint, fixtures, and hardware and other items which are classified in Section 17.10.--- as General Retail Sales. Plant nurseries (Sec. 17.10.---).

17.10.455 Wholesale Building Materials Sales and Service

Definition: Sales of bulk building and landscaping supplies primarily or exclusively to contractors and installers and/or where the landscaping and building materials for sale are primarily stored outside.

Examples: Wholesale sales of heating, air conditioning, electrical and plumbing equipment; sale of unpackaged soil, soil amendments, or gravel.

17.10.460 Automotive Sales, Leasing, and Rental, ~~and Delivery~~ Commercial Activities.

Definition: Automotive Sales, Leasing, and Rental, ~~and Delivery~~ Commercial Activities include the retail or wholesale sale, leasing, or rental, from the premises, of passenger-oriented motor vehicles, with incidental maintenance, ~~as well as the retail or wholesale sale or rental, from the premises, of any type of goods where orders are placed predominantly by telephone or mail order with delivery being provided by motor vehicle.~~ They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2381).

Examples: Examples include but are not limited to sale, rental, and leasing of motorcycles, cars, trucks, and other passenger-oriented motor vehicles generally having a gross vehicle weight rating of less than 10,000 lbs., as well as recreational vehicles, which may be heavier. This classification also includes the rental of consumer-oriented moving vans and trailers on a short-term basis for personal or household use.

Exclusions: This classification excludes the sale, leasing, or rental of medium and heavy commercial trucks, truck tractors, heavy construction or agricultural equipment, buses, and heavy equipment (Sec. 17.-----).

17.10.470 Automotive Servicing Station Commercial Activities.

Automotive Servicing Commercial Activities include the sale, from the premises, of goods and the provision of services which are generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorist needs, including sale of petroleum products together with sale and servicing of tires, batteries, automotive accessories, and replacement items, lubricating services (oil change), emissions testing (“smog check”), and performance of minor repairs. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2382)

Exclusions: This classification excludes the servicing of medium and heavy commercial trucks, truck tractors, construction or agricultural equipment (Sec. 17.-----, Truck and Other Heavy Vehicle Repair, Refueling, and Service).

17.10.480 Automotive Repair and Cleaning Commercial Activities.

Automotive Repair and Cleaning Commercial Activities include the major repair or painting of motor vehicles, including body work and installation of major accessories, as well as the washing and polishing of motor vehicles. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2383).

Subclassifications: The Automotive Repair and Cleaning classification includes the following subclassifications:

- A. [Automotive cleaning and detailing](#)
- B. [Repair](#)
- C. [Body work and painting](#)

(examples and subclassification descriptions forthcoming)

Exclusions: This classification excludes the repair, painting, and cleaning of medium and heavy commercial trucks, truck tractors, construction or agricultural equipment (Sec. 17.-----, Truck and Other Heavy Vehicle Repair, Refueling, and Service).

17.10.500 Taxi and Light Fleet-Based Service Commercial Activities

Passenger transportation services, local delivery services, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 lbs.. This classification includes parking, dispatching, and offices for taxicab and limousine operations, medical transport, local messenger and document delivery services, janitorial services, and similar businesses.

Exclusions: Towing operations (Sec.17.--- Truck Yards). Bicycle messengers (Sec. 17.---, Business and Communication Services). Taxi or delivery services with two or fewer fleet vehicles on-site (Sec. 17.--- Business and Communications Services).

17.10.490 Automotive Fee Parking Commercial Activities.

Automotive Fee Parking Commercial Activities include the parking and storage of motor vehicles on a fee basis, other than the operation of parking facilities by a Civic Activity. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2384)

~~17.10.500 Transport and Warehousing Commercial Activities.~~

~~Transport and Warehousing Commercial Activities include the provision of warehousing and storage, freight handling, shipping, and trucking services. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2387)~~

(Note: Transport and Warehousing uses moved to Industrial, except for self-storage, which is more consumer-oriented)

17.10.-- Self Storage Commercial Activities. Self Storage Commercial Activities include establishments offering facilities for personal property storage.

17.10.510 Animal Care Commercial Activities.

Animal Care Commercial Activities include the provision of animal care, treatment, and boarding services. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2388)

The Animal Care Commercial classification includes the following subclassifications: -

A. **Animal Care and Services** includes both the provision of veterinary services (medical treatment, and accessory shelter and care) and the provision of bathing, grooming, or other services for domestic animals. This classification includes only facilities that are entirely enclosed.

C. **Kennels.** The boarding, exercising, or training of five or more cats or dogs, ten weeks of age or older, or the boarding of fewer animals if some activities occur outdoors.

Exclusions: This classification does not include dog walking and similar pet care services that are not carried out at a fixed location. This classification also excludes Horse Stables (Sec. 17.--- Group Assembly – Commercial Recreation – Outdoor and Large-Scale). It also excludes pet stores (Sec. 17.10.340, General Retail Sales) where grooming occurs as an accessory activity.

17.10.520 Undertaking Service Commercial Activities.

Undertaking Service Commercial Activities include the provision of undertaking and funeral services involving the care and preparation of the human dead prior to burial. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2389)

17.10.530 Scrap Operation Commercial Activities.

~~Scrap Operation Commercial Activities include the storage and sale, from the premises, or dismantling or other processing of used or waste materials which are not intended for reuse in their original form, and the dismantling of motor vehicles to obtain parts, except when such activities are part of a manufacturing operation. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2390)~~

~~*(Comment: Scrap operations moved under “Outdoor Storage: Salvage/Junkyards”).*~~

Part 4. ~~Manufacturing-Industrial~~ Activity Types

17.10.540 General description of ~~Manufacturing-Industrial~~ Activities.

~~Manufacturing-Industrial Activities include the on-site production of goods by methods other than agricultural and extractive in nature; the provision of warehousing and storage, freight handling, shipping, and trucking services; and the storage, transportation, and processing of recyclable or waste materials, and hazardous materials. They also include certain activities accessory to the above, as specified in Section 17.10.040. Pursuant to Section 17.10.095, the Director of City Planning may determine that a manufacturing activity is classified in a more or less intensive classification based on the factors listed in this section (Prior planning code § 2400).~~

17.10.550 Custom Manufacturing Activities.

Definition: Custom manufacturing activities include the on-site production of finished parts or products by hand manufacturing, involving the use of hand tools and small-scale equipment. They also include certain activities accessory thereto, as specified in Section 17.10.040. (Prior planning code § 2410)

Examples: Examples include but are not limited to the manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of handicraft, art objects, and jewelry; cameras and photographic equipment (but excluding film); **custom sign-making; custom clothing, custom furniture building and refinishing, catering/ commissary operations, pattern-making and sewing garments from precut pieces; professional, scientific, measuring and controlling instruments; musical instruments; medical, dental, optical, and orthopedic instruments and appliances, and similar uses.**

~~Custom Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 17.10.040:~~

~~A. Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:~~

~~Cameras and photographic equipment, but excluding film
Custom clothing and hair products
Sewing garments from precut pieces
Professional, scientific, measuring, and control instruments
Musical instruments, but excluding pianos and organs
Medical, dental, optical, and orthopedic instruments and appliances
Handicraft, art objects, and jewelry~~

~~B. Printing, publishing, pattern-making, and sign-making. (Prior planning code § 2410)~~

17.10.560 Light Manufacturing Activities.

Light Manufacturing Activities include the manufacturing, compounding, processing, assembling, packaging, or treatment of finished parts or products, primarily from previously prepared materials, and typically within enclosed buildings. They also include certain activities accessory thereto, as specified in Section 17.10.040.

Examples include but are not limited to printing and related support activities; computer and electronic product manufacturing; electrical equipment, appliance, and component manufacturing; furniture and related product manufacturing; pharmaceutical production; and similar uses. They also include food, beverage, and tobacco product manufacturing generally occupying less than 25,000 square feet of production area.

~~Light Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 17.10.040:~~

~~A. Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of articles of merchandise, other than the products listed in Sections 17.10.550, 17.10.570, or 17.10.580, from the following prepared materials:~~

~~Asbestos
Cellophane
Cork
Fabrics and fibers
Feathers
Fur
Hair~~

Leather
Paper
Plastics
Rubber
Straw
Textiles
Wood, but excluding operation of a planing mill

~~B. Photographic developing.~~

~~C. Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:~~

~~Beverages, but excluding alcoholic beverages
Business machines
Ceramics, other than handcraft
Clothing and other textile products, other than custom clothing
Cosmetics
Electrical and electronic equipment and appliances, other than the products listed in Section 17.10.550
Furniture and fixtures
Food, but excluding fish, meat, sauerkraut, vinegar, and yeast
Ice
Pens, pencils, and artists' materials
Pharmaceuticals
Pianos and organs
Small metal tools and products, other than those listed in Section 17.10.550
Sporting and athletic goods
Tobacco
Toiletries~~

(Prior planning code § 2411)

17.10.570 General Manufacturing Activities.

General Manufacturing includes the manufacturing, compounding, processing, assembling, packaging or treatment of products from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials, or large-scale production. They typically include larger-scale operations and may have some or all activities conducted outdoors. They also include certain activities accessory thereto, as specified in Section 17.10.040.

Examples: Examples include but are not limited to food, beverage and tobacco product manufacturing where production areas exceed 25,000 square feet; textile mills; textile product mills; **production** apparel manufacturing; wood product manufacturing; paper finishing; chemical manufacturing (except for the chemical products listed under Heavy Manufacturing); plastics and rubber products manufacturing; automotive, ship, aircraft, and heavy equipment manufacturing; and fabricated metal product manufacturing.

General Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 17.10.040:

~~A. Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of articles of merchandise, other than the products listed in Sections 17.10.550, 17.10.560, or 17.10.580, from the following materials:~~

~~Chemicals
Clay
Glass
Graphite
Metal
Stone~~

~~B. Cotton ginning.~~

~~C. Shipbuilding.~~

~~D. Sugar refining.~~

~~E. Wood planing or sawing.~~

~~F. Wool pulling or scouring.~~

~~G. Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:~~

~~Aircraft
Alcoholic beverages
Asphalt
Barrels and casks
Boilers
Concrete
Charcoal, lampblack, and fuel briquettes
Disinfectants
Dyestuff
Emery cloth and sandpaper
Excelsior and packing materials
Film
Fish, meat, sauerkraut, vinegar, and yeast
Heavy machinery and machine tools
Insect poison
Matches
Monuments
Motor vehicles
Oil cloth and linoleum
Paint
Porcelain~~

Salt
Shoe polish and stove polish

(Prior planning code § 2414)

17.10.580 Heavy/High Impact Manufacturing Activities.

Heavy/High Impact Manufacturing Activities include high-impact or hazardous manufacturing processes.

Examples include but are not limited to explosives manufacturing; petroleum and coal products manufacturing and refining; animal slaughtering; leather tanning; cement and asphalt manufacturing; lime and gypsum products manufacturing; primary metal manufacturing; nonferrous metals production, processing, smelting, and refining; fertilizer and other agricultural chemical manufacturing; paint, coating and adhesive manufacturing; synthetic dye and pigment manufacturing; urethane and other open-cell foam product manufacturing; battery manufacturing and storage; any manufacturing use with large-scale facilities for outdoor oil and gas storage; and any biotechnology research, development, or production activities involving materials defined by the National Institute of Health as Risk Group 3 or 4 or Restricted Agents.

~~Heavy Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 17.10.040:~~

~~A. Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of articles of merchandise from the following raw materials:~~

~~Bones
Garbage, offal, and dead animals~~

~~B. Fat rendering.~~

~~C. Petroleum refining.~~

~~D. Radioactive material handling.~~

~~E. Stocking or slaughtering of animals.~~

~~F. Storage and distribution of natural and liquid gas and other petroleum derivatives in bulk.~~

~~G. Tanning.~~

~~H. Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:~~

~~Acid
Cement, lime, gypsum, and plaster of paris
Explosives
Fertilizer~~

Gas
Glue

(Prior planning code § 2415)

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17.10.--- Research and Development. Research and Development Industrial Activities includes scientific research, and the design, development, engineering, and testing of high technology electronic, industrial or scientific products in advance of product manufacturing. The production of products, plans, or designs is permitted when the primary purpose of such production is research, development, or evaluation, rather than sale. Manufacturing uses, wholesale and storage uses, repair and retail sales shall not be permitted except as an accessory use as defined herein.

Examples: Typical uses include biotechnology firms, electronic research firms, or pharmaceutical research laboratories.

Exclusions: This classification excludes facilities primarily engaged in the on-site production of products for sale, and biotechnology laboratories approved for National Institute of Health experiments using Risk Group 3 or 4 or Restricted Agents (commonly known as “bio-safety levels 3 or 4) (Sec. 17.10.--- Heavy Manufacturing).

17.10.590 Warehousing, Storage, and Distribution Activities.

Warehousing, Distribution and Storage Activities include the provision of primarily indoor warehousing and storage, and associated distribution activities. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2387). These activities may also include accessory outdoor storage areas where outdoor storage, not including parking and loading areas, does not occupy more than 30% of the total site area.

- A. -Warehousing, Storage, and Distribution** activities include the warehousing and storage, primarily within enclosed buildings, of commercial goods, and the associated distribution activities that occur on-site prior to delivery of goods to wholesale and retail outlets or direct shipment to customers. This classification excludes on-site sale of goods and merchandise.
- B. Warehousing, Storage, and Distribution with Accessory Stores** includes the warehousing and storage, primarily within enclosed buildings, of commercial goods, and the associated distribution activities that occur on-site prior to delivery of goods to wholesale and retail outlets or direct shipment to customers, along with accessory stores for on-site retail or wholesale sale of goods, where such stores do not exceed 20% of total floor area or 5,000 square feet.

(Comments: May need additional work to determine appropriate size threshold for an accessory store.

Exclusions: Self Storage activities (See Sec. 17.10.---).

17.10.595 Outdoor Storage. Outdoor Storage Activities includes principal storage of items for more than 24 hours where such storage activities occupy more than 30% of site area

- A. General Outdoor Storage.** The principal storage of goods and materials, equipment or vehicles; as well as the storage of operating equipment for warehouses, such as forklifts, pallets, and racks.

- B. Salvage/Junk Yards. Storage and dismantling of vehicles and equipment for sale of parts, including tire re-treading and recapping.
- B. Container Storage. Container Storage includes the storage, repair, and “pre-tripping” of shipping containers, including refrigerated shipping containers, on open lots.
- C. Oil and Gas Storage. Oil and Gas Storage includes tank farms and outdoor facilities for the storage of oil and gas

17.10.--- Regional Freight Transportation. Regional Freight Transportation Activities include the provision of freight handling and shipping services by water and rail. They include the inter- and intra-regional transportation of goods. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2387)

A. Seaport. Facilities for freight service and operations by ship. This classification includes piers, wharves & docks, marine terminals, container and break-bulk storage areas (*where container storage is an accessory, rather than principal activity*), related inter-modal facilities, and support services such as port and harbor operations and navigational services.

C. Rail yard. Facilities for freight service and operations by rail.

17.10.--- Trucking and Truck-Related. Trucking and Truck-Related Activities include the provision of freight handling and shipping services by trucks as well as parking, maintenance, and services for trucks and other heavy vehicles and equipment. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2387)

- A. Freight/Truck Terminal. Facilities for local or worldwide freight by truck. This classification includes facilities used primarily for transfer, breaking-down, and/or consolidation of freight, as well as parking and dispatch of trucks.
- B. Truck Yard. Parking, dispatch, refueling, and incidental repair of trucks, buses, or other fleets of heavy vehicles, where there is no on-site freight storage or transfer. This classification includes corporation yards operated by public agencies. This classification also includes towing operations.

Exclusions: Local courier and delivery services (See Section 17.10.---, Taxi and Light Fleet-Based Services); towing operations as an accessory activity to Automotive Repair and Cleaning (Section 17.10.---)

- C. Truck Weigh Stations. Facilities for weighing commercial trucks.
- D. Truck and Other Heavy Vehicle Sales, Rental, and Leasing. Sales, rental, and leasing of medium and heavy trucks, truck tractors, construction or agricultural equipment, buses, commercial boats, heavy equipment, and other commercial vehicles that have gross vehicle weight ratings greater than 10,000 lbs., including the sale, installation, and servicing of related equipment and parts. This classification includes fueling stations, repair shops, body and fender shops, wheel and brake shops, engine repair and rebuilding, welding, major painting service, tire sales and installation, and upholstery shops, but excludes vehicle dismantling or salvage and tire re-treading or recapping.

H. Truck and Other Heavy Vehicle Service, Repair, and Refueling. Repair, fueling, and other servicing of medium and heavy trucks, truck tractors, construction or agricultural equipment, buses, boats, heavy equipment, and similar vehicles that generally have gross vehicle weights greater than 10,000 lbs., including the sale, installation, and servicing of related equipment and parts. This classification includes fueling stations, repair shops, body and fender shops, wheel and brake shops, engine repair and rebuilding, welding, major painting service, tire sales and installation, and upholstery shops.

Exclusions: Vehicle dismantling or salvage (See Salvage/Junk Yards, Section 17.10.---).

17.10.600 Recycling and Waste-related Activities include recycling collection centers, intermediate processing facilities, and other activities related to the storage and processing of used and waste materials.

A. Small Recycling Collection Centers accept recyclable non-hazardous materials directly from the public by donation, redemption, or purchase at facilities less than 500 square feet in area that generally do not use power-driven processing equipment. Small collection centers may include mobile recycling units, bulk reverse vending machines, kiosk type units, and/or unattended containers placed for the donation of recyclable materials.

B. Large Collection Centers accept recyclable non-hazardous materials by donation, redemption, or purchase at facilities occupying an area of more than 500 square feet that are not operated incidental to a host use and that may have a permanent building. Large collection centers typically use power-driven equipment, primarily to sort and densify material for shipment to an intermediate processor or other user. Large collection centers may have a combination of outdoor processing and storage.

C. Intermediate Recycling Processing Facility. A facility that serves as collection point for receiving, processing, storage, and distribution of large quantities of recyclable materials delivered from recycling collection centers or other sources. Processing of most or all material typically occurs inside a building, using mechanical and/or chemical processing equipment to alter the physical form of incoming material. Processed materials may be stored in outdoor areas prior to sale to manufacturers or other end users. Intermediate processing facilities typically do not trade directly with the public. This classification excludes facilities that handle or process hazardous materials and solid waste facilities and transfer stations.

17.10.585 Hazardous Materials Production, Storage, and Waste Management Activities

A. Small Scale Transfer and Storage Hazardous Waste Management Activities.

Small Scale Transfer and Storage Hazardous Waste Management Activities include treatment facilities with wastestreams waste streams small enough to be exempt from manifest requirements as described in California Health and Safety Code, Division 20, Chapter 6.5, Article 6. Wastes from any given generator must not exceed a total volume of five gallons or a total weight of fifty (50) pounds. (Ord. 12072 § 5 (part), 1998)

17.10.586-B. Industrial Transfer/Storage Hazardous Waste Management Activities.

Industrial Transfer/Storage Hazardous Waste Management Activities include any treatment facility which is not a Small Scale Transfer and Storage Facility or Residual Repository. (Ord. 12072 § 5 (part), 1998)

17.10.587-C. Residuals Repositories Hazardous Waste Management Activities.

Residuals Repositories Hazardous Waste Management Activities include treatment facilities for collection of residual wastes defined as residues from other treatment facilities after treatment, and other irreducible stabilized or detoxified hazardous wastes. (Ord. 12072 § 5 (part), 1998)

Part 5. Agricultural and Extractive Activity Types

17.10.600 Plant Nursery Agricultural Activities.

Plant Nursery Agricultural Activities include the cultivation for sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2460)

17.10.610 Crop and Animal Raising Agricultural Activities.

Crop and Animal Raising Agricultural Activities include the raising of tree, vine, field, forage, and other plant crops, intended to provide food or fibers, as well as keeping, grazing, or feeding of animals for animal products, animal increase, or value increase. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2461)

17.10.620 Mining and Quarrying Extractive Activities.

Mining and Quarrying Extractive Activities include the extraction of metallic and nonmetallic minerals, including sand and gravel pit operations. They include surface mining operations as defined by Section 2735 of the Public Resources Code of the state of California. They also include certain activities accessory to the above, as specified in Section 17.10.040. (Prior planning code § 2462)

Note: Re-number above sections as necessary.