

Chapter 17.06 Commercial Zones

17.06.010 Purpose and Applicability

The purposes of the Commercial Zones are as follows:

Historic Center (HC) Zone. The HC Zone is intended to allow for a mix of compatible residential- and visitor-serving uses, sized and designed to reflect the scale and character of surrounding structures, reflect small-lot sizes, and preserve and protect the historic core of existing communities. This Zone implements the Historic Center General Plan Land Use Category.

Local Commercial (C1) Zone. The purpose of the C1 Zone is to provide areas for a mix of residential and commercial uses intended to serve the residents of and visitors to the community and the surrounding area. Typical commercial uses include: retail and service establishments, lodging, professional offices, eating establishments and other support services for residents and visitors. Residential uses, typically live-work units, second floor residential, and single and multi-family units; public and quasi-public uses; and similar uses in support of the community are also allowed. This Zone implements the Community Center General Plan Land Use Category.

General Commercial (C2) Zone. The purpose of the C2 Zone is to provide lands for general commercial or office uses in areas with adequate public infrastructure (water, sewer, roads). Typical uses include general commercial (e.g., retail, stores, and services), professional business offices, employment centers, service commercial (e.g. automotive-related, large equipment sales, building maintenance services, construction sales and services, and storage/warehousing), public and quasi-public, and other similar and compatible uses. This Zone implements the Commercial General Plan Land Use Category.

Professional Office (CP) Zone. The CP Zone is intended to provide locations for professional offices, administrative offices and conditionally permitted residential complexes in a compatible environment. This Zone implements the Commercial General Plan Land Use Category.

17.06.020 Land Use Regulations

Land use regulations for the Commercial Zones are established in Table 17.06.020: Land Use Regulations – Commercial Zones, and as specifically stated in any other part of this Zoning Code. Land uses are defined in Chapter 17.42, Use Classifications. In cases where a specific land use or activity is not defined, the Planning Director shall assign the land use or activity to a classification that is substantially similar in character. Land uses not listed in the table or specifically allowed pursuant to this Code and not substantially similar to the uses that are allowed are prohibited. Section numbers in the right-hand column refer to other sections of this Title. Numbers in parentheses refer to specific limitations listed at the end of the table.

TABLE 17.06.020: LAND USE REGULATIONS – COMMERCIAL ZONES

"P" = Permitted Use; "A" = Administrative Use Permit required; "C" = Conditional Use Permit required; "T" = Temporary Use Permit required; "-" = use not allowed

Land Use Classification	HC	C1	C2	CP	Additional Regulations
Residential Uses					
Residential Housing Types	See subclassifications below				
Single-Unit Dwelling, Detached	P/C(1)	P/C(1)	-	P/C(1)	See Section 17.06.030, Residential Uses in Commercial Zones
Single-Unit Dwelling, Attached	P/C(1)	P/C(1)	C	P/C(1)	See Section 17.06.030, Residential Uses in Commercial Zones
Multi-Unit Dwelling	P/C(1)	C	C	P/C(1)	See Section 17.06.030, Residential Uses in Commercial Zones
Accessory Dwelling Unit	P	P	P	P	See Section 17.25.040, Accessory Dwelling Units
Employee Housing	P	P	P	P	See Section 17.25.120, Employee Housing (for Farmworkers)
Family Day Care	P	P	P	P	
Residential Facility, Assisted Living	C	C	C	C	
Single Room Occupancy (SROs)	P/C(1)	P/C(1)	-	-	See Section 17.25.200, Single Room Occupancy (SROs)
Small Residential Care Facility	Small residential care facilities and transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zoning district. 100 percent affordable developments that include a percentage of supportive housing units, either 25 percent or 12 units, whichever is greater, may qualify for expedited review pursuant to AB 2162 (2018) and AB 101.				
Supportive Housing					
Transitional Housing					
Public/Semi-Public Uses					
Colleges and Trade Schools	-	P	P	P	
Community Assembly	P	P	P	P	
Community Garden	P	P	P	P	See Section 17.25.100, Community Gardens
Cultural Institution	P	P	A	A	
Day Care Centers	P	P	A	A	
Emergency Shelter	-	-	C	-	See Section 17.25.110, Emergency Shelter
Government Office	P	P	P	P	
Hospitals and Clinics	See subclassifications below				
Clinics	-	P	P	P	
Hospitals	-	-	C	-	

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<i>Skilled Nursing Facility</i>	-	C	C	C	
Instructional Services	P	P	P	P	
Park and Recreation Facilities	See subclassifications below				
<i>Passive Recreation</i>	P	P	P	P	
<i>Active Recreation</i>	P	P	P	P	
Parking Lots	P	P	P	P	
Public Safety Facilities	P	P	P	P	
Schools, Private	P	P	P	C	
Social Service Facilities	P	P	P	P	
Commercial Uses					
Animal Care and Boarding Services	See subclassifications below				
<i>Animal Boarding</i>	P/A(6)	P/A(6)	P/A(6)	P/A(6)	
<i>Veterinary Services, no overnight boarding</i>	P	P	P	P	
<i>Veterinary Services, with overnight boarding of animals in care</i>	-	C	C	C	
Banks and Financial Institutions	P	P	P	P	
Business Support Services	P	P	P	P	
Cannabis	See Chapter 17.17, Cannabis Retailers, and Chapter 17.18, Regulation of Commercial and Non-commercial Cannabis Cultivation and Commerce (Except for Cannabis Retailers Pursuant to Chapter 17.17)				
Commercial Entertainment and Recreation	See subclassifications below				
<i>Indoor Entertainment and Recreation</i>	P	P	P	-	
<i>Outdoor Sports and Recreation</i>	-	-	A/C(2)	-	
Drive-Through Facility	-	A	A	-	

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Eating and Drinking Establishments	See subclassifications below				
<i>Bars/Night Clubs/Lounges</i>	A	A	P	-	
<i>Restaurants</i>	P	P	P	-P	
<i>Tasting Rooms</i>	P	P	P	-	
Event Center	C	C	C	-	
Farmer's Markets	P	P	P	P	See Section 17.25.130, Farmer's Markets
Food Preparation	P	P	P	P	
Funeral Parlor	-	A	P	A	
Home Occupation	P	P	P	P	See Section 17.25.140, Home Occupations
Lodging	See subclassifications below				
<i>Bed and Breakfast Inns</i>	A(3)	A(3)	-	-	
<i>Hotels and Motels</i>	C	C	C	C	
Offices	P	P	P	P	
Personal Services	P	P	P	P	
Repair and Maintenance Services	C	P	P	-	
Retail Sales	See subclassifications below				
<i>Building Material Stores</i>	C	C	P	-	
<i>Feed and Farm Supply Store</i>	C	C	P	-	
<i>Food and Beverage Sales</i>	P	P	P	P	
<i>General Retail</i>	P	P	P	-	
<i>Garden Shop</i>	P	P	P	-	
Sexually Oriented Business	-	-	C	-	Shall be located a minimum of 1,000 feet from any other Sexually Oriented Business use and a minimum of 1,000 feet from any park, school providing instruction in kindergarten or any grades 1 through 12, day care center, youth center, or county central library and its branches.
Smoking Lounge	A	A	A	-	
Vehicle Sales and Services	See subclassifications below				

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<i>Automobile Rental</i>	-	-	P	-	
<i>Automobile/Vehicle Sales and Leasing</i>	-	-	P	-	
<i>Automobile/Vehicle Service and Repair, Minor</i>	A	A	P	-	
<i>Automobile/Vehicle Repair, Major</i>	C	C	P	-	
<i>Large Vehicle and Equipment Sales, Service, and Rental</i>	-	-	P	-	
<i>Service Stations</i>	C	C	C	-	
<i>Washing</i>	C	-	P	-	
Industrial Uses					
Agricultural, Food, and Beverage Processing, less than 10,000 square feet of floor area	A(4)	A(4)	A	-	
Agricultural, Food, and Beverage Processing, 10,000 square feet or more of floor area	-	-	C	-	
Contractor and Materials Yards	-	C(5)	C	-	
Custom Manufacturing	A	A	P	-	
Light Industrial	-	-	P	-	
Research and Development	-	-	P	P	
Warehousing and Storage	See subclassifications below				
<i>Indoor</i>	-	-	P	-	
<i>Boat and RV Storage</i>	-	-	C	-	See Section 17.16.110, Non Residential Outdoor Storage
<i>Personal Storage</i>	-	-	P	-	
Woodyard	-	-	P	-	
Transportation, Communication, and Utility Uses					
Communication Facilities	See subclassifications below				

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<i>Facilities within Buildings</i>	-	P	P	P	
<i>Telecommunication</i>	P/A	P/A	P/A	P/A	See Section 17.25.210, Telecommunication Facilities
Freight/Truck Terminals and Distribution	-	-	C	-	
Light Fleet-Based Services	-	-	P	-	
Recycling Facility	See subclassifications below				
<i>Reverse Vending Machine</i>	-	-	P	-	
<i>Recycling Collection Facility</i>	-	-	A	-	
Agricultural and Natural Resource Uses					
Nurseries and Greenhouses, Wholesale	-	-	P	-	
Accessory and Temporary Uses					
Accessory Uses, Activities, and Structures	P	P	P	P	See Section 17.25.030, Accessory Uses, and Section 17.16.030, Detached Accessory Structures
<i>Outdoor Dining and Seating</i>	A	A	A	A	See Section 17.25.160, Outdoor Dining and Seating
<i>Outdoor Display and Sales</i>	P	P	P	P	See Section 17.25.170, Outdoor Display and Sales
<i>Special Events</i>	P/T/A/C	P/T/A/C	P/T/A/C	P/T/A/C	See Section 17.25.190, Special Events
<i>Wind and Solar Energy Systems</i>	P/A/C	P/A/C	P/A/C	P/A/C	See Section 17.25.230, Wind and Solar Energy Systems
Temporary Uses	P/T/A	P/T/A	P/T/A	P/T/A	See Section 17.25.220, Temporary Uses

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Specific Limitations:

1. Permitted if existing or located on upper stories or behind commercial uses and developed in accordance with Section 17.06.030, Residential Uses in Commercial Zones. Conditional Use Permit approval is required for ground floor residential units along the street frontage.
2. Conditional Use Permit approval required for facilities more than one acre in combined floor and use area. Shooting and archery ranges and motocross/ATV parks are prohibited.
3. Must be located within a legal residential structure. Prohibited in Accessory Dwelling Units.
4. Must have a minimum of 500 square feet dedicated to retail sales and/or food and beverage tasting or serving.
5. Must have a minimum of 500 square feet dedicated to retail sales and/or customer service area. Outdoor storage of materials is prohibited unless expressly allowed pursuant to Conditional Use Permit approval where the review authority finds that the outdoor storage area is appropriately designed, located, and screened.
6. Permitted if located completely within an enclosed structure. Administrative Use Permit approval is required to allow any outdoor activity or use.

17.06.030 Residential Uses in Commercial Zones

Residential uses in Commercial Zones shall comply with the following:

A. Location and Configuration Requirements.

1. Residential units shall be located on upper stories or behind commercial uses.
2. Commercial uses shall occupy the ground floor of buildings for a minimum of 40 feet or 25 percent of the development site frontage, whichever is greater. These areas shall extend the entire depth of the building or a minimum of 65 feet, whichever is less.
3. These requirements may be waived through Conditional Use Permit approval where the Planning Commission finds that the configuration of the site and/or the character of the surrounding area is such that commercial street frontage is not appropriate or warranted.

B. Detached Single Unit Size Limitation. Detached single dwelling units shall be limited to 1,500 square feet of living area.

17.06.040 Development Standards

Table 17.06.040, Development Regulations—Commercial Zones, prescribes the development regulations for the Commercial Zones. Section numbers in the Additional Regulations column refer to other sections of this Title.

TABLE 17.06.040: DEVELOPMENT STANDARDS – COMMERCIAL ZONES					
<i>Standard</i>	<i>HC</i>	<i>C1</i>	<i>C2</i>	<i>CP</i>	<i>Additional Regulations</i>
Maximum Density	12 dwelling unit/acre	20 dwelling unit/acre	6 dwelling unit/acre	12 dwelling unit/acre	Subject to Environmental Health requirements for sewage disposal and water service. For lots with slopes of 50% or more, see Section 17.16.050, Slopes 50 Percent or More
Minimum Parcel Size	Subject to compliance with the General Plan, for lots with slopes of 50% or more, see Section 17.16.050, Slopes 50 Percent or More				
Maximum Floor Area Ratio (FAR), non-residential portion of development	2.0	2.0	1.0	1.0	See Section 17.02.030.G, Determining Floor Area Ratio
Maximum Building Height (ft)	35	35	45	35	See Section 17.16.090, Height Exceptions
Minimum Setbacks (ft)	Measured in feet from property line unless otherwise stated. Construction must also meet the requirements for “Defensible Space” and “Fire Regulations for State Responsibility Areas” pursuant to Title 15 of Calaveras County Code and any other applicable fire safety requirements. See also Section 17.16.080, Setbacks				
<i>Front</i>	0 from property line or 30 from centerline of the road right-of-way or easement, whichever results in a greater setback from the road right-of-way or easement				See Section 17.16.140, Visibility at Intersections and Driveways
<i>Street Side</i>	0 from property line or 30 from centerline of the road right-of-way or easement, whichever results in a greater setback from the road right-of-way or easement				See Section 17.16.140, Visibility at Intersections and Driveways
<i>Interior Side</i>	5 adjacent to any zone other than a Commercial Zone; otherwise 0	5 adjacent to any zone other than a Commercial Zone; otherwise 0	5 adjacent to any zone other than a Commercial Zone; otherwise 0	5 adjacent to any zone other than a Commercial Zone; otherwise 0	

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<i>Standard</i>	<i>HC</i>	<i>C1</i>	<i>C2</i>	<i>CP</i>	<i>Additional Regulations</i>
<i>Rear</i>	20 adjacent to Residential Zone; otherwise 0	20 adjacent to Residential Zone; otherwise 0	20 adjacent to Residential Zone; otherwise 0	20 adjacent to Residential Zone; otherwise 0	