

3.5 | Allowed Uses

3.5.A. Introduction

1. Intent & Applicability

This section identifies the allowed uses and corresponding permit requirements for each regulatory zone and overlay within the 111 CSP, subject to the applicable development standards, development standards, and all other applicable requirements of this Chapter, unless otherwise specified.

The intent of these use regulations is to enable the neighborhoods, districts, and centers within the 111 CSP to be activated and enlivened by a dynamic and diverse mix of compatible uses, provided in urban forms and patterns that promote pedestrian access, activity, and social interaction.

For consistency and ease of use, *Table 3.5-1* has been organized into the specific land uses and land use categories provided in the Unified Development Code (UDC). Accordingly, definitions of all uses and categories described herein, shall be as defined in Chapter 7.01 of the UDC. For any uses in the 111 CSP that are not defined in the UDC, the Director shall determine the correct definition, giving deference to common usage. Uses that are not listed are not allowed unless the Director makes a similar use determination.

3.5.B. Allowed Uses & Permit Requirements

Allowed uses by zone and corresponding requirements for entitlements are listed in *Table 3.5-1*. Generally, a use is either allowed by right, allowed by issuance of a permit, or not allowed. In addition to the requirements for planning entitlements of this Code, other permits may be required prior to establishment of the use (e.g., building permit or permits required by other agencies). The requirements for planning entitlements include:

- 1. Permitted (P).** A land use shown with a “P” indicates that the land use is permitted by right in the designated zone or overlay, subject to compliance with all applicable standards of this Code as well State and Federal law.
- 2. Accessory Use (A).** A land use shown with “A” indicate that the land use is permitted only as a secondary use in conjunction with a primary use, subject to compliance with all applicable standards of this Code as well State and Federal law.
- 3. Administrative Use Permit (AUP) Required.** A land use shown with “AUP” indicates that the land use is permitted in the designated zone or overlay upon issuance of an administrative use permit from the designated approving authority, subject to compliance with all applicable standards of this Code, as well as State and Federal law.
- 4. Conditional Use Permit (CUP) Required.** A land use shown with “CUP” indicates that the land use is permitted in the designated zone or overlay upon issuance of a conditional use permit from the designated approving authority, subject to compliance with all applicable standards of this Code as well as State and Federal law.
- 5. Not Permitted (X).** A land use shown with an “X” is not allowed in the applicable zone or overlay.

- 6. Temporary Uses (TUP).** On occasion, property will be used for an event, activity, or use on a short-term basis. Such use is considered a temporary use. A land use shown with “TUP” indicates that the land use is permitted as a temporary use in conjunction with the issuance of a temporary use permit in accordance with UDC Section 6.04.05 (Temporary Use Permits). UDC Chapter 4.26 (Temporary Uses) provides the regulations for these uses, including additional development standards and time limits.
- 7. “Limited Uses” (LU).** The 111 CSP includes provisions for the limited approval of specific near-term development patterns and land-uses within the MU-C Zone that may not be entirely consistent with the desired long-term outcomes for the corridor, or with all standards of the MUC-Zone. Accordingly, any land use shown with a “LU” indicates that the land use is subject to the additional requirements of *Section 3.14*, and specific Limited Uses may require Council Approval, as specified in *Section 3.2.G*.

It should be noted that because “*Land Use*” and “*Urban Form/Pattern*”, though related, are unique topics, any allowed land use could be considered “limited” based on the proposed urban form of the development it is intended to inhabit. Accordingly, a permitted land use in *Table 3.5-1* does not exempt the applicant from complying with the requirements of other provisions of this Code, the UDC, the Building Code, or other local, state, or federal requirements.

3.5.C. Supporting Findings for Approved Land Uses

1. Required Findings for AUP & CUP Approvals

For all uses requiring Administrative (AUP) or Planning Commission (CUP) approval, a review shall be conducted with the purpose of determining that each such proposed use is, and will continue to be, compatible with surrounding, existing, or planned uses; and for the further purpose of establishing such special conditions as may be necessary to insure the harmonious integration and compatibility of such uses in the Downtown and with the surrounding area.

To support the review and approval of such use,s the following determinations shall be made and appropriate conditions applied to ensure:

- a.** That the proposed use will not become a public nuisance, resulting in disturbances of the peace, illegal drug activity including sales or possession thereof, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, public urination, curfew violations, theft, assaults, batteries, acts of vandalism, illegal parking, excessive littering, excessive noise (particularly between the hours of 11:00 p.m. and 7:00 a.m.), noxious smells or fumes, lewd conduct, or frequent police detention, citations or arrests, or any other activity declared by the City to be a public nuisance determined by California law to be public nuisance.
- i.** That the proposed use will not generate noise, light, glare, dust, noxious odors or other similar adverse effects on surrounding uses. For the purposes of this requirement, “surrounding uses” shall include occupants of neighboring buildings, occupants of other floors within the same building, and pedestrians passing along the sidewalk in front of the subject property.
- ii.** By the design and construction of buildings and by hours of operation of the subject use, noise that would be disruptive to residents of dwellings beside or above the proposed use shall not be permitted between the hours of 11:00 P.M. and 7:00 A.M.
- b.** That the proposed use will not generate access and parking requirements in excess of those provided for *Section 3.12*.

- c.** That perceived privacy and/or security requirements of the proposed use will not lead building users to maintain rarely opened opaque window coverings on street-facing windows, nor to routinely utilize rear or side entries rather than street-facing front doors as the primary means of access and egress to the building.
- d.** That the ground floor rooms adjacent to the street frontage will be occupied during much of the day and occupied and/or lighted during most evenings.
- i.** For all retail, restaurant and indoor recreational uses, display windows shall not “wall off” views into retail interior spaces, and the interiors of dining rooms and activity rooms shall be clearly visible to passing pedestrians.
- ii.** For office uses, front rooms should include lobbies, waiting areas, and office spaces in which window blinds are typically open.
- iii.** For residential uses, units should be configured such that public realm-facing rooms include living rooms and dining rooms, and should not include bathrooms, closets and other uninhabited spaces.

Table 3.5-1 Allowed Uses

USES BY CATAGORY	NL Zone	NG Zone	MU-C Zone	MU-Ctr Overlay*	W/E Overlay**	Additional/Specific Use Regulations
A. AGRICULTURE AND ANIMAL KEEPING USES						
Agricultural Support, Sales, Service, and Storage	X	X	X	X	AUP	1. See UDC Chapter 4.03 (Animal Keeping)
Aquaculture	X	X	X	X	AUP	
Animal Husbandry and Production	X	X	X	X	X	2. Only applicable for Subareas 2 and 10
Animal Raising and Keeping, Exotic	X	X	X	X	X	
Animal Raising and Keeping, Domestic Pets ¹	A	A	A	A	A	
Animal Raising and Keeping, Horses	X	X	X	X	X	
Animal Raising and Keeping, Large Livestock	X	X	X	X	X	
Animal Raising and Keeping, Small Livestock, Poultry, and Beekeeping	X	X	X	X	X	
Backyard Breeding	P	P	X	X	X	
Community Garden	AUP	AUP	X	X	AUP	
Crop Production	X	X	CUP ²	X	X	
Greenhouse, Private	A	A	CUP ²	X	AUP	
Horticultural Production	X	X	CUP ²	X	AUP	
Kennels, Private/Hobby	X	X	X	X	AUP	
Private Garden	A	A	A	A	A	
Stable/Equestrian Facility, Commercial/Public	X	X	X	X	X	
Stable/Equestrian Facility, Hobby/Private	X	X	X	X	X	
B. AUTOMOBILE AND VEHICLE USES - SEE ALSO “LIMITED USES” (SECTION 3.14)						
Auto and Vehicle Rental	X	X	CUP, LU ³	CUP, LU ³	AUP	3. Subject to Limited Use standards of Section 3.14 (“See A. Specific to Standalone Commercial Uses”)
Auto and Vehicle Sales, New	X	X	X	X	AUP	
Auto and Vehicle Sales, Used	X	X	X	X	AUP	
Auto and Vehicle Sales and Rental, Large Vehicles and Equipment	X	X	X	X	X	4. CUP shall be granted by City Council approval only - See also Section 3.2.G
Auto and Vehicle Services and Repair – Major	X	X	X	X	X	
Auto and Vehicle Services and Repair – Minor	X	X	X	X	AUP	
Auto and Vehicle Towing/Impounding	X	X	X	X	X	
Auto and Vehicle Washing and Detailing ^{3,4}	X	X	CUP ⁴ / LU ³	X	AUP	
Auto and Vehicle Wrecking/Dismantling	X	X	X	X	X	
Fueling Stations ^{3,4}	X	X	CUP ⁴ / LU ³	CUP ⁴ / LU ³	AUP	
Truck Stop/Fueling Station	X	X	X	X	X	

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USES BY CATAGORY	NL Zone	NG Zone	MU-C Zone	MU-Ctr Overlay*	W/E Overlay**	Additional/Specific Use Regulations
C. CANNABIS RELATED USES ⁴						
Cannabis Cultivation, Commercial	X	X	X	X	X	5. See also UDC Chapter 4.06 (Cannabis Activity)
Cannabis Cultivation, Personal	P	P	P	X	P	
Cannabis Logistics, Distribution, and Transportation Facility	X	X	X	X	X	
Cannabis Manufacturing	X	X	X	X	X	
Cannabis Retailer, Microbusiness, or Dispensary	X	X	P	P	X	
Cannabis Testing Laboratory	X	X	X	X	X	
D. EATING AND DRINKING ESTABLISHMENTS / ENTERTAINMENT USES						
Bar/Nightclub/Lounge	X	X	AUP	P	AUP	6. See also UDC Chapter 4.26 (Temporary Uses)
Brewpub/Taproom/Wine Bar/Microdistillery	X	X	AUP	P	AUP	
Cinema/Theater/Performing Arts Center	X	X	AUP	P	AUP	7. Subject to Limited Use standards of Section 3.14 (“See C. Specific to Freestanding Commercial and Drive-Throughs”)
Live Entertainment as Accessory Use, Indoors (Accessory)	X	A	A	A	A	
Live Entertainment as Accessory Use, Outdoors (Accessory)	X	A, AUP, TUP ⁶	A, AUP, TUP ⁶	A, TUP ⁶	A, TUP ⁶	
Outdoor Dining (Accessory)	X	A	A	A	A	8. CUP shall be granted by City Council approval only - See also Section 3.2.G
Outdoor Entertainment	X	X	AUP	AUP	AUP	
Restaurant, Dine-In and Take-Out	X	AUP	P	P	P	
Drive -Through Uses (all) ^{7,8}	X	CUP ⁸ / LU ⁷	CUP ⁸ / LU ⁷	CUP ⁸ / LU ⁷	CUP ⁸ / LU ⁷	
E. INDUSTRIAL AND MANUFACTURING USES						
Artisan Manufacturing/Makers Space	X	X	AUP, LU ⁹	AUP, LU ⁹	P	9. Subject to Limited Use standards of Section 3.14 (“See D. Specific to Office/Light Industrial”)
Brewery/Distillery/Winery - without tasting room or > 10,000 sf	X	X	X	X	AUP	
Brewery/Distillery/Winery - with tasting room and <10,000 sf	X	X	AUP, LU ⁹	AUP, LU ⁹	P	
Construction and Materials Yards	X	X	X	X	AUP	
Food or Beverage Manufacturing	X	X	X	X	AUP	
Hazardous Materials/Wholesale Fuel Storage and Distribution	X	X	X	X	X	
Indoor Warehousing, Storage, Wholesaling, and Distribution	X	X	X	X	AUP	
Manufacturing/Processing, Heavy	X	X	X	X	X	
Manufacturing/Processing, Light	X	X	X	X	AUP	
Mining/Resource Extraction	X	X	X	X	X	
Outdoor Storage (Primary Use)	X	X	X	X	AUP	
Outdoor Storage (Accessory)	X	X	X	X	A	
Salvage and Wrecking Yards	X	X	X	X	X	

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Table 3.5-1 Allowed Uses (Continued)

USES BY CATAGORY	NL Zone	NG Zone	MU-C Zone	MU-Ctr Overlay*	W/E Overlay**	Additional/Specific Use Regulations
E. LODGING						
Bed and Breakfast	X	AUP	X	X	X	10. Subject to Limited Use standards of Section 3.14 ("See C. Specific to Freestanding Commercial and Drive-Throughs")
Lodging - Extended Stay	X	X	AUP	X	AUP	
Lodging - Hotels	X	CUP	P	P	AUP	
Lodging - Motels	X	CUP, LU ¹⁰	AUP, LU ¹⁰	AUP, LU ¹⁰	AUP	
Lodging - Timeshares	X	X	X	X	X	
F. RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES						
Campground, Temporary	X	X	X	X	X	General to all Uses in this Category: Subject to Limited Use standards of Section 3.14 ("See C. Specific to Freestanding Commercial and Drive-Throughs"; D. Specific to Light Industrial and Office")
Cemeteries, Crematories, or Mausoleums	X	X	X	X	X	
Civic/Government	CUP	AUP	AUP	X	AUP	
College/University	X	CUP	CUP	X	CUP	
Commercial Recreation and Sports, Indoor	X	X	AUP, LU	X	P	
Commercial Recreation and Sports, Outdoor	X	X	X	X	AUP	
Community Assembly, Up to 5,000 sf (gross sf)	CUP	P	P	AUP	P	
Community Assembly, > 5000 sf - 12,000 sf (gross sf)	X	AUP	AUP	AUP	AUP	
Community Assembly, >12,000 sf (gross sf)	X	CUP	CUP	X	CUP	
Cultural Institutions	AUP	AUP	AUP	AUP	P	
Day Care Centers ¹¹	X	P	P	X	P	
Instructional Services, <= 5000 sf	AUP	AUP	P	AUP	P	11. See also UDC Chapter 4.08 (Day Care Centers)
Instructional Services, > 5000 sf	X	X	AUP	X	P	
Open Space, Natural	P	P	P	X	P	
Parks and Recreation Facilities	P	P	P	X	P	
Public Service Facility	AUP	AUP	AUP	AUP	P	
Recreational Vehicle (RV) Park	X	X	X	X	X	
Schools, Public or Private (TK-12)	CUP	CUP	CUP	X	CUP	
Social Service Facilities	X	X	CUP	X	AUP	
Tutoring Facilities	AUP	AUP	P	AUP	P	
Vocational/Trade School	X	CUP	CUP	X	AUP	
G. RESIDENTIAL & LODGING						
Accessory Dwelling Unit (ADU) and Jr ADU ¹²	A	A	A	X	X	12. See also UDC Chapter 4.02 (ADUs and Jr ADUs)
Caretaker's Unit	X	X	X	X	A	
Child Day Care in a Home, Large ¹³	AUP	AUP	AUP	X	X	
Child Day Care in a Home, Small ¹⁴	P	P	P	X	X	13. See also UDC Chapter 4.08 (Child Day Care in a Home (Small and Large)
Cottage Industry	X	A, AUP	A, AUP	X	X	
Emergency Shelter	X	X	X	X	P	
Group Residential Home	X	CUP	CUP	X	AUP	14. See also UDC Chapter 4.13 (Emergency Shelters)

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USES BY CATAGORY	NL Zone	NG Zone	MU-C Zone	MU-Ctr Overlay*	W/E Overlay**	Additional/Specific Use Regulations
Home Occupation ¹⁵	A	A	A	X	A	15. See also UDC Chapter 4.14 (Home Occupations) 16. See also UDC Chapter 4.10 (Cottage Food Operations) 17. See also UDC Chapter 4.15 (Live Work) 198. Standards of UDC Chapter 2.03.05 shall apply to all "House-Form" residential development as defined in Section 3.3 Glossary . 19. Ground-floor residential use in MU-CTR Overlay allowed only via "Retail/Housing Flex" Private Frontage Type - per the requirements of Section 3.10.C.4.b
Cottage Food Operation ¹⁶	A, AUP	A, AUP	A, AUP	X	A, AUP	
Live/Work ¹⁷	AUP	P	P	AUP ¹⁷	AUP	
Manufactured/Mobile Home Park	X	X	X	X	X	
Residential Care Facilities, Large	CUP	CUP	CUP	X	X	
Residential Care Facilities, Small	P	P	P	X	X	20. See also UDC Chapter 4.02 (Adult-Oriented Businesses) 21. See also UDC Chapter 4.05 (Bail Bonds) 22. Does not include Drive-Through institutions. Drive-Through financial institutions, are covered under "Drive Throughs (All Uses)" in Use Category D above. 23. See also UDC Chapter 4.07 (Check-Cashing Businesses)
Residential Dwelling, Single-Family Detached ¹⁸	P	P	CUP	X	X	
Residential Dwelling, Single-Family Attached	P	P	X	X	X	
Residential Dwelling, Duplex, Triplex, Quadplex ¹⁸	P	P	X	X	X	
Residential Dwelling, Multifamily ≥ 5 Units	P	P	P	AUP ¹⁹	X	
Residential Dwelling, Mobile Home	X	X	X	X	X	
Residential Dwelling, Manufactured/Modular/Prefabricated	CUP	CUP	CUP	X	CUP	
Single-Room Occupancy	X	CUP	CUP	X	CUP	
Supportive Housing	X	CUP	CUP	X	CUP	
Transitional Housing	X	X	X	X	CUP	
RETAIL, SERVICE, AND OFFICE USES						
Adult-Oriented Business ²⁰	X	X	X	X	X	20. See also UDC Chapter 4.02 (Adult-Oriented Businesses) 21. See also UDC Chapter 4.05 (Bail Bonds) 22. Does not include Drive-Through institutions. Drive-Through financial institutions, are covered under "Drive Throughs (All Uses)" in Use Category D above. 23. See also UDC Chapter 4.07 (Check-Cashing Businesses)
Alcohol Sales, Off-Sale	X	CUP	CUP	CUP	CUP	
Animal Sales and Services	X	X	P	AUP	P	
ATM (Accessory Use)	X	X	A	A	A	
Bail Bonds ²¹	X	X	X	X	CUP	
Banks, Financial, and Savings & Loan Institutions ²²	X	X	P	AUP	P	
Building Materials Sales and Services	X	X	X	X	P	
Business to Business Support Services	X	X	X	X	P	
Check-Cashing Businesses ²³	X	X	CUP	X	CUP	
Convenience Market	X	AUP	AUP, LU	AUP, LU	AUP	
Food Preparation, Commercial	X	X	P	AUP	P	23. See also UDC Chapter 4.07 (Check-Cashing Businesses)
Fortunetelling, Palm and Card Reading	X	X	P	AUP	P	
Funeral Homes and Mortuaries	X	X	AUP	X	P	
General Retail ≤ 5,000 sf	X	AUP	P	P	P	
General Retail 5,000 sf - 25,000	X	X	P	AUP	P	
General Retail/Superstore > 25,000	X	X	CUP, LU	CUP, LU	X	

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Table 3.5-1 Allowed Uses (Continued)

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Grocery Store	X	AUP	P	P	P	24. See also UDC Chapter 4.20 (Pawnshops)
Hospital	X	X	CUP	CUP	CUP	
Kennels/Boarding, Commercial	X	X	AUP	X	AUP	
Kiosk/Outdoor Vending	X	X	A	A	A	25. See also UDC Chapter 4.23 (Smoke Shops)
Laundromat	X	AUP	AUP	AUP, LU	P	
Massage Establishment, Accessory Use	X	X	A	A	A	
Medical Services, Extended Care	X	X	CUP	X	AUP	26. See also UDC Chapter 4.26 (Temporary Uses)
Medical Services, Medical/Dental/Holistic/Clinic	X	X	P	AUP	P	
Medical Services, Urgent Care	X	X	P	AUP, LU	P	
Mini-Storage Warehousing or Facility	X	X	X	X	CUP	27. See also UDC Chapter 4.24 (Tattoo / Body Art / Piercing Establishment)
Neighborhood Market	X	AUP	P	P	P	
Nursery/Garden Center	X	AUP	AUP	X	P	
Offices, Processing	X	X	X	X	P	28. See also UDC Chapter 4.22 (Resale / Consignment)
Offices, Professional/Administrative	X	AUP	P	AUP	P	
Offices, Service	X	AUP	P	AUP	P	
Outdoor Display (Accessory)	X	A	A	A	A	
Pawnshop ²⁴	X	X	CUP	CUP	CUP	
Personal Services	X	X	P	P	P	
Research and Development	X	X	CUP	X	P	
Smoke Shops ²⁵	X	AUP	CUP	CUP	P	
Smoking Lounge	X	AUP	AUP	AUP	P	
Swap Meet, Outdoor (Temporary) ²⁶	X	TUP	TUP	TUP	TUP	
Tattoo/Body Art/Piercing ²⁷	X	AUP	AUP	AUP	P	
Resale/Consignment/Thrift Shop ²⁸	X	AUP	AUP	AUP	P	
Veterinary Hospitals	X	AUP	AUP	X	P	
UTILITY, TRANSPORTATION, AND COMMUNICATION USES						
Airports and Heliports	X	X	X	X	X	29. See also UDC Chapter 4.25 (Telecommunications / Wireless Facilities)
Communications, Facilities within Buildings	X	X	X	X	P	
Communications,Telecommunications/Large Commercial Antennas	X	X	X	X	AUP/CUP	
Communications, Telecommunications/Small Wireless Facilities ²⁹	X	AUP	AUP	X	P	
Freight/Trucking Facility	X	X	X	X	AUP	
Light Fleet-Based Services	X	X	X	X	P	
Mobile Recycling Unit	A, AUP	A, AUP	A, AUP	A, AUP	A, AUP	

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USES BY CATAGORY	NL Zone	NG Zone	MU-C Zone	MU-Ctr Overlay*	W/E Overlay**	Additional/Specific Use Regulations
Parking, Structured (above ground) ³⁰	X	A, AUP	A, AUP	A, AUP	A, AUP	30. Subject to the requirements of Section 3.12 - Parking
Parking, Subterranean ³⁰	A, AUP	A, AUP	A, AUP	A, AUP	A, AUP	
Parking, Surface Lot ³⁰	A, AUP	A, AUP	A, AUP	A, AUP	A, AUP	31. Bus stops are allowed in all Zones and Overlays
Passenger Transportation Facilities ³¹	X	X	CUP, LU	CUP, LU	CUP	
Public Utilities, Major	X	X	X	X	AUP	
Public Utilities, Minor	AUP	AUP	AUP	X	P	
Renewable Energy System (Primary Use)	X	X	X	X	A	
Renewable Energy System, Building-Mounted (Accessory)	A	A	A	X	A	
Renewable Energy System, Stand-Alone or Ground Mounted (Accessory)	A, CUP	A, CUP	A, CUP	X	A	
Recycling Collection and/or Processing Facility	X	X	X	X	AUP	
Reverse Vending Machine (Accessory)	X	X	A	A	A	
Utility Yard	X	X	X	X	AUP	

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