

ORDINANCE NO. 739

AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF LOMA LINDA

THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES HEREBY ORDAIN

AS FOLLOWS:

**Section 1.** Chapter 17.02 (Introduction and Definitions) of Title 17 (Zoning) of the Loma Linda Municipal Code is hereby amended to delete Sections 17.02.100 (Accessory), 17.02.105 (Amusement devices, electrical or mechanical), 17.02.107 (Arcades, recreational), 17.02.120 (Borrow pit), 17.02.160 (Child care home), 17.02.170 (Churches), 17.02.185 (Drop off or collection program), 17.02.190 (Educational institution), 17.02.195 (Emergency shelter), 17.02.205 (Formula-based fast food retail), 17.02.210 (Hotel), 17.02.330 (Mobile home), 17.02.335 (Mobile recycling unit), 17.02.340 (Motel), 17.02.370 (Occasional assembly), 17.02.404 (Recycling facility), 17.02.410 (Residence, single-family), 17.02.430 (Residential, two family), and 17.02.435 (Reverse vending machine), and to hereby add to Title 17 (Zoning) new Section 17.02.212 (Land use definitions), as set forth in Attachment A.

**Section 2.** New Chapter 17.30.125 (Minor Use Permits) is hereby added to Title 17 (Zoning) of the Loma Linda Municipal Code, as set forth in Attachment B.

**Section 3.** Section 17.30.260 is amended in its entirety to read as follows:

“17.30.260 Precise plan of design—Required when.

In order to fairly administer and provide for adequate consideration of all provisions of this title, it shall be required for all property development or establishment of use on a property to file a precise plan of design (minor or major) to accomplish as nearly as possible a uniformity in the permitted use and enjoyment in any zone while at the same time imposing a uniformity of regulation to protect use and enjoyment of surrounding properties. Therefore, no person shall commence any use and no building permit shall be issued for any structure until a precise plan of design (minor or major) covering the parcel or parcels to be used shall be approved and adopted as herein provided. For purposes of this section, the term “minor” shall be defined as all new individual single-family homes, including additions or modifications that are 500 square feet or larger, and all other types of development projects considered to be small projects of over 120 square feet and up to and including 500 square feet in total building area, which require public notice and an administrative Director’s hearing. The term “major” shall be defined as all other types of development projects, except for those classified as “exceptions” in this section. Exceptions to this include additions or modifications to individual single-family homes of less than 500 square feet, fences in residential zones, or any other accessory structure having a valuation of one thousand five hundred dollars or less.”

**Section 4.** Chapter 17.32 (A-1 Agricultural Estates Zone) through Chapter 17.52 (M-1 Light Manufacturing Zone), inclusive, and Chapter 17.56 (OS Open Space Zone) through Chapter 17.70 (Planned Community District, inclusive, of Title 17 (Zoning) of the Loma Linda Municipal Code are hereby repealed in their entirety and replaced with Attachment C. Chapter 17.54 (Hillside Development Suffix Zone) is retained.

**Section 5.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such holding or holdings shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

**Section 6. Posting.** Prior to the expiration of fifteen (15) days from its passage, the City Clerk shall cause this Ordinance to be posted pursuant to law in three (3) public places designated for such purpose by the City Council.

This Ordinance was introduced at the regular meeting of the City Council of the City of Loma Linda, California, held on the 9<sup>th</sup> day of May, 2017 and was adopted on the 13<sup>th</sup> day of June, 2017 by the following vote to wit:

Ayes:	Rigsby, Dupper, Popescu, Dailey
Noes:	None
Abstain:	None
Absent:	Lenart

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Rhodes Rigsby, Mayor

Attest:

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Barbara Nicholson, City Clerk

# Attachment A

## Section 17.02.212 (Land use definitions)

### “A” Definitions

#### Accessory Structures and Uses.

**Accessory Agricultural Structures or Uses.** A structure for sheltering animals, or agricultural equipment, hay, feed, etc. Examples of these structures include barns, non-commercial greenhouses, coops, corrals, and pens.

**Accessory Nonresidential Structures.** Attached and detached accessory structures located within a health care, hotel, office, or industrial complex for the purpose of serving the nonresidential uses. Examples of these structures include:

- garages
- gazebos
- outdoor play equipment
- refuse collection structures
- solar collection devices (freestanding)
- spas and hot tubs
- storage sheds
- swimming pools
- tennis and other on-site sport courts
- workshops

**Accessory Residential Structures.** A structure that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use. This definition includes the following detached accessory structures, and other similar structures normally associated with a residential use of property.

- caretaker quarters
- carports
- garages
- gazebos
- greenhouses (non-commercial)
- guesthouse (Also, see Guesthouse)
- office
- outdoor play equipment
- patios
- refuse collection structures
- solar collection devices (freestanding)
- spas and hot tubs
- storage sheds
- studios
- swimming pools
- tennis and other on-site sport courts
- workshops

Also includes the indoor storage of motor vehicles (including their incidental noncommercial restoration and repair), personal recreational vehicles, and other personal property, accessory to a residential use.

**Accessory Retail and Service Uses.** A retail use that is customarily a part of, and clearly incidental and secondary to, a nonresidential use and does not change the character of the nonresidential use. Typically, the retail sales of various products in a store or similar facility or the provision of services in a defined area that is located within a health care, hotel, office, or industrial complex for the purpose of serving employees or customers; is not visible from public streets; and has no outside signs. Examples of these uses include:

- automated teller machines (ATMs)
- dry cleaning (collection/pick-up only)
- food service establishments
- gift shops
- newsstands

**Accessory Structures.** A structure that is physically detached from, clearly secondary and incidental to, and customarily associated with the primary or main structure.

**Adult Businesses.** A land use type that includes the following. Any business:

- Conducted for the entertainment of adults, engaged in the selling, renting, or displaying of publications depicting the specified anatomical areas or specified sexual activities or other material of a sexually explicit nature;
- Which, as a substantial or significant course of conduct, sells, offers for sale, rents, exhibits, shows, or displays publications depicting the specified anatomical areas or specified sexual activities or other material of a sexually explicit nature;
- Selling, renting, or displaying sexually oriented devices intended for use in the specified sexual activities;
- Conducted for the entertainment of adults where an employee, patron, or any other person engages in or is shown the specified sexual activities or exhibits or engages in partial or total nudity or otherwise exposes the specified anatomical areas; or
- Which, as a substantial or significant portion of its business, provides live or filmed entertainment wherein the specified anatomical areas are exposed.

**Agricultural, Industrial, Construction Equipment Sales and Rentals.** Commercial establishments assembling, maintaining, renting, repairing, selling, and/or storing agricultural, industrial, and construction equipment, machinery, and related supplies.

**Agriculture.** As defined in California Labor Code Section 1140.4 (a), it includes farming in all its branches, including the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, furbearing animals, or poultry. It includes any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as incidental to or in conjunction with the farming operations, including preparation for market and delivery to storage, market, or carriers for transportation to market.

**Agricultural Activities and Facilities.** The commercial production, keeping, or maintenance, for sale, lease, or personal use, of plants useful to humans, primarily in the soil on the site or in greenhouses, including the following:

- field crops
- flowers and seeds
- fruits
- grains
- grapes
- nuts
- ornamental crops
- trees and sod
- vegetables

Also includes associated crop preparation services and harvesting activities (e.g., mechanical soil preparation, irrigation system construction, spraying, crop processing, etc.) and the processing of harvested crops to prepare them for on-site marketing or processing and packaging elsewhere (e.g., baling, cubing, cooling, drying, grain cleaning, grinding, sorting, grading, and packaging, hulling, shelling, etc.).

**Airports, Heliports, Helistops, and Other Landing Fields.**

**Airports.** Any area which is used or is intended to be used for the taking off and landing of aircraft, including helicopters, and any appurtenant areas which are used or are intended to be used for airport structures or facilities, including open spaces, taxiways, and tie-down areas.

**Heliports.** An area for the landing and takeoff of rotary wing aircraft, for embarking and disembarking passengers and other purposes, with safety and navigation markings and facilities as required by the Federal Aviation Administration and California Department of Transportation, Division of Aeronautics. This use may also include helicopter hanger and maintenance facilities.

**Helistops.** A single pad used for the landing, parking, or takeoff of one helicopter and other facilities as may be required by Federal and State regulations, but not including operations facilities (e.g., fueling, loading and unloading, maintenance, storage, terminal facilities, etc.).

**Landing Fields and Strips.** An area of land or water set aside for general aviation and other noncommercial aircraft takeoffs and landings, and any accessory areas for support structures (for example, aircraft hangers) and other related facilities.

**Alcohol Beverage Sales.** The retail sale of beer, wine, and/or distilled spirits for on-site or off-site consumption.

**Alcohol Sales (off-site/off-sale) – Beer and Wine.** A retail alcohol beverage sales establishment as defined above, that is classified as a ABC Type 40, 42, 61, 66, and/or 69, selling beer and/or wine exclusively for off-site/off-sale consumption. Also referred to as a liquor store or convenience store selling beer and/or wine among other packaged products.

**Alcohol Sales (on-site/on-sale) – Beer and Wine.** A retail alcohol beverage sales establishment as defined above, that is classified as a ABC Type 40, 42, 61, 66, and/or 69, selling/serving beer and/or wine exclusively for on-site/on-sale consumption. Also referred to as a bar, lounge, nightclub, pub, or tavern.

**Alcohol Sales (off-site/off-sale) – Liquor.** A retail alcohol beverage sales establishment as defined above, that is classified as a ABC Type 20 and/or 21, selling liquor (i.e., all types of alcoholic beverages) exclusively for off-site/off-sale consumption. Also referred to as a liquor store or convenience store selling liquor (i.e., all types of alcoholic beverages) among other packaged products.

**Alcohol Sales (on-site/on-sale) – Liquor.** A retail alcohol beverage sales establishment as defined above, that is classified as a ABC Type 20 and/or 21, selling liquor (i.e., all types of alcoholic beverages) exclusively for on-site/on-sale consumption. Also referred to as a bar, lounge, nightclub, pub, or tavern selling/serving liquor (i.e., all types of alcoholic beverages).

**Animal.** Every non-human species of animal, both domestic and wild.

**Animal Grooming.** A commercial establishment that provides household pet grooming services (i.e., bathe, brush, clip, or comb animals for the purpose of enhancing their aesthetic value or health).

**Animal Keeping – Commercial.** The commercial keeping or raising of farm animals (including cattle, goats, horses, sheep, fowl, poultry, fish, and other animals not commonly regarded as household pets) and cats, dogs, and other household pets.

**Animal Keeping – Private.** The noncommercial keeping or raising of farm animals (including cattle, goats, horses, sheep, fowl, poultry, fish, and other animals not commonly regarded as household pets) and cats, dogs, and other household pets.

**Apiary.** A place where bees are kept; a collection of beehives.

**Archeological and Paleontological Sites.** Sites containing archeological (i.e., evidence of past activity) and paleontological (i.e., evidence of fossil animal and plant) resources that are recognized as significant

to our culture and are afforded protection by Federal, State, and local environmental guidelines.

### **Assembly Uses.**

**Places of Public Assembly.** A facility for public or private assembly and meetings. Examples of these uses include:

- auditoriums, civic and private
- banquet halls
- community centers
- conference/convention facilities
- meeting halls for clubs and other membership organizations

**Places of Religious Assembly.** Any structure used for non-profit purposes by an established religious organization holding either tax exempt status under Section 501(c)(3) of the Internal Revenue Code or under the California property tax law, where the structure is primarily intended to be used as a place of worship. The term includes, but is not necessarily limited to, church, temple, synagogue, and mosque. Also includes functionally related internal facilities (i.e., kitchens, multi-purpose rooms, storage, etc.). Does not include conference and meeting rooms that are accessory and incidental to another principal use and typically used only by on-site employees and clients, and that occupy less floor area on the site than the offices they support. Does not include sports or other commercial entertainment facilities. Does not include funeral homes and mortuaries.

**Auction Houses.** A structure or enclosure where goods or livestock are sold by auction.

### **Auditoriums and Theaters.**

**Auditoriums.** Indoor facilities for public assembly and/or group meeting/entertainment, other than sporting events, including: banquet halls, exhibition and conference/convention halls; meeting halls for rent; public and quasi-public auditoriums; and similar public assembly uses. See "Places of Public Assembly."

**Theaters.** Indoor facilities for public assembly and group entertainment, other than sporting events, including civic theaters, and facilities for "live" theater, concerts, recitals, circuses, and movie theaters.

### **"B" Definitions**

**Bars, Lounges, Nightclubs, and Taverns.** Establishments engaged in selling or serving alcoholic beverages for consumption on the premises, with or without live entertainment.

**Boarding and Lodging Houses.** A structure containing a single dwelling unit and provisions for five but not more than 15 guests, where lodging is provided with or without meals for compensation, but does not include rest homes.

**Building Materials Sales.** An indoor or outdoor retail establishment selling hardware, tools, appliances, lumber and other building materials, plants, portable spas, and other landscaping materials. Includes paint, wallpaper, flooring, glass, fixtures, and similar products. Includes these types of stores selling to the general public, even if contractor sales account for a major proportion of total sales. May also include the rental of tools and equipment used in the building trades.

**Bus and Taxi Stations.** A passenger station for vehicular (i.e., bus, taxi), and rail mass transit systems, or a terminal facility providing maintenance and service for the vehicles operated in the transit system.

## **“C” Definitions**

### **Care Uses.**

**Child Day Care – Large (8 or more children).** Day care facilities located in single-unit dwellings where an occupant of the dwelling provides care and supervision for eight or more children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility.

**Child Day Care – Small (7 or fewer children).** Day care facilities located in single-unit dwellings where an occupant of the dwelling provides care and supervision for seven or fewer children. Children under the age of 10 years who reside in the dwelling count as children served by the day care facility.

**Community Care Facility.** As defined in Section 1502 of the Health and Safety Code, any facility, place, or structure that is maintained and operated to provide non-medical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes following:

**Adult Day Program.** Any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living for the protection of the individual on less than a 24-hour basis.

**Community Treatment Facility.** Any residential facility that provides mental health treatment services to children in a group setting and that has the capacity to provide secure containment.

**Foster Family Agency.** Any organization engaged in the recruiting, certifying, and training of, and providing professional support to, foster parents, or in finding homes or other places for the placement of children for temporary or permanent care who require that level of care as an alternative to a group home. Private foster family agencies shall be organized and operated on a non-profit basis.

**Full-Service Adoption Agency.** Any licensed entity engaged in the business of providing adoption services that does all of the following: (a) assumes care, custody, and controls of a child through relinquishment of the child to the agency or involuntary termination of parental rights to the child; (b) assesses the birth parents, prospective adoptive parents, or child; (c) places children for adoption; and (d) supervises adoptive placements.

**Noncustodial Adoption Agency.** Any licensed entity engaged in the business of providing adoption services, that does all of the following: (a) assesses the prospective adoptive parents; (b) cooperatively matches children freed for adoption, who are under the care, custody, and control of a licensed adoption agency, for adoption, with assessed and approved adoptive applicants; and (c) cooperatively supervises adoptive placements with a full-service adoptive agency, but does not disrupt the placement or remove a child from a placement.

**Social Rehabilitation Facility.** Any residential facility that provides social rehabilitation service for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling.

**Therapeutic Day Services Facility.** Any facility that provides non-medical care, counseling, educational or vocational support, or social rehabilitation services on less

than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are returning to families from foster care.

**Transitional Housing Placement Facility.** A community care facility licensed by the department in compliance with Section 1559.110 to provide transitional housing opportunities to persons at least 17 years of age, and not more than 18 years of age.

**Transitional Shelter Care Facility.** Any group care facility that provides for 24-hour non-medical care of person in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

**Residential Care Facility.** A facility, place, or structure that is maintained and operated to provide 24-hour non-medical residential care for, but not limited to, developmentally disabled, physically mentally impaired, incompetent persons, and abused or neglected children.

**Catering Services.** A business that prepares food for consumption on the premises of a client, or at another venue selected by the client.

### **Cemeteries, Columbariums, Mausoleums, and Mortuaries.**

**Cemeteries, cinerarium, columbarium, crematoriums, and mausoleums.** Establishments (e.g., private or public entity or religious institution) which subdivide property and offer burial plots and/or air space for sale. Includes animal cemeteries; cinerarium, columbarium, crematoriums, mausoleums, and mortuaries, but only when operated in conjunction with and within the boundaries of a cemetery.

**Mortuaries.** An establishment in which the deceased are prepared for burial or cremation, and funeral services may be conducted. Full-service mortuaries include facilities for the preparation of the deceased for burial and for cremation, but does not perform burials or cremations. May include ancillary uses (e.g., sales of caskets, urns, etc.) Partial service facilities include only chapels and similar rooms for viewing, religious services, wakes, and similar activities, together with accessory office facilities. Does not include "Cemetery."

**Crematorium.** A mortuary building or facility that holds the equipment necessary for cremation.

### **Commercial Bakeries.**

**Bakeries, retail.** Retail establishments primarily engaged in the retail sale of bakery products, including bread, cakes, and pies, and produce some or all of the products on the premises.

**Bakeries, wholesale.** Retail establishments engaged in the manufacture of bakery products for the purpose of resale only.

**Commercial Recreation and Entertainment.** Indoor and outdoor commercial establishments providing amusement and entertainment services for a fee or admission charge, including the following activities:

**Indoor.** Facilities for various indoor participation or spectator sports and types of recreation where a fee or similar charge is charged for use, including:

- arenas/stadiums
- baseball and softball training facilities
- basketball court
- billiard halls (pool rooms)
- bingo halls (excluding nonprofit activities)
- bowling alleys
- boxing clubs
- dance halls, clubs, and ballrooms
- handball courts
- ice rinks
- laser tag
- paintball
- racetracks (scale model vehicles operated by remote control)



- racquetball courts
- shooting galleries
- skating rinks
- soccer centers
- swim centers
- tennis courts
- trampoline and gymnastics centers

**Outdoor.** Facilities for various outdoor participation or spectator sports and types of recreation where a fee or similar charge is charged for use, including:

- amphitheaters
- baseball
- basketball
- batting cages
- bocce ball
- drive-in movie theaters
- football
- go cart and miniature auto race tracks
- golf courses
- golf driving ranges separate from golf courses
- handball courts
- health and athletic club outdoor facilities
- lacrosse
- miniature golf courses
- racing and drag strips (automobile, truck, and motorcycle)
- paintball
- race tracks (remote control)
- rugby
- shooting ranges
- skateboard parks
- soccer
- softball
- stadiums and coliseums
- swim and tennis clubs
- tennis courts
- volleyball
- water slides
- zoos

**Commercial Uses (incidental and accessory to allowed uses).** See “Accessory Retail and Services.”

**Contractors’ Yard.** An outdoor storage facility operated by, or on behalf of, a State licensed contractor for the storage of large equipment, vehicles, and/or other materials commonly used in the individual contractor's type of business. The facility may also include storage of scrap materials used for repair and maintenance of contractor's own equipment, and structures for uses including offices and repair facilities.

**Convalescent Homes.** An establishment that provides care on a 24-hour basis for persons requiring regular medical attention. Patients include those with post-operative, convalescent, chronic illness, or dietary problems, and persons aged or infirm unable to care for themselves. Does not include facilities providing outpatient medical services or surgical services.

**Correctional Institutions.** Institutions for the confinement and correction of offenders sentenced by a court. This use includes county jails, Federal and State prisons, and secure re-entry facilities, but does not include facilities at a police department or sheriff’s office for temporarily holding persons taken into custody before release or transfer to another confinement facility. The use does not include halfway houses or residential drug rehabilitation facilities, which are instead included under "Group Homes."

**Cultural Centers and Facilities.** A facility that provides access to cultural resources, including art, scientific and historical items, performances, or reference materials. Examples include: aquariums, arboretums, public art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, and planetariums. This use may also include accessory retail uses including gift/book shops and restaurants.

**Day Care Facilities.** See “Care Uses.”

## “D” Definitions

**Development of Natural Resources.** The development (i.e., conservation, conversion [trees to lumber], creation [planting of trees], improvement, management, and preservation) of natural resources. It includes sunlight, atmosphere, water, land (includes all minerals) along with all vegetation and animal life that naturally subsists upon or within the above identified characteristics and substances.

**Dormitories.** A structure intended or used principally for sleeping accommodations, where the structure is related to an educational or public institution, including religious institutions and fraternities and sororities.

**Drive-in and Drive-thru Businesses.** A facility where food or other products may be purchased by motorists without leaving their vehicles. Examples of drive-in and drive-through retail businesses include fast-food restaurants, drive-through coffee, dairy product, photo stores, pharmacies, etc.

**Dwellings.** A structure or portion of a structure designed for residential purposes, including single-family, two-family, and multifamily dwellings.

**Manufactured Housing.** A factory-built structure that is manufactured or constructed under authority of 42 U.S.C. Sec. 5403, Federal Manufactured Home Construction and Safety Standards, or California law and is to be used as a place for human habitation. The structure is manufactured either in whole or in substantial part at an off-site location, transported to the site, assembled on-site, and placed on a permanent foundation. For the purpose of this Development Code, a manufactured home shall be considered the same as any site-built, single-family detached dwelling (see “Dwellings - Single-Family”). Does not include mobile homes. A mobile home is not a manufactured home unless it has been converted to real property and is taxed as a site-built dwelling.

**Mobile Home Park.** Any site that is planned and improved to accommodate two or more mobile homes used for residential purposes, or on which two or more mobile home lots are rented, leased, or held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

**Multifamily Dwellings.** A structure or development containing three or more dwelling units, each of which is for occupancy by one or more persons living as a single housekeeping unit. Includes: triplexes (structures under one ownership with three dwelling units in the same structure); fourplexes (structures under one ownership with four dwelling units in the same structure); apartments (five or more dwelling units under one ownership in a single structure or complex); and common ownership, attached unit projects including condominiums and townhouses. Does not include two-family duplexes.

**Second Dwelling Unit.** A second permanent dwelling that is accessory to a principal dwelling on the same site. A second dwelling unit provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, sanitation, and parking. Does not include guesthouse.

**Single-Family Dwelling.** A structure containing one dwelling unit located on a single parcel for occupancy by one single housekeeping unit. Also includes manufactured housing (see “Manufactured Housing”) and mobile homes (see “Mobile Home Park”), when placed on permanent foundation systems.

**Attached Single-Family Dwelling.** A dwelling that is attached to another dwelling, excluding accessory dwellings. Each dwelling is owned in fee, located on an individual parcel, and is joined to another dwelling along a single lot line. Each dwelling is totally separated from the other by an unpierced vertical wall extending from ground to roof. Row houses and town homes are examples of this dwelling unit type.

**Detached Single-Family Dwelling.** A dwelling that is not attached to any other dwelling. The dwelling is owned in fee and is located on an individual parcel.

**Two-Family Dwellings (also known as a duplex).** A structure located on a single parcel and containing two dwelling units, each of which is for occupancy by one single housekeeping unit. Also includes manufactured housing (see “Manufactured Housing”) and mobile homes (see “Mobile Home Park”), when placed on permanent foundation systems.

## “E” Definitions

**Emergency shelters.** Any establishment operated by an emergency shelter provider that provides homeless people with immediate, short-term housing for no more than 180 days within a twelve-month period, where no person is denied occupancy because of inability to pay. Emergency shelters may also provide shelter residents with additional supportive services (i.e., counseling, laundry, and access to other social programs). Emergency shelters may have individual rooms and common areas for residents of the facility, but may not be developed with individual dwelling units, with the exception of a manager’s unit.

**Enclosed Storage Structures.** The storage of various materials entirely within an enclosed structure, as the primary use of the structure. The storage of materials, supplies, and products clearly secondary and incidental to a primary use is not considered a land use separate from the primary or main use.

## “F” Definitions

**Fast Food Restaurant.** A restaurant which supplies food and beverages primarily in disposable containers and which is characterized by high automobile accessibility, self-service and short stays by customers.

**Fast Food Restaurant with no drive-in or drive-through (no late-night hours).** A fast food restaurant as defined above, that does not provide drive-in or drive-through or late-night hour services. See “Late-Night Hour Services.”

**Fast Food Restaurant with no drive-in or drive-through (with late-night hours).** A fast food restaurant as defined above, that does provide late-night hour services, but does not provide drive-in or drive-through services. See “Late-Night Hour Services.”

**Fast Food Restaurant with drive-in or drive-through (no late-night hours).** A fast food restaurant as defined above, that does provide drive-in or drive-through services, but does not provide late-night hour services. See “Late-Night Hour Services.”

**Outdoor Dining.** A dining area with seats and/or tables located outdoors of a fast food, sit-down restaurant, or other food service establishment. Outdoor dining is located entirely outside the walls of the contiguous structure or enclosed on one or two sides by the walls of the structure with or without a solid roof cover.

**Limited.** Outdoor dining area encompassing up to 800 square feet of area, inclusive.

**General.** Outdoor dining area encompassing more than 800 square feet of area.

**Fast Food Restaurant - Formula-Based.** A food service establishment that uses a trademark, logo, service mark or other mutually identifying name or symbol, which maintains any standardized array of merchandise, or standard services, decor, color scheme, business methods, architecture, layout, uniform apparel, signage or similar, standardized features; and is dedicated to food service where food is consumed on or off the site and that exhibits three or more of the following characteristics:

- Standardized menus, ingredients, and food preparation methods are dictated by a franchise agreement or other contractual controls that prohibit the restaurant owner/entrepreneur from

deviating from the “formula,” to ensure a uniform “product” that will meet the expectations of consumers at other formula-based fast food restaurants under the same trademark or logo, (regardless of location or ownership), for such uniformity;

- Food orders are typically served in seven minutes or less from time of order to delivery;
- Food is often pre-made and wrapped before the customers place their orders;
- Food is served in disposable containers and wrappers, with disposable tableware;
- Food consumed on the premises is ordered from a wall menu while customers are standing at a service counter;
- Payment is made by customers before food is consumed; and/or
- The service counter is closer to an entry/exit than is the seating/dining area.

**Financial Institutions and Related Services.** A bank, savings and loan, credit union, or other financial institution that provides retail banking services to individuals and businesses. These uses include only those institutions engaged in the on-site circulation of cash money. This does not include check cashing establishments. Financial institutions including the following:

- Banks and trust companies
- Credit agencies
- Holding (but not primarily operating) companies
- Lending and thrift institutions
- Other investment companies
- Securities/commodity contract brokers and dealers
- Security and commodity exchanges
- Vehicle finance (equity) leasing agencies

This land use type does not include check cashing establishments, which are defined under "Personal Services, Restricted.

**Fire and Police Stations.** Facilities operated by public agencies, including city administration buildings; city hall; fire stations and other fire prevention and firefighting facilities; police and sheriff substations and headquarters, including interim incarceration facilities. Does not include facilities specifically identified under another land use category, including schools.

**Food Processing and/or Storage.** Commercial establishments processing and storing agricultural products not operated in conjunction with a bonafide agricultural operation including agricultural cooperatives which receive agricultural products from parcels owned or operated by members of the cooperative.

**Forest Maintenance Facilities and Ranger Stations.** A publically owned, staffed, and maintained facility operated by a Federal, State, or local governmental organization for the purpose of protecting and maintaining the forest and adjacent areas.

## “G” Definitions

### **Game Arcade, Internet Café, or Similar Businesses.**

**Game Arcade.** An establishment that provides more than four amusement devices, whether or not the devices constitute the primary use or an accessory or incidental use of the premises. Amusement devices mean an electronic or mechanical equipment, game, or machine that is played or used for amusement, which, when so played or used involves skill and which is activated by coin, key, or token, or for which the player or user pays money for the privilege of playing or using.

**Internet/Cyber Café.** An establishment that provides more than three computers and/or other electronic devices, for access to that system commonly referred to as the "internet," e-mail, playing video games over the Internet or other network system, and/or access to other computer software programs, to the public for compensation and/or for public access. Internet cafe is also synonymous with PC cafe, cyber cafe, internet gaming center, computer/internet rental and cyber centers.

**Golf Course and Related Facilities.** A commercial or members-only facility for playing golf, with three to 18 holes, and accessory facilities and uses which may include: a clubhouse with bar and/or restaurant, locker and shower facilities; driving ranges; "pro shops" for on-site sales of golfing equipment; and golf cart repair, sales, and storage facilities. Does not include driving ranges separate from golf courses, miniature golf courses, or other similar commercial enterprises, unless specifically allowed.

#### **Governmental Offices and Facilities.**

**Group Homes.** A single-family dwelling or multi-unit facility that provides 24-hour medical and/or non-medical care of persons who are in need of personal services, supervision, or assistance essential for addressing issues of mental illness and substance-abuse. Examples include halfway houses, board and care homes, clean and sober homes, rehabilitation centers, and the like. This use type includes both unlicensed facilities and those licensed or supervised by a Federal, State, or local health/welfare agency.

**Group Home (six or fewer residents plus one employee).** A group home as defined above, that provides care for six or fewer residents.

**Group Home (seven or more residents plus employees).** A group home as defined above, that provides care for seven or more residents.

**Guesthouse.** A house or rooms for guests in an accessory structure, provided the structure does not contain kitchen or cooking facilities and is used for the occasional housing of guests of the occupants of the principal structure and not as a rental unit.

#### **"H" Definitions**

**Health Centers.** Physical fitness centers, gymnasiums, health and athletic clubs including indoor sauna, and spa or hot tub facilities; indoor steam baths; indoor handball, racquetball, tennis, and other indoor sports activities.

**Hiking Trails and Related Improvements.** The construction, protection, and maintenance of trails for hiking, running, or walking made available for the visitation and enjoyment of the general public.

**Historical or Landmark Structures with Commercial Activities.** Memorials, monuments, parks, structures, and other sites of an historic value which are preserved and available for the visitation and enjoyment of the general public. May also contain and operate a retail commercial establishment offering souvenir and convenience items to the general public.

**Historical Preserve.** An area designated by the Federal, State, or local government within which the structures, appurtenances, or places are of basic and vital importance because of their association with history, or because of their unique architectural detail, or because of their being a part of or related to a square, park, or area the design or general arrangement of which should be preserved and/or developed according to an established plan based on architectural, cultural, or historical motives and purposes

**Home Occupations.** An accessory occupational use conducted by a resident(s) of a dwelling, which is conducted entirely within a dwelling by its inhabitants, which is clearly incidental to the use of the structure for dwelling purposes and which does not change its character, and for which there is no display, no stock in trade, no commodity sold on the premises, and no mechanical equipment used, except that

necessary for housekeeping purposes. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes, compatible with surrounding residential uses, and conducted in compliance with adopted home occupation standards.

**Homeless Shelter.** A residential facility, other than a community care facility, operated by either a governmental agency or private nonprofit organization, which offers temporary accommodations to the homeless. Such temporary accommodations mean that persons may reside at the shelter for a period not to exceed 180 days. See “Emergency Shelters.”

**Hospitals/Medical Facilities.** A facility providing medical, psychiatric, or surgical services on a 24-hour basis for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for out-patient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care, which may include emergency rooms and intensive care units, trauma centers, etc. This use type includes nonresidential treatment facilities for alcohol and drug addiction, as well as mental illness treatment institutions. This use type may also include on-site accessory clinics and laboratories. Accessory retail uses include restaurants, news and flower stands, gift shops, and on-site ambulance dispatch facilities.

### **Hotels/Motels.**

**Hotel.** A facility in which guest rooms or suites are offered for compensation to the general public for transient lodging with or without meals for compensation and where no provision is made for cooking in an individual guest room or suite. Hotel rooms are accessed from interior hallways and typically include a variety of accessory services (e.g., accessory retail, personal services, restaurants, etc.) Also includes accessory guest facilities (e.g., meeting facilities, computer/work stations, swimming pools, tennis courts, indoor athletic facilities, etc.).

**Extended Stay Hotel.** A hotel with rooms that contain kitchen facilities for food preparation. Extended-stay lodging facilities may contain lobbies, conference rooms, meeting rooms, child play areas, or restaurants.

**Motel.** A structure or series of structures in which guest rooms are offered to the general public for transient lodging, without kitchen facilities; with or without meals; and for compensation. A motel is distinguished from a hotel primarily by direct independent access to, and adjoining parking for, each room.

### **“I” Definitions**

**Industry.** Establishments engaged in the manufacturing of finished parts or products, either from raw materials or previously prepared materials, within an enclosed structure. Includes processing, fabrication, assembly, treatment, testing (e.g., laboratories), packaging, incidental office storage, sales, and distribution of the parts or products; and laundry and dry cleaning plants. Excludes vehicle/equipment rentals, vehicle repair and service, vehicle sales.

**Industry – Heavy.** The manufacture and/or processing of materials and goods utilizing large quantities of raw materials, and generally requiring high capitalization and production of large quantities of output. Heavy industry often sells output to other business users rather than consumers. Characteristics of heavy industry include, but are not limited to, heavy trucking activity, noise, emissions requiring Federal or State environmental permits, use of large quantities of hazardous materials as defined the U.S. Environmental Protection Agency, and requirement for specialized permits from Federal and State occupational health and safety agencies. Examples of heavy industry uses include chemical manufacturing, glass product manufacturing, paving and roofing materials manufacturing, petroleum refining and related industries, plastics, other synthetics and rubber product manufacturing, primary metals industries, pulp and pulp paper product manufacturing, textile and leather product manufacturing.

**Industry – Light.** The manufacture and/or processing of consumer-oriented goods in a manner that does not produce noticeable odors, air emissions, or other environmental effects, and that has limited associated trucking activity. Light industries generally require limited amounts of raw materials to produce goods. Examples of light industry uses include artisan/craft product manufacturing, clothing and fabric product manufacturing, electronics, equipment and appliance manufacturing, handcraft industries, small-scale manufacturing, paper product manufacturing, wholesale photo/film processing, and printing and publishing (books, magazines, etc.).

#### **“J” Definitions**

#### **“K” Definitions**

**Kennels.** Facilities where four or more dogs, cats, or other small animals over the age of four months are kept, whether for breeding, exhibiting, pleasure, or profit including places where the animals are boarded, or kept for sale or hire.

## “L” Definitions

**Laboratories – Medical Related.** Establishments providing biological, dental, medical, or optometrical laboratory and testing services.

**Landfills.** A site or facility used for the disposal of solid waste that is not reused, recycled, or combusted for energy recovery.

**Landscape Plant Nurseries – Retail or Wholesale.** The retail or wholesale sale of plants, arrangements, and maintenance of materials (i.e., trees, ground cover, shrubbery, and other plant material). Decorative natural and structural features (walls, fences, hedges, trellises, fountains, and sculptures), earth patterning and bedding materials and other similar site improvements that serve an aesthetic or functional purpose may be included.

**Late-Night Hour Services.** Any nonresidential activity that occurs between the hours of 12:00 a.m. (midnight) and 6:00 a.m., also including 24 hour uses.

**Libraries.** See “Cultural Centers and Facilities.”

**Local and Buffer Greenbelts.** Open space natural, or made to appear in a natural condition, areas located to provide wide open spaces to protect or separate uses deemed in need of protection or separation. May also be used for outdoor enjoyment and/or recreational entertainment by the general public.

## “M” Definitions

**Maintenance and Repair Services (other than vehicle).** Base facilities for various businesses that provide services on the premises of their clients for other than motor vehicles. Includes carpet cleaning, gardening, janitorial, pest control, water and smoke damage recovery, and similar services; and appliance, computer, electronics, elevator, equipment, HVAC, instrument, plumbing, security systems, and other maintenance and repair services not operating from a retail establishment that sells the products being maintained or repaired. When these services operate from a retail establishment that sells the products being maintained or repaired, they are instead considered part of the retail use.

**Marijuana Dispensary (Medical).** A facility or place of business that distributes, transmits, gives, or otherwise provides medical marijuana to qualified patients or primary caregivers in compliance with California Health and Safety Code Sections 11362.5 through 11362.83, inclusive, commonly referred to as the Compassionate Use Act of 1996 and the Medical Marijuana Program.

**Massage.** An establishment where any person certified in compliance with Business and Professions Code Section 4600 et seq. and having a fixed place of business where any person, firm association, partnership, or corporation engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any business of giving massages, baths, administration of fomentation, electric or magnetic treatments, alcohol rubs, or any other type of system for treatment or manipulation of the human body with or without any characteristic of bath (i.e., Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, fomentation or any other type of bath). Massage establishments do not include the following:

- Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions by and in the State;
- Nurses, registered under the laws of the State;
- Barbers and beauticians who are duly licensed under the laws of the State while engaging in practice within the scope of their licenses, except that this provision shall apply solely to the massaging of the neck, face, and/or scalp of the customer or client;
- Hospitals, nursing homes, sanitariums, or other health care facilities duly licensed by the State;



- Accredited high schools, junior colleges, and colleges or universities whose coaches and trainers are acting within the scope of their employment; and
- Trainers of amateur, semiprofessional, or professional athletes or athletic teams.

(See “Personal Services, Restricted.”)

**Medical, Dental Clinics/Offices.** A facility where medical, dental, mental health, eye care, surgical, acupuncture, acupressure, massage therapy, or other personal health care services are provided on an outpatient basis by chiropractors, medical doctors, psychiatrists, opticians, etc., licensed by the State. Does not include medical clinics, laboratories, or urgent care facilities; hospitals; counseling services by other than medical doctors or psychiatrists in locations other than in the offices of other medical doctors or psychiatrists; palm readers, hypnotists, card readers, psychics, and similar services.

**Multiple Residences.** See “Dwellings.”

**Museums.** See “Cultural Centers and Facilities.”

## “N” Definitions

## “O” Definitions

### Offices – Other than medical or dental.

**Accessory.** An office facility for administration, or on-site business and operations management that are incidental and accessory to another business, sales, or service activity that is the primary use. For example, a business office within a grocery store.

**Business/Service.** Establishments providing direct services to consumers. Examples of these uses include employment agencies, insurance agent offices, legal services, real estate offices, travel agencies, utility company offices, elected official satellite offices, etc. This use does not include “Financial Services,” which is separately defined.

**Government.** Administrative, clerical, or public contact or service offices of a local, State, or Federal government agency or service facilities. Includes post offices, but not bulk mailing distribution centers.

**Processing.** Office-type facilities characterized by high employee densities, and occupied by businesses engaged in information processing, and other computer-dependent or telecommunications-based activities. Examples of these uses include:

- airline, lodging chain, and rental car company reservation centers
- computer software and hardware design and development
- consumer credit reporting
- data processing services
- health management organization (HMO) offices where no medical services are provided
- insurance claim processing
- mail order and electronic commerce transaction processing
- telecommunications facility design and management
- telemarketing

**Professional/Administrative.** Office-type facilities occupied by businesses that provide professional services, or are engaged in the production of intellectual property. Examples of these uses include:

- accounting, auditing and bookkeeping services
- advertising agencies
- appraisers
- attorneys
- business associations, chambers of commerce
- collection agencies
- construction contractors (office facilities only)
- counseling services
- court reporting services
- detective agencies and similar services
- design services including architecture, engineering, landscape architecture, urban planning
- educational, scientific and research organizations
- financial management and investment counseling
- graphic art and design services
- literary and talent agencies
- management and public relations services
- manufacturers' agents
- media postproduction services
- news services
- photographers and photography studios
- planners
- political campaign headquarters
- psychologists
- secretarial, stenographic, word processing, and temporary clerical employee services
- security and commodity brokers
- title and escrow companies
- writers and artists' offices

**Temporary.** A mobile home, recreational vehicle, or modular unit used as a temporary office facility. Temporary offices may include: construction supervision offices on a construction site or off-site construction yard; a temporary on-site real estate office for a development project; or a temporary business office in advance of permanent facility construction.

**Temporary Real Estate.** The temporary use of a dwelling unit within a residential development project as a sales office for the units on the same site, which is converted to residential use at the conclusion of its office use.

**Open Space.** A parcel or area of land or water set aside, designated, dedicated, or reserved for public or private use or enjoyment.

**Common Open Space.** The land area within a residential or nonresidential development that is not individually owned or dedicated for public use and that is designed, intended, and reserved exclusively for the shared enjoyment or use by all the residents/occupants and their guests. Does not include enclosed spaces/facilities (e.g., community center, meeting rooms, etc.). Illustrative examples include:

- areas of scenic or natural beauty
- barbecue areas
- habitat areas
- hiking, riding, or off-street bicycle trails
- landscaped areas
- play areas
- swimming pools
- tennis courts
- turf areas

**Private Open Space.** An outdoor or unenclosed area directly adjoining and accessible to an individual unit (residential or nonresidential), reserved for the exclusive private enjoyment and use of residents/occupants of the dwelling unit and their guests (e.g., balcony, deck, porch, terrace, etc.). Boundaries are evident through the use of fences, gates, hedges, walls, or other similar methods of controlling access and maintaining privacy.

**Usable Open Space.** An outdoor or unenclosed area within a residential development on the ground, or on a roof, balcony, deck, porch or terrace, designed and accessible for outdoor living, active or passive recreation, pedestrian access, or landscaping. Parking facilities, driveways, utility or service areas, required front or street side setback areas, and submerged land do not constitute usable open space.

**Outdoor Storage Facility.** The storage of goods, equipment, or materials outside an enclosed structure for any purpose other than outside sales and display.

#### **“P” Definitions**

**Parks and Playgrounds.** Public parks, play lots, playgrounds, and athletic fields for noncommercial neighborhood or community use, including tennis courts. May include passive outdoor recreation areas. Does not include the same facilities that are privately-owned, commercial recreation facilities (See "Commercial Recreation Facilities"), or recreational vehicle parks and campgrounds.

**Parolee Homes.** A facility where a person granted permission to leave prison before the end of a sentence, usually as a reward for behaving well, reside until the period of time dedicated by the court or prison system overseeing the person’s wellbeing is completed.

**Personal Services, General.** Establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

- barber and beauty shops (without massage)
- clothing rental shops
- dry cleaning/laundry pick up stores only, with very limited equipment and services
- home electronics and small appliance repair
- laundromats (self-service laundries)
- locksmiths
- nail salons
- shoe repair shops
- tailors and seamstresses
- tanning salons

These uses may also include accessory retail sales of products related to the services provided.

**Personal Service, Restricted.** Personal services that may tend to have a blighting or deteriorating effect upon surrounding areas and that may need to be dispersed to minimize their adverse impacts. Examples of these uses include:

- check cashing stores
- payday advance businesses
- fortune tellers
- massage
- palm and card readers
- pawnshops
- psychics
- spas and hot tubs for hourly rental
- tattoo parlors and body piercing studios

**Personal Storage Facilities.** A structure or group of structures where individual storage spaces are leased to individuals, organizations, or businesses for self-service storage of personal property, goods, and wares. Also known as mini-storage facilities.

**Pharmacy.** Commercial establishments where a licensed pharmacist(s) prepares prescription medicine for sale, which may also sell over-the-counter medicines, personal care products, and other miscellaneous health care products. A pharmacy may be an accessory retail use within a medical clinic or hospital. Liquor and cosmetics shall not be sold except by prescription.

**Planned Residential Developments.** A residential development characterized by comprehensive planning for the project as a whole, clustering of structures to preserve usable open space and other natural features, and a mixture of housing types developed in compliance with a plan approved by the Commission or Council, as allowed in specific zones, and subject to the special standards and conditions. Further defined by Civil Code Section 1351(k), as a residential development (other than a community apartment project, condominium, or stock cooperative) having either or both of the following features:

- The common area is owned either by an association or in common by the owners of the separate interests who possess appurtenant rights to the beneficial use and enjoyment of the common area; and/or
- A power exists in the association to enforce an obligation of an owner of a separate interest with respect to the beneficial use and enjoyment of the common area by means of an assessment which may become a lien upon the separately owned parcel, or area in compliance with Civil Code Section 1367.

**Photocopy, Postal and Mailing Services, and Similar Activities.** Commercial establishments providing services to the general public relating to or involved in the sending, handling, and delivery of mail and packages shipped via the United State Postal Service or one of many commercial common carriers. Other services provided may include renting of postal boxes, copying, printing, binding of presentation materials, notary and passport picture services, and the sale of packaging, and other types of paper and office stationary products.

## **Parking.**

**Parking Facility - Public or Commercial.** Parking lots or structures operated by a local government, or a private entity providing short term parking for a fee. This use does not include towing impound and storage facilities.

**Parking Lots.** An improved, generally uncovered, surface area maintained for the short-term parking of motor vehicles, motorcycles, scooters, and/or bicycles. See Parking Facility.”

**Parking Structure.** A readily accessible covered area within a structure, or a garage maintained only for the short-term parking of motor vehicles, motorcycles, scooter and bicycles. See “Parking Facility.”

**Public and Private Parking Lots and Structures (incidental and accessory to primary use).** Public and private parking lots and structures providing short term parking exclusively for patrons of the primary use of the site. See “Parking Facility - Public or Commercial.”

**Public Parking Lots and Structures (not associated with a primary use).** See “Parking Facility - Public or Commercial.”

**Public Utility Structures and Service Facilities.** Fixed base structures and facilities for the collection, distribution, maintenance, provision, transmission, or disposal of gas, information, oil, power, storm and sanitary sewage, telecommunication, telephone cable services, and water by public utilities, and includes facilities for the generation of electricity. Does not include wireless telecommunication facilities.

**Public utility facilities, major.** Fixed base structures and facilities serving as junction points for transferring utility services from one transmission voltage to another or to local distribution and service voltages. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

- Corporation and maintenance yards.
- Electrical distribution and transmission substations and switching stations.
- Natural gas regulating and distribution facilities.
- Public water system treatment plants storage facilities.
- Wastewater treatment plants, settling ponds and disposal fields.

**Public utility facilities, minor.** Fixed base structures and facilities serving as junction points for transferring utility services from one transmission voltage to another or to local distribution and service voltages. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

- Electrical poles, supports, and wires.
- Public water system wells and water pumping stations.
- Telephone booths, permanent or temporary.
- Telephone switching facilities.

## “Q” Definitions

## “R” Definitions

**Recycling Facilities.** A center for the collection and/or processing of recyclable materials. A recycling or processing facility that is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986.

**Recycling - Large Collection Facility.** A facility that occupies an area of more than 350 square feet or includes permanent structures where the public may donate, redeem, or sell recyclable materials.

**Recycling - Small Collection Facility.** A facility that occupies an area of 350 square feet or less where the public may donate, redeem, or sell recyclable materials and may include:

- A mobile unit;
- Reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet; and/or
- Kiosk-type units that may include permanent structures.

**Research and Development (R&D).** A facility for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical and computer equipment and software, and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities. Examples include pharmaceutical, chemical, and biotechnology research and development. This use does not include soils and other materials testing laboratories or medical laboratories.

**Residences for Institutional Personnel.** The provision of residential dwelling units exclusively for use by those employed by the primary institutional use on the subject site. See “Dwellings.”

**Restaurants.**

**Restaurant, Cafe, Coffee Shop.** A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating businesses where customers are served from a walk-up ordering counter for either on- or off-premise consumption ("counter service"); and businesses where customers are served food at their tables for on premise consumption ("table service"), that may also provide food for take-out.

**Restaurant – Outdoor Dining.** A restaurant or other eating establishment, including food take-out, where food or beverage are served, on private property, and where there is not a roof and walls on all sides. (See Commercial Accessory Use.)

**Sit-down.** A food service establishment engaged in the business of selling food and beverages, including alcoholic beverages, prepared on site for primarily on-site consumption. Food and beverages are served to the customer at a fixed location (i.e., booth, counter, or table). Food and beverages are ordered from individual menus. Customers typically pay for food and beverages after service and/or consumption. The sale or service of sandwiches, whether prepared in the kitchen or made elsewhere and heated up on the premises, or snack foods, shall not constitute a sit-down restaurant.

**Restaurant – Sit-down (no late hours).** A sit-down restaurant as defined above, that does not provide late-night hour services. See “Late-Night Hour Services.”

**Restaurant – Sit-down (with late hours).** A sit-down restaurant as defined above, that does provide late-night hour services. See “Late-Night Hour Services.”

**Take-Out Service.** A food service establishment that offers a limited variety of food or beverages. Transactions are sales for off-site consumption. Customers are served either at a counter or service window. Incidental seating (less than 250 sq. ft. of seating area) may be provided for limited on-site consumption of food or beverages. Typical uses include bakeries, coffee stores, ice cream and frozen dessert stores, delivery-only pizza establishments, small delicatessens, and similar establishments.

**Retail Sales related to an Institution.** See Accessory Uses.”

**Retail Sales.** Stores and shops selling goods or merchandise, not specifically listed under another land use, to the general public for personal or household consumption and rendering services incidental to the sale of goods.

**Bulk Merchandise.** Retail establishments engaged in selling goods or merchandise to the general public as well as to other retailers, contractors, or businesses, and rendering services incidental to the sale of the goods. Bulk retail is differentiated from general retail by either of the following characteristics:

- A high volume of sales of related or unrelated products in a warehouse setting (i.e., “big box” retail).
- The sale of goods or merchandise that require a large amount of floor space and that are warehoused and retailed at the same location. Examples of items for sale include:
  - Computers and computer equipment
  - Electrical and heating fixtures and supplies
  - Furniture
  - Groceries
  - Home appliances (refrigerators, stoves, etc.)
  - Home furnishings (draperies, floor coverings, lawn/outdoor furniture, movable spas/hot tubs, etc.)
  - Home products

- Home sound systems
- Interior decorating materials and services
- Large musical instruments
- Lumber
- Nursery stock
- Office furniture
- Personal care products
- Televisions

Does not include warehousing, wholesaling, or distribution or vehicle sales.

**Retail stores, general merchandise.** Retail establishments, completely enclosed within structures, engaged in selling goods or merchandise to the general public for profit. Examples of these establishments and lines of merchandise include:

- antiques
- appliances (small)
- artwork
- artists' supplies
- automotive/vehicle parts and accessories (no installation or repair)
- bakeries (retail only)
- bicycle sales and rentals
- book stores
- bridal shops
- candle shops
- candy shops
- carpeting and floor covering
- china and glassware shops
- clothing and accessories
- collectibles (cards, coins, comics, stamps, etc.)
- computer and video stores
- decorating shops
- discount stores
- drug stores
- electrical supplies
- electronic equipment
- fabrics and sewing supplies
- florists and houseplant stores (indoor sales only)
- gift shops
- handcrafted items
- hardware
- hobby materials
- jewelry
- kitchen utensils
- luggage and leather goods
- medical supplies and equipment
- mirrors
- musical instruments, parts and accessories
- newsstands
- office equipment and supplies
- orthopedic supplies
- paint and wallpaper
- photography and film supplies
- picture frames
- posters
- religious goods
- shoe stores
- signs
- small wares
- specialty shops
- sporting goods and equipment
- stationery
- telephone and communications
- toys and games
- trophy stores
- video and DVD stores

Does not include adult businesses; stores that sell furniture or other items requiring large amounts of floor space; medical marijuana dispensaries; secondhand stores; or stand-alone tobacco stores.

**Retail Sales Center (30,000 sf or less).** Retail establishments as defined above, containing 30,000 square feet or less of gross floor area.

**Retail Sales Center (30,001 sf or greater).** Retail establishments as defined above, containing 30,001 square feet or greater of gross floor area.

## **“S” Definitions**

**Schools – Private.** A private institution that offers instruction in several branches of learning and study. Includes elementary, middle, junior high, and high schools serving kindergarten through 12th grade students. Does not include preschools and child day care.

**Secondhand Stores.** Retail establishments that sell used merchandise.

**Senior Housing.** A structure serving as a residence for a group of senior citizens with available centralized services, where the emphasis of the facility remains residential.

**Shopping center.** A group of commercial establishments, planned, generally constructed, and managed as a total entity with employee and customer parking provided on site under common control or shared under a reciprocal agreement. Shopping centers are further defined as regional (50 or more acres), community (15-49 acres), and neighborhood (up to 14 acres). For signs, commercial developments shall be classified as shopping centers rather than business centers when comprised of at least 10 businesses and contain a minimum floor area of 25,000 square feet.

**Structures Incidental and Accessory to Allowed uses.** See “Accessory Structures and Uses.”

## **“T” Definitions**

**Temporary Uses.** A use established for a limited and prescribed period of time, typically less than 12 months, with the intent to discontinue the use at the end of the time period. Examples of temporary uses include: art shows, car washes, charitable functions, seasonal sales lots.

## **“U” Definitions**

**Universities and Colleges.** A post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields. These institutions require at least a high school diploma or equivalent general academic training for admission. Includes community colleges, public colleges, universities, and technical schools

**Unimproved Open Space.** Undeveloped land(s) that is protected from development by Federal, State, or local regulations or by conditions imposed on a development project.



## **“V” Definitions**

**Vehicle Parts Sales (including stereos/alarms, but no installation).** The retail sale of new motor vehicle or motorcycle parts, tires, and accessories within an enclosed structure. Does not include establishments that provide installation and repair services (see "Vehicle Services"); or businesses dealing exclusively in used parts.

**Vehicle Sales – New.** Sale of new automobiles, motorcycles, recreational vehicles, trucks, and similar motor vehicles and equipment, including display, storage, maintenance, repair, and incidental rental of the vehicles and equipment. May also include the sale of used motor vehicles, but only when conducted as part of a new motor vehicle sales facility. May include the sale, installation, and servicing of related equipment and parts.

**Vehicle Sales – Used.** Sale of used automobiles, motorcycles, recreational vehicles, trucks, and similar motor vehicles and equipment, including display, storage, maintenance, repair, and incidental rental of the vehicles and equipment. May include the sale, installation, and servicing of related equipment and parts

**Vehicle Services.** The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, light duty trucks, recreational vehicles, boats, golf carts, and other motor vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes the following categories:

**Motor Vehicle Repair – Major.** Major repair of automobiles, motorcycles, recreational vehicles, or trucks including light-duty trucks (i.e., gross vehicle weights of less than 10,000 pounds) and heavy-duty trucks (i.e., gross vehicle weights of more than 10,000 pounds). Examples of uses include full-service motor vehicle repair garages; body and fender shops; brake shops; machine shops; paint shops; tire sales and installation shops; towing services; transmission shops; and salvage tire recapping. Does not include vehicle dismantling.

**Motor Vehicle Repair – Minor.** Minor repair of golf carts, automobiles, motorcycles, recreational vehicles, or light duty trucks, vans or similar size motor vehicles (i.e., vehicles that have gross vehicle weights less than 10,000 pounds) including detailing services; installation of electronic equipment (e.g., alarms, stereos, etc.); servicing of cooling, electrical, fuel and exhaust systems; brake adjustments, relining and repairs; oil and lube shops; tire and battery sales and installation (not including recapping); and wheel alignment and balancing. Does not include any type of car washing service (“Motor Vehicle Washing/Detailing”).

**Motor Vehicle Service Stations.** A commercial facility that sells gasoline, diesel, or alternative fuel for the on-site fueling of individual motor vehicles. May include incidental "minor" maintenance and repair (i.e., battery charging and tire changing and repair) of automobiles and light duty trucks, vans, or similar size motor vehicles (i.e., vehicles that have gross vehicle weights less than 10,000 pounds). May also include a convenience store operated by the service station owner.

### **Motor Vehicle Washing/Detailing.**

**Motor Vehicle Washing, Automated.** A commercial facility for washing automobiles, light duty trucks, and vans where the customer washes the vehicle using on-site equipment by driving through an automated car washing and drying facility.

**Motor Vehicle Washing, Full Service.** A commercial facility for washing automobiles, light duty trucks, and vans where facility employees wash and dry the vehicles.

**Motor Vehicle Washing, Self-Service.** A commercial facility for washing automobiles, light-duty trucks, and vans where the customer washes the vehicle using on-site equipment.

**Truck Repair.** See “Motor Vehicle Repair – Major.”

**Vending Machines.** Reach-in/walk-in automated mechanical devices containing/dispensing a range of products for purchase, including beverage, ice, and food products.

**Veterinary Facilities.** Commercial office and medical treatment facilities used by veterinarians where animals receive medical and surgical treatment, including large and small animal veterinary clinics, and animal hospitals. Grooming and temporary (short-time) boarding of animals or pets for up to 30 days is included, if incidental to the hospital use.

**Vocational Schools.** A post-secondary educational institution designed to provide vocational education or technical skills required to perform the tasks of a particular job. Also referred to as a trade school or vocational college. Vocational schools are traditionally distinguished from four-year colleges by their focus on job-specific training to students who are typically bound for one of the skilled trades, rather than providing academic training for students pursuing careers in a professional discipline.

## “W” Definitions

### Warehousing/Wholesaling.

**Warehousing.** Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include: warehouse, storage or personal, self, or mini-storage facilities offered for rent or lease to the general public; warehouse facilities in which the primary purpose of storage is for wholesaling and distribution (see “Wholesaling and Distribution”); or terminal facilities for handling freight.

**Wholesaling and Distribution.** Establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to these persons or companies. Includes the following establishments:

- agents, merchandise or commodity brokers, and commission merchants
- assemblers, buyers and associations engaged in the cooperative marketing of farm products
- merchant wholesalers
- stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.

Also includes storage, processing, packaging, and shipping facilities for mail order and e-commerce retail establishments.

**Wholesaling and Distribution - Up to 50,000 sf.** Wholesaling and distribution establishments as defined above, containing 50,000 square feet or less of gross floor area.

**Wholesaling and Distribution - Greater than 50,001 sf.** Wholesaling and distribution establishments as defined above, containing 50,001 square feet or greater of gross floor area.

**Water Resource Management Facilities.** The activity of planning, developing, distributing and managing the optimum use of water resources. Examples of related uses include, but are not limited, to the following: groundwater recharge basins, percolation, water wells, reservoirs, tanks, dams, treatment plants, gauging stations, and pumping stations.

**Wildlife Preserves and Sanctuaries.** A nature reserve (natural reserve, bioserve, [natural/nature] preserve or [national/nature] conserve) is a protected area of importance for wildlife, flora, fauna, or features of geological or other special interest, which is reserved and managed for conservation and to provide special opportunities for study or research. These preserves may be designated by government institutions in some areas, or by private landowners (i.e., charities and research institutions).

**Wireless Telecommunications Facilities.** Public, commercial, and private electromagnetic and photoelectrical transmission, broadcast, repeater, and receiving stations for radio, television, telegraph, telephone, cellular telephone, and data networks communications; including commercial earth stations for satellite-based communications as may be described in the Communications Act of 1934, as amended by the Telecommunications Act of 1996, or as otherwise authorized by the Federal Communications Commission. Includes antennas, towers, commercial satellite dish antennas, and equipment structures. Does not include telephone, telegraph, and cable television transmission facilities utilizing hard-wired or direct cable connections.

#### **“X” Definitions**

#### **“Y” Definitions**

#### **“Z” Definitions**

**Zone.** A specifically delineated area or district within a municipality in which regulations and requirements uniformly govern the use, placement, spacing, and size of land and structures. Also known as a zone or zoning district.

**Zoning Map.** The map(s) which are a part of this Development Code and delineate the boundaries of the individual zones or zoning districts.

## Attachment B

### Chapter 17.30.125 — Minor Use Permits

#### A. Purpose and Process.

1. **Purpose.** The purpose of a Minor Use Permit is to provide sufficient flexibility in the use regulations to further the objective of this Development Code.
2. **Process for reviewing uses.** A Minor Use Permit provides a process for reviewing uses and activities that may be appropriate in the applicable zone, but whose effects on a specific site and surroundings cannot be determined before being proposed for the specific site.
3. **Special consideration.** Certain types of land uses require special consideration in a particular zone or in the City as a whole because they possess unique characteristics or present special problems that make automatic inclusion as allowed uses either impractical or undesirable.

#### B. Applicability.

A Minor Use Permit is required to authorize proposed land uses identified in Chapter 17.32 (Residential Zones) through Chapter 17.48 (Combining Overlay Zones), inclusive, as being allowable in the applicable zone subject to the approval of a Minor Use Permit.

#### C. Review Authority.

1. **Action by Director.** Minor Use Permits shall be approved or denied by the Director of Community Development.
2. **Director may refer to Commission.** The Director may choose to refer any Minor Use Permit application to the Planning Commission for review and final decision.

#### D. Application Requirements.

A signed application and payment of such fee as shall be established by resolution of the City Council shall be submitted to the Planning Department accompanied by copies of the site development and elevation as required by the Planning Department. The application shall include:

1. A site plan prepared to scale showing accurately, and with complete dimensioning, all buildings proposed for the parcel. The data contained on the plan shall include information on all buildings, structures, signs, parking, landscaping, walls or fences, and the points of ingress and egress. In addition, all necessary information to clearly define the intended use of the property and its relationship to adjacent properties shall be included;
2. A legal description of the property involved;
3. Reference to specific provisions of this title which are applicable to the Minor Use Permit sought;

4. A list of all names and addresses of all owners of real property within 300 feet from external boundaries of the property involved, as shown on the latest available tax roll;
5. Evidence of ability and intention of applicant to proceed with actual construction work in accordance with a submitted plan within one hundred eighty days from the date of granting the permits; and
6. Any additional information required by the Planning Department to evaluate the application.

**E. Project Review, Notice, and Hearing.** Each application shall be reviewed by the Director to ensure that the proposal complies with all applicable requirements of this title. Before a decision on a Minor Use Permit, the City shall provide notice as follows.

**1. Notice.**

- a. The notice shall state that the Director will decide whether to approve or deny the Minor Use Permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person at least five days before the specified date for the decision.
  - b. The written request for a hearing shall be based on issues of significance directly related to the application (e.g., provision of evidence that the request cannot meet one or more of the findings identified in Paragraph F [Findings and Decision], below).
  - c. If the Director determines that the evidence has merit and can be properly addressed by a condition(s) added to the Minor Use Permit approval, the Director may consider the permit in compliance with Subparagraph 3. (If no hearing is requested), below.
- 2. If hearing is requested.** If a public hearing is requested, and the provisions of Subparagraph E. 1. c., above do not apply, the Director shall schedule the hearing that shall be noticed and conducted in compliance with Sections 17.30.180 and 17.30.200.
- 3. If no hearing is requested.** If no public hearing is requested, the Director shall render a decision on the date specified in the notice referred to in Subparagraph E. 1. a., above.
- 4. Appeals.** The Director's decision is appealable to the Planning Commission.

**F. Findings and Decision.**

- 1. Review authority's action.** An application for a Minor Use Permit may be approved subject to conditions, or denied by the review authority.
- 2. Required findings.** The review authority may approve a Minor Use Permit only if it first makes all the following findings:
  - a. The proposed use is consistent with the General Plan and any applicable specific plan;
  - b. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this title and the Municipal Code;
  - c. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity;

- d. The site is physically suitable in terms of:
  - 1) Its design, location, shape, size, and operating characteristics of the proposed use;
  - 2) The provision of public and emergency vehicle (e.g., fire and medical) access;
  - 3) Public protection services (e.g., fire protection, police protection, etc.); and
  - 4) The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).
- e. The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.
- f. The applicant agrees in writing to comply with any and all of the conditions imposed by the review authority in the approval of the Conditional Use Permit or Minor Use Permit.

**G. Conditions of Approval.** In approving a Minor Use Permit, the review authority may impose any conditions deemed reasonable and necessary to ensure that the approval will comply with the findings required by in Subaragraph F.2 (Required findings) above.

**H. Use of Property before Final Action.** No permits or approvals shall be issued for any use involved in an application for a Minor Use Permit until and unless the same shall have become final.

**I. Modification of Permit.** An approved Minor Use Permit may be modified in compliance with Section 17.30.470 (Modification).

**J. Periodic Review.** The City may conduct a periodic review of the permit to ensure proper compliance with this title and any developmental or operational conditions imposed by the review authority.

**K. Permit to Run with the Land.** A Minor Use Permit approved in compliance with the provisions of this Section shall continue to be valid upon a change of ownership of the business, parcel, service, structure, or use that was the subject of the permit application in the same area, configuration, and manner as it was originally approved in compliance with this Section.

## **Attachment C**

## Chapter 17.32 Residential Zones (R-1, R-2, R-3, and R-4)

### Sections

- 17.32.010 Purpose and Intent
- 17.32.020 Land Use Regulations and Allowable Uses
- 17.32.030 Development Standards

### 17.32.010 Purpose and Intent

The purposes of the individual residential zones and the manner in which they are applied are as follows.

- A. **R-1 - Single-Family Residential Zone (0 to 4 dwelling units/acre).** The intent of the Single-Family Residential zone is to accommodate traditional single-family houses and subdivisions on relatively flat areas of the City and to support accessory dwelling units consistent with State law. The allowable density ranges from 0 to 4 dwelling units per acre. This zone implements the General Plan Low Density Residential land use designation.
- B. **R-2 - Medium Density Residential Zone (0 to 9 dwelling units/acre).** The intent of the Medium Density Two-Family Residential zone is to accommodate single-family and duplex types of residential development, with appropriate amenities for the residents. The allowable density ranges from 0 to 9 dwelling units per acre. This zone implements the General Plan Medium Density Residential land use designation.
- C. **R-3 - High Density Residential Zone (0 to 13 dwelling units/acre).** The intent of the High Density Multifamily zone is to accommodate and encourage multifamily residential uses consisting of low-rise (one to three stories in height) apartment, condominium, and townhouse style development, with appropriate amenities for the residents and common and private open spaces. The allowable density ranges from 0 to 13 dwelling units per acre. This zone implements the General Plan High Density Residential land use designation.
- D. **R-4 - Very High Density Residential Zone (0 to 20 dwelling units/acre).** The intent of the Very High Density Multifamily zone is to accommodate and encourage multifamily residential uses consisting of low-rise (one to three stories in height) apartment, condominium, and townhouse style development, with appropriate amenities for the residents and common and private open spaces. The allowable density ranges from 0 to 20 dwelling units per acre. This zone implements the General Plan Very High Density Residential land use designation.

### 17.32.020 Land Use Regulations and Allowable Uses

- A. **Table 2-1.** Table 2-1 indicates the uses allowed within each residential zone and any permits required to establish the use, in compliance with Chapter 17.30 (Administration) and Chapters 17.30.410 (Hearings) through 17.30.470 (Modification), inclusive.
- B. **Primary and Accessory Uses.** Residential uses represent the primary allowed use, and only those additional uses that are complementary to, and can exist in harmony with, the residential character of each zone may be allowed as accessory, conditionally permitted, and/or temporary uses. Accessory uses deemed appropriate may only be allowed when provided as a secondary use on property for which a legally allowed residential unit exists or is proposed in conjunction with establishment of the accessory use, except as may be otherwise allowed in Chapter 17.22 (Nonconforming Uses).



- C. Prohibited Land Uses.** Any table cell with a "--" means that the listed land use is prohibited in that specific zone.
- D. Land Uses Not Listed in Table 2-1.** Land uses that are not listed in Table 2-1 or are not shown in another zone are not allowed, except as otherwise provided by Section 17.02.040 (Interpretation by City Council).
- E. Additional Regulations.** Where the last column in the Table 2-1 includes a Chapter or Section number, the regulations in the referenced Chapter or Section shall apply to the use. Provisions in other Sections of this title may also apply.
- F. Precise Plan of Design Review.** See Sections 17.30.260 (Precise plan of design – required when) through 17.30.300 (Precise plan of design – Conditional approval), inclusive, requirements for new or modified construction activities.
- G. Definitions.** See Chapter 17.02 (Introduction and Definitions) for land use definitions and explanations.
- H. General Plan Considerations.** Development must conform with the General Plan, Hillside Conservation Measure, Hillside Development Control Measure, Growth Management Element of the General Plan, and South Hills Preservation Measure.

Table 2-1 Allowed Uses and Permit Requirements for Residential Zones	P Permitted by Right (Planning Permit May Be Required)				
	CUP Conditional Use Permit	MUP Minor Use Permit	-- Not Allowed		
	R-1 Single Family Residential (0 to 4 units/acre)	R-2 Medium Density Residential (0 to 9 units/acre)	R-3 High Density Residential (0 to 13 units/acre)	R-4 Very High Density Residential (0 to 20 units/acre)	
Land Use	R-1	R-2	R-3	R-4	Specific Use Regulations
Residential Uses					
Boarding and Lodging Houses	--	--	CUP	CUP	
Dormitories	--	--	CUP	CUP	
Dwellings					
Accessory Dwelling Unit	P	--	--	--	
Single-Family Dwelling	P	P	CUP	CUP	
Manufactured Housing	P	P	--	--	
Mobile Home Park	CUP	CUP	CUP	CUP	
Multifamily Dwellings	--	--	P	P	
Two-Family Dwellings (duplex)	--	P	P	--	
Group Home (six or fewer residents plus one employee)	P	P	P	P	
Group Home (seven or more residents plus employees)	--	--	MUP	MUP	
Planned Residential Developments	CUP	CUP	CUP	CUP	
Senior Housing	--	--	CUP	CUP	
Care Uses					
Child Day Care – Large (8 or more children)	MUP	MUP	MUP	MUP	

Table 2-1 Allowed Uses and Permit Requirements for Residential Zones	P Permitted by Right (Planning Permit May Be Required)				
	CUP	Conditional Use Permit			
	MUP	Minor Use Permit			
	--	Not Allowed			
	R-1	Single Family Residential			(0 to 4 units/acre)
	R-2	Medium Density Residential			(0 to 9 units/acre)
	R-3	High Density Residential			(0 to 13 units/acre)
	R-4	Very High Density Residential			(0 to 20 units/acre)
Land Use	R-1	R-2	R-3	R-4	Specific Use Regulations
Child Day Care – Small (7 or fewer children)	P	P	P	P	
Residential Care Facility	--	--	CUP	CUP	
<b>Other Uses</b>					
Airports, Heliports, and Other Landing Fields	--	--	--	--	
<b>Assembly Uses</b>					
Places of Public Assembly	--	CUP	CUP	CUP	
Places of Religious Assembly	CUP	CUP	CUP	CUP	
Cemeteries, Columbariums, Mausoleums, and Mortuaries	--	--	--	--	
Enclosed Storage Structures	--	--	CUP	CUP	See note 10 in Table 2-2
Golf Course and Related Facilities	CUP	CUP	CUP	CUP	
Home Occupations	P	P	P	P	Chapter 17.12 (Home Occupations)
Parolee Homes	--	--	CUP	CUP	
Public Utility Structures and Service Facilities	CUP	CUP	CUP	CUP	
Schools - Private	--	--	--	--	

### 17.32.030 Development Standards

- A. General.** New land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements specified in Tables 2-2 and 2-3, in addition to the general development standards (e.g., landscaping, parking and loading, etc.) and land use standards specified elsewhere in this title. Standards for accessory structures are specified in Chapter 17.10 (Accessory Buildings) and in the notes in Table 2-2.
- B. Prohibition on Structures in Front Setback Area.** Portions of any habitable structure and/or accessory structure shall not occupy any portion of a required front setback area, except as provided in Section 17.08.050 (Permitted Projections).

<b>Table 2-2 Residential Development Standards</b>	<b>Residential Zones</b>			
	<b>R-1 Single Family Residential</b>		<b>(0 to 4 units/acre)</b>	
	<b>R-2 Medium Density Residential</b>		<b>(0 to 9 units/acre)</b>	
	<b>R-3 High Density Residential</b>		<b>(0 to 13 units/acre)</b>	
	<b>R-4 Very High Density Residential</b>		<b>(0 to 20 units/acre)</b>	
<b>Development Feature</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>
<b>Parcel Dimensions</b>	Minimum requirements for each <b>NEWLY CREATED</b> parcel.			
<b>Density</b> – Maximum units per acre	0 to 4	0 to 9	0 to 13	0 to 20
<b>Density</b> – Minimum	N/A	N/A	N/A	N/A
<b>Parcel Size</b> – Minimum (Sq. Ft.)	7,200			
<b>Parcel Width</b> – Minimum (Feet)				
Standard Parcels	65	65	65	65
Corner Parcels			70	70
Minimum Frontage	45	45	45	45
<b>Parcel Depth</b> – Minimum (Feet)	100			
<b>Parcel Coverage</b> – Maximum footprint(%)				
Standard parcel	40	50	60	70
Nonconforming parcel	60	60	70	80
<b>Parcel Area Per Dwelling Unit</b> – Minimum (Feet) <sup>(6)</sup>	7,200	3600	2,200	2200
<b>Floor Area Per Dwelling Unit</b> – Minimum (Sq. ft.) <sup>(14)</sup>				
Stand-alone unit	1,000			
Multi-Unit Building:		675	675	675
Bachelor and One Bedroom		850	850	850
Two Bedrooms		850	850	850
Three Bedrooms		1,025	1,025	1,025
For Each Additional Bedroom		175	175	175
<b>Distance Between Structures</b> – Minimum (Feet)	10	10	10 + additional 5 for each story above the first	10 + additional 5 for each story above the first
<b>Setbacks</b> – Minimum (Feet)				
<b>Front Setback</b>				
Standard <sup>(1)</sup>	25	25	20	20
Averaging with 5 or more parcels <sup>(2)</sup>	25 with none less than 20	25 with none less than 20		
<b>Side Setback</b>				
Standard Interior(3),(4),(5),(10), (11), (12)	15 on one side and 5 on the other plus additional 5 for each story above the first			
Standard Corner Exterior Parcels		15		
Corner Parcel where Front Door Fronts Side Yard		15		

Table 2-2 Residential Development Standards	Residential Zones			
	<b>R-1 Single Family Residential</b>		<b>(0 to 4 units/acre)</b>	
	<b>R-2 Medium Density Residential</b>		<b>(0 to 9 units/acre)</b>	
	<b>R-3 High Density Residential</b>		<b>(0 to 13 units/acre)</b>	
	<b>R-4 Very High Density Residential</b>		<b>(0 to 20 units/acre)</b>	
Development Feature	R-1	R-2	R-3	R-4
Reverse Corner Parcel: Side Adjoining Another Parcel	15			
Reverse Corner Parcel: Side Adjoining Street	15			
<b>Rear Setback</b>	15	15	15 plus additional 5 for each story above the first	
<b>Height Limit – Maximum (Feet)</b>	35	35 <sup>(7)</sup>	35	35
<b>Open Space - Minimum (Sq. Ft.)<sup>(8),(9), (13)</sup></b>				
Minimum Area (Sq. Ft.)	1,200			
Minimum Dimension (exclusive of setbacks)	15			
Multi-Unit Building (Sq. Ft. per dwelling unit)	N/A	Plus the following:		
Bachelor and One Bedroom	N/A	600		
Two Bedrooms	N/A	700		
Three Bedrooms or more	N/A	800		

**Notes:**

1. Garage entrances shall face side parcel lines on all parcels having front setbacks of less than 25 feet. The minimum garage setbacks shall be 20 feet measured from the face of the garage door to the front property line.
2. All front setbacks in a subdivision shall average a minimum of not less than 25 feet.
3. No portion of a second story wall shall be closer than 10 feet to the property line; however, if the greater side setback has an unobstructed graded area on that side intended for garage use suitable for vehicle parking, a side setback may be allowed having a minimum dimension from the structure to the property line of 10 feet open from ground to sky, however, in no case less than 12 feet from the structure's exterior wall to the property line.
4. Carport structures may be allowed on side property lines to not less than five feet from the rear property lines. The structures shall be fire rated in compliance with the Uniform Building Code and may be required to be screened for aesthetic purposes. No structure shall be allowed within the front setback or exterior side setback on corner parcels or within 15 feet of an exterior side (street side) property line within the rear setback of corner parcels. All carport structures shall be subject to the review of the Director.
5. Accessory structures. Accessory structures both attached and detached shall be allowed under the same standards as the main structures, except that detached one-story accessory structures may have a rear setback of five feet. Attached patios which are completely unenclosed, except for fully ventilated screening, may come to within not less than five feet of the rear property line.
6. Density Designation: The ordinance establishing any residential zone may contain a number suffixed with the zone symbol. The number shall be the number of square feet of total parcel area allocated to each dwelling unit. The designation may be indicated on the Zoning Map (e.g., R-2-3000, R-2-36000). The designation shall not exceed the density specified in the General Plan.
7. R-2: Height. When abutting an R-1 zone, no structure shall exceed one story in height within 50 feet of the subject boundary and shall not exceed two stories within 100 feet of the subject boundary.
8. R-2, R-3, and R-4: Open Space Requirements. The open space areas shall not include any type of roofed or enclosed structure (except a specifically designated recreation structure), driveway, driveway easement, open parking, or required front or exterior side setbacks. Equipped outdoor recreation areas containing swimming pools, children's playgrounds with equipment, tennis, volleyball, shuffleboard, or handball courts, and similar facilities may be counted as one square foot of area fulfilling two square feet of the required open space area as may be determined by the Director. The Director's determinations may be appealed directly to the Council.
9. R-2, R-3, and R-4: Private Balconies and Patios. Private balcony and patio areas may be utilized to fulfill not more than 50 percent of the open space requirement, provided the areas have direct access from the dwelling unit it is designed to serve, a minimum dimension of seven feet, and a minimum area of 70 square feet.
10. R-3 and R-4: Accessory Structures.
  - a. Accessory structures except carport structures and enclosed storage structures as specified in Section 17.38.130(B) shall observe the same front, side, and rear setbacks as the main structures.
  - b. Enclosed storage structures are allowed on the property line as specified in Section 17.38.080 provided that all of the following conditions are met:
    - (1) The minimum acreage of the related development project shall be 3.5 acres;

- (2) The enclosed storage structure shall not exceed 1,000 square feet in area and one story in height;
    - (3) A Conditional Use Permit and Precise Plan Of Design application in compliance with provisions of this Development Code shall be required;
    - (4) The enclosed storage structure shall be allowed on property lines that are adjacent to zoning designations that allow development equal to or more intense than the R-3 zone; and
    - (5) Subject to a finding by the Council that there is no other reasonable location for the enclosed storage structure on the subject property.
  - c. The minimum distance between accessory and main structures and accessory structures shall be 10 feet exclusive of any vehicular accessway or parking area with an additional 10 feet for each story over one on the accessory structure.
  - d. Garages or carports opening onto an alley shall supply a minimum turning radius of 25 feet to the opposite side of the alley.
11. R-3 and R-4: Garages and Parking Areas. When a parcel abuts an arterial highway, as depicted on the Master Plan of Arterial Highways, and an alley or local street, access to all garages and parking spaces shall be from the alleys or local streets and not from the arterial highway. No more than two garage spaces shall take access directly from a local street for each 65 feet of parcel frontage on a local street. No open parking shall take access directly from a local street. Any garage entered directly from the street shall have a minimum setback of 20 feet from the ultimate right-of-way, measured from the face of the garage door to the front property line.
12. R-3 and R-4: Side and Rear Setbacks. The interior side setback shall be maintained free and unencumbered from the ground to the sky and shall not be used for any driveway, parking space, or access. If a dwelling unit faces an interior side setback, the minimum required setback shall be the same as that required for a front setback (20 feet) with an additional five feet supplied for each additional story above a one-story structure.
13. Landscaping. Any part of a developed parcel that is visible from the street, including turf on separated parkways, shall be landscaped in compliance with Section 17.02.215 (Landscaping). On a natural slope, the slope may be left in its natural condition or as otherwise required; however, a manufactured slope shall be landscaped. All lawns, yards, and gardens visible from the street shall be maintained in a manner which creates a neat, clean, and orderly appearance and which prevents visual blight and property deterioration. Pruning, mowing and edging of lawns, weeding, removal of litter, fertilizing, and regular watering of all plantings are examples of proper maintenance. All dead plants shall be replaced. Landscaping shall be maintained by the property owner or any occupant or person in charge or control of the subject property.
14. Minimum Floor Area. For purposes of this Section, any separately enclosed, habitable room shown on a submitted floor plan shall be considered a bedroom regardless of designation as a “den,” “family room,” “study,” or similar room. No balcony, patio, porch, or similar feature shall be considered in determining unit floor area.

**Chapter 17.36 Hillside Residential Zones (HR-C, HR-LD, HR-MD, HR-RE, HR-VL, AND HR-SH)****Sections**

- 17.36.010 Intent and Purpose
- 17.36.020 Land Use Regulations and Allowable Uses
- 17.36.030 Development Standards

**17.36.010 Intent and Purpose**

- A. Intent.** The intent of the Hillside Residential zone is to provide opportunities for hillside residential development approaches, including clustering of development consistent with the General Plan and policy directives associated with the Hillside Conservation Measure, Hillside Development Control Measure, Growth Management Element of the General Plan, and South Hills Preservation Measure (that balance preservation of hillside environments with the City’s desire to accommodate single-family neighborhoods on large parcels) including rural-type development.
- B. Purpose.** The purposes of the individual hillside residential zones and the manner in which they are applied are as follows.
- 1. HR-C Hillside Conservation (0 to 1 dwelling unit per 10 acres).** The purpose of the Hillside Conservation zone is to accommodate extremely low density single-family residential homes in the Hillside Conservation Area. The allowable density for this category ranges from zero to one dwelling unit per 10 acres.
  - 2. HR-LD Low Density Hillside Preservation (0 to 1 dwelling unit per 10 acres).** The purpose of the Low Density Hillside Preservation zone is to accommodate low density single-family residential homes in the Hillside Preservation Area. The allowable density for this category ranges from zero to one dwelling unit per 10 acres.
  - 3. HR-MD Medium Density Hillside Preservation (0 to 1 dwelling unit per 5 acres).** The purpose of the Medium Density Hillside Preservation zone is to accommodate low density single-family residential homes in the Hillside Preservation Area. The allowable density for this category ranges from zero to one dwelling unit per five acres.
  - 4. HR-RE Rural Estates (0 to 1 dwelling unit per acre).** The purpose of the Rural Estates zone is to accommodate single-family homes in a rural setting. The allowable density for this category ranges from zero to one dwelling unit per acre.
  - 5. Very Low Density (0 to 2 dwelling units/acre).** The purpose of the Very Low Density zone is to accommodate single-family homes in a rural setting. The allowable density for this category ranges from zero to two dwelling units per acre.

**17.36.020 Land Use Regulations and Allowable Uses**

- A. Table 2-3.** Table 2-3 indicates the uses allowed within each hillside residential zone and any permits required to establish the use, in compliance with Chapter 17.30 (Administration) and Chapters 17.30.410 (Hearings) through 17.30.470 (Modification), inclusive.
- B. Primary and Accessory Uses.** Residential uses represent the primary allowed use, and only those additional uses that are complementary to, and can exist in harmony with, the hillside residential character of each zone may be allowed as accessory, conditionally permitted, and/or temporary uses. Accessory uses deemed appropriate may only be allowed when provided as a secondary use on property for which a legally

allowed residential unit exists or is proposed in conjunction with establishment of the accessory use, except as may be otherwise allowed in Chapter 17.22 (Nonconforming Uses).

- C. Prohibited Land Uses.** Any table cell with a "--" means that the listed land use is prohibited in that specific zone.
- D. Land Uses Not Listed in Table 2-3.** Land uses that are not listed in Table 2-3 or are not shown in another zone are not allowed, except as otherwise provided by Section 17.02.040 (Interpretation by City Council).
- E. Additional Regulations.** Where the last column in the Table 2-3 includes a Chapter or Section number, the regulations in the referenced Chapter or Section shall apply to the use. Provisions in other Sections of this title may also apply.
- F. Precise Plan of Design Review.** See Sections 17.30.260 (Precise plan of design - Required when) through 17.30.300 (Precise plan of design – Conditional approval), inclusive, requirements for new or modified construction activities.
- G. Definitions.** See Chapter 17.02 (Introduction and Definitions) for land use definitions and explanations.
- H General Plan Considerations.** Development must conform with the General Plan, Hillside Conservation Measure, Residential and Hillside Development Control Measure, Growth Management Element of the general Plan, and South Hills Preservation Measure

Table 2-3 Allowed Uses and Permit Requirements for Hillside Residential Zones	P	Permitted By Right (Planning Permit May Be Required)				
	CUP MUP --	Conditional Use Permit	Minor Use Permit	Not Allowed		
	HR-C	Hillside - Conservation				(0 to 0.1 unit/acre)
	HR-LD	Hillside – Low Density				(0 to 0.1 units/acre)
	HR-MD	Hillside – Medium Density				(0 to 0.2 units/acre)
	HR-RE	Hillside – Rural Estate				(0 to 1 units/acre)
	VL	Very Low Density				(0 to 2 units/acre)
Land Use	HR-C	HR-LD	HR-MD	HR-RE	HR-VL	Specific Use Regulations
<b>Residential Uses</b>						
Dwellings						
Accessory Dwelling Unit	P	P	P	P	P	
Single-Family Dwelling	P	P	P	P	P	
Manufactured Housing	P	P	P	P	P	
Group Home (six or fewer residents plus one employee)	P	P	P	P	P	
Planned Residential Developments	CUP	CUP	CUP	CUP	CUP	
<b>Care Uses</b>						
Child Day Care – Small (7 or fewer children)	P	P	P	P	P	
<b>Other Uses</b>						
Enclosed Storage Structures	CUP	CUP	CUP	CUP	CUP	
Home Occupations	P	P	P	P	P	
Public Utility Structures and Service Facilities	CUP	CUP	CUP	CUP	CUP	

**17.36.030 Development Standards**

- A. General.** New land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements specified in Table 2-4, in addition to the general development standards (e.g., landscaping, parking and loading, etc.) and land use standards specified elsewhere in this title. Standards for accessory structures are specified in Chapter 17.10 (Accessory Buildings) and in the notes in Table 2-4.
- B. Prohibition on Structures in Front Setback Area.** Portions of any habitable structure and/or accessory structure shall not occupy any portion of a required front setback area, except as provided in Section 17.08.050 (Permitted Projections).

<b>Table 2-4 Hillside Residential Development Standards</b>	<b>Hillside Residential Zones</b>				
	<b>HR-C Hillside – Conservation</b>		<b>(0 to 0.1 unit/acre)</b>		
	<b>HR-LD Hillside – Low Density</b>		<b>(0 to 0.1 units/acre)</b>		
	<b>HR-MD Hillside – Medium Density</b>		<b>(0 to 0.2 units/acre)</b>		
	<b>HR-RE Hillside – Rural Estate</b>		<b>(0 to 1 units/acre)</b>		
	<b>HR-VL Hillside – Very Low Density</b>		<b>(0 to 2 units/acre)</b>		
<b>Development Feature</b>	<b>HR-C</b>	<b>HR-LD</b>	<b>HR-MD</b>	<b>HR-RE</b>	<b>HR-VL</b>
<b>Parcel Dimensions</b>	Minimum requirements for each <b>NEWLY CREATED</b> parcel.				
<b>Density</b>					
Maximum dwelling units/acre	1 du/10 acres	1 du/10 acres	1 du/5 acres	1 du/1 acre	2 du/1 acre
Clustered Development	1 du/5 acre	1 du/5 acre	1 du/2.5 acre	NA	NA
<b>Parcel Size – Minimum (Sq. ft.)</b>	435,600	435,600	217,800	43,560	21,780
<b>Parcel Width – Minimum (Feet)</b>	150				
<b>Parcel Depth – Minimum (Feet)</b>	200				
<b>Parcel Coverage – Maximum footprint</b>	See Table 2-3.a <sup>(1)</sup>				
<b>Distance Between Structures – Minimum (Feet)</b>	10 plus additional 5 for each story above the first				
<b>Setbacks – Minimum (Feet)</b> <sup>(4)(5)</sup>					
Front Setback	25	25	25	25	25
Side Setback – Interior and Standard Corner Parcels	15				
Side Setback – Corner Parcel where Front Door Fronts Side Yard	15				
Side Setback – Reverse Corner Parcel: Side Adjoining Another Parcel	15				
Side Setback – Reverse Corner Parcel: Side Adjoining a Street	15				
Rear Setback	50	50	50	15	15
<b>Height Limit - Maximum (Feet)</b>	35				

**Notes:**

1. No portion of a second story wall shall be closer than 30 feet to the property line; however, if the greater side setback has an unobstructed graded area on that side intended for garage use suitable for vehicle parking, a side setback may be allowed having a minimum dimension from the structure to the property line of 30 feet open from ground to sky.
2. Carport structures may be allowed on side property lines to not less than five feet from the rear property lines. The structures shall be fire rated in compliance with the Uniform Building Code and may be required to be screened for aesthetic purposes. No structure shall



be allowed within the front setback or exterior side setback on corner parcels or within 15 feet of an exterior side (street side) property line within the rear setback of corner parcels. All carport structures shall be subject to the review of the Director.

3. Accessory structures. Accessory structures both attached and detached shall be allowed under the same standards as the main structures, except that detached one-story accessory structures may have a rear setback of five feet. Attached patios which are completely unenclosed, except for fully ventilated screening, may come to within not less than five feet of the rear property line.
4. Permitted Development. The City shall only allow future development within the Hillside Preservation Area, the Hillside Conservation Area, and the Expanded Hillside Area which:
  - a. Protects the area's natural environment and sensitive environmental features, as well as public health and safety, maximizing the preservation of land in permanent public open space;
  - b. Ensures that the design and layout of future hillside development adapts to the natural hillside topography; and
  - c. Minimizes the need for and costs of providing infrastructure, utilities, and public services to all hillside areas.
5. Preservation of natural scenic vistas and view shed areas.
  - a. Preservation of Vistas: New development shall only be approved if it preserves scenic vistas of natural hillside areas and ridgelines.
  - b. Minimization of View Shed Intrusion: New Development shall only be approved if it minimizes wall surfaces facing towards view shed areas through the use of split pads, varying setbacks, low roof pitches, and landscaping.
  - c. Architectural Compatibility: New development shall only be approved if it uses architectural style which is compatible with the natural setting. The use of colors, textures, materials, and forms which will attract attention shall be avoided.
  - d. Massing and Scale: The overall scale and massing of structures shall respect the natural surroundings by incorporating designs which minimize bulk and mass, and minimize visual intrusion on the natural landscape. Structures shall be sited to best fit with a hillside's natural contours in hillside areas.
6. Ridgeline Setbacks. Development shall be set back from Primary Ridgelines 100 feet horizontally and 100 feet vertically. "Primary Ridgelines" include ridgelines having any of the following characteristics:
  - a. Ridges that have a difference in elevation of at least 200 feet from the toe of slope of the valley floor or the toe of slope of any canyon floor.
  - b. Ridges which, prior to grading, are visible, or which would be visible but for manmade obstructions such as buildings or houses.
  - c. Ridges that form a prominent landform in the foreground, a major skyline ridge in the background, or one of the layers of ridges that may be visible in between, or which would be visible but for man-made obstructions such as buildings or houses.
  - d. Ridges that frame major visual access when a person is traveling through the Hillside Preservation Area, the Hillside Conservation Area or the Expanded Hillside Area and will provide the first view of valley and canyon areas as a traveler emerges from the other side of the ridge.
7. Grading:
  - a. Focused Grading Required. Focused Grading is defined as the minimum grading required for access roads, the grading necessary for the extension of City services, and/or the grading of no more than the size of the footprint of the house and ancillary structures on each individual parcel, with each footprint and ancillary structures separated from each adjacent parcel by ungraded, natural terrain. Mass Grading is defined as any grading that does not meet the definition of Focused Grading.
  - b. Mass Grading Prohibited. Mass Grading on any Primary Ridgeline or any Northerly Facing Slope is prohibited.
  - c. Slope Conforming Foundations Required. Development shall preserve natural scenic vistas where the natural slope is 15 percent or greater by requiring building foundations for structures to conform to the natural slope to minimize grading and other environmental impacts and to ensure that roof lines do not eliminate or obstruct ridgelines.
8. Average Slope and Parcel Coverage Standards.
  - a. For the purposes of this Subsection, the average slope of any parcel shall be determined by the following formula.

$$S = \frac{.0023IL}{A}$$

A

Where: S is the average slope expressed as a percent; I is contour interval in feet; L is the combined length of contour lines in scale feet; and A is the gross area in acres of the parcel.

- b. The calculation of the average slope, S, shall be prepared by a registered civil engineer or land surveyor using the following criteria:
  - c. The contour map shall have a maximum interval of 10 feet;
  - d. An interval of two feet shall be used for calculation of the average slope and shall be interpolated if necessary;
  - e. The scale of development plans and topographic maps shall be no smaller than:
    - (1) For a parcel smaller than two acres, one inch equals 20 feet,
    - (2) For a parcel from two to 20 acres, one inch equals 50 feet,
    - (3) For a parcel larger than 20 acres, one inch equals 100 feet,
  - f. The plans and maps shall be in compliance with the requirements for tentative maps established by the Subdivision Code.

9. The maximum parcel coverage on a parcel located within the Hillside Residential Zones shall be as specified in the following table:

**Table 2-4-A**  
**Maximum Parcel Coverage**

<b>Average Slope (%)</b>	<b>Maximum Parcel Coverage</b> (Calculated as maximum % of roof coverage)
10-15	45
15-20	40
20-25	35
25-30	30
30-35	25
35-40	20
40-45	15
Over 45	5

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## Chapter 17.40 Commercial and Industrial Zones (BP, C1, C2, CM, and CO)

### Sections

- 17.40.010 Purpose and Intent
- 17.40.020 Land Use Regulations and Allowable Uses
- 17.40.040 Specific Use Regulations
- 17.40.050 Development Standards

### 17.40.010 Purpose and Intent

The purposes of the individual commercial zones and the manner in which they are applied are as follows.

- A. B-P Business Park Zone.** The intent of the Business Park zone is to provide locations for professional offices, research and development activities, and light industrial uses that contribute both revenues and jobs to the local economy. Limited retail or service uses designed to meet the business needs of offices or the personal needs of office workers are also allowed. Development profiles may consist of low- to high-rise developments (one to five stories in height) constructed either as stand-alone structures or a coordinated project in terms of site layout, architectural design, and landscaping to form a campus-like setting. The community seeks to expand these types of uses by attracting firms that are related to the medical technology field, or that would benefit from the medical advances associated with businesses and institutions in the City. This zone implements the General Plan Business Park land use designation.
- B. C-1 Neighborhood Business Zone.** The intent of the Neighborhood Business zone is to provide locations for shopping and commercial service businesses that cater to the daily needs of the residential community and local workers. Examples of intended development include neighborhood shopping centers, specialty shops, and stand-alone commercial uses. This zone also allows limited office and religious assembly uses that are incorporated into commercial development (e.g., offices in small storefronts, or religious assembly uses in structures originally designed for commercial uses) if the dominant character of the overall development remains commercial. The overall character of uses in this zone is one of low impact in terms of traffic generation, noise, and other features that might adversely affect adjacent residential neighborhoods. This zone implements the General Plan Commercial land use designation.
- C. C-2 General Business Zone.** The intent of the General Business zone is to accommodate the shopping and commercial service needs of the residential community, local workers, and visitors to the City. Examples of intended development include larger shopping centers and in-line shops, hotels/motels, specialty shops, and stand-alone commercial uses. This zone also allows a limited number of office uses and religious assembly uses incorporated into commercial development if the dominant character of the overall development remains commercial. This zone implements the General Plan Commercial land use designation.
- D. C-M Commercial Manufacturing Zone.** The intent of the Commercial Manufacturing zone is to accommodate light industrial uses (e.g., manufacturing, assembly, warehousing, and distribution businesses) that have limited or no impact related to air quality, electrical or electronic interference, hazardous materials, light and glare, liquid and solid wastes, noise, odors, ground vibration, or water quality. Warehousing and distribution uses are limited to those uses that generate a relatively low number of vehicle trips. Office uses that are ancillary to the principal commercial or manufacturing uses are allowed. This zone implements the General Plan Industrial land use designation.

- E. C-O Commercial Office Zone (Administrative and Professional Office Zone).** The intent of the Commercial Office zone is to accommodate professional and medical office uses. However, commercial uses that support the office uses or office workers (e.g., office supply stores, copy services, pharmacies, day care, restaurants, dry cleaners, and sundry stores) are also allowed. Development intensity may vary from one to five stories in height depending on adjacent uses, with lower-rise structures required adjacent to residential development. This zone implements the General Plan Office land use designation.

#### 17.40.020 Land Use Regulations and Allowable Uses

- A. Table 2-5.** Table 2-5 indicates the uses allowed within each residential zone and any permits required to establish the use, in compliance with Chapter 17.30 (Administration) and Chapters 17.30.410 (Hearings) through 17.30.470 (Modifications), inclusive.
- B. Prohibited Land Uses.** Any table cell with a "--" means that the listed land use is prohibited in that specific zone.
- C. Land Uses Not Listed in Table 2-5.** Land uses that are not listed in Table 2-5 or are not shown in another zone are not allowed, except as otherwise provided by Section 17.02.040 (Interpretation by City Council).
- D. Additional Regulations.** Where the last column in the Table 2-5 includes a Chapter or Section number, the regulations in the referenced Chapter or Section shall apply to the use. Provisions in other Sections of this title may also apply.
- E. Precise Plan of Design Review.** See Sections 17.30.260 (Precise plan of design - Required when) through 17.30.300 (Precise plan of design – Conditional approval), inclusive, requirements for new or modified construction activities.
- F. Definitions.** See Chapter 17.02 (Introduction and Definitions) for land use definitions and explanations.

Table 2-5 Allowed Uses and Permit Requirements for Commercial and Industrial Zones	P Permitted By Right (Planning Permit May Be Required)					
	CUP Conditional Use Permit					
	MUP Minor Use Permit					
	-- Not Allowed					
	C-O Commercial Office					
	B-P Business Park					
	C-1 Neighborhood Commercial					
	C-2 General business					
	C-M Commercial Manufacturing					
Land Use	C-O	B-P	C-1	C-2	C-M	Specific Use Regulations
<b>Retail Trade Uses</b>						
Alcohol Beverage Sales						
Alcohol Sales (off-sale) – Beer and Wine	--	CUP	CUP	CUP	--	
Alcohol Sales (on-sale) – Beer and Wine	CUP	CUP	CUP	--	--	See note 1
Alcohol Sales (off-sale) – Liquor	--		P	P	--	Only permitted provided that the structure containing this use has a minimum floor area of 30,000 sq. ft. and that a maximum of 10 percent of the gross floor area is devoted to the sales of package liquor
Alcohol Sales (on-sale) – Liquor	--	CUP	--	CUP	--	

Table 2-5 Allowed Uses and Permit Requirements for Commercial and Industrial Zones	P Permitted By Right (Planning Permit May Be Required)					
	CUP Conditional Use Permit					
	MUP Minor Use Permit					
	-- Not Allowed					
	C-O Commercial Office					
	B-P Business Park					
	C-1 Neighborhood Commercial					
	C-2 General business					
	C-M Commercial Manufacturing					
Land Use	C-O	B-P	C-1	C-2	C-M	Specific Use Regulations
Building Materials	--	--	--	MUP	P	
Drive-in and Drive-thru Businesses	CUP	--	CUP	CUP	CUP	
Landscape Nurseries – Retail or Wholesale	CUP	--	CUP	CUP	P	Two-acre minimum parcel size required.
Retail Store or Center (Less than 30,000 sf)	--	--	--	P	P	
Retail Store or Center (30,001 sf or greater)	--	--	P	P	P	
Vehicle Sales – New	--	--	--	P	P	
Vehicle Sales – Used	--	--	--	P	P	Allowed only in association with a new vehicle sales business. Stand-along used vehicle sales are not permitted.
Vehicle Parts Sales (including stereos/alarms, but no installation)	--	--	P	P	P	
Vending Machines	P	P	P	P	P	
<b>Business, Financial, and Professional</b>						
Financial Institutions and Related Services	P	P	P	P	P	
Governmental Offices and Facilities	P	P	P	P	P	
Historical or Landmark Structures with Commercial Activities	CUP	CUP	CUP	CUP	CUP	
Offices – Other than medical or dental	P	P	P	P	P	In the C-1 and C-2 zones, on the ground floor, office use is limited to 15% of the floor area. No limitation applies to second floors are above.  In the C-M zone, office use is limited to ancillary uses associated with the business and shall not exceed 15% of the floor area.
<b>Eating and Drinking Establishments</b>						
Bars, Lounges, Nightclubs, and Taverns	--	--	--	CUP	--	
Catering Services	--	--	P	P	P	
Fast Food Restaurant with no drive-through (no late-night hours)	P	P	P	P	P	
Fast Food Restaurant with no drive-through (with late-night hours)	CUP	CUP	CUP	CUP	CUP	
Fast Food Restaurant with drive-through	--	--	--	--	--	
Restaurant – Outdoor Dining	CUP	CUP	CUP	CUP	CUP	

Table 2-5 Allowed Uses and Permit Requirements for Commercial and Industrial Zones	P Permitted By Right (Planning Permit May Be Required)					
	CUP Conditional Use Permit					
	MUP Minor Use Permit					
	-- Not Allowed					
	C-O Commercial Office					
	B-P Business Park					
	C-1 Neighborhood Commercial					
	C-2 General business					
	C-M Commercial Manufacturing					
Land Use	C-O	B-P	C-1	C-2	C-M	Specific Use Regulations
Restaurant – Sit-down (no late hours)	P	P	P	P	P	See note 1
Restaurant – Sit-down (with late hours)	CUP	CUP	CUP	CUP	CUP	See note 1
<b>Service Uses - General</b>						
Animal Grooming	--	--	P	P	P	
Maintenance and Repair Services (other than vehicle)	--	P	P	P	P	
Hotels/Motels	--	--	P	P	P	
Massage	--	--	--	--	P	Chapter 5.24
Personal Services, General	P	P	P	P	P	
Personal Service, Restricted	MUP	MUP	MUP	MUP	MUP	Chapters 5.23 & 5.24
Photocopy, Postal and Mailing Services and Similar Activities	P	P	P	P	P	
<b>Vehicle Services</b>						
Automobile Washing/Detailing	--	--	CUP	CUP	CUP	
Automobile Service Stations	--	--	CUP	CUP	CUP	
Automobile Repair – Major	--	--	--	--	P	
Automobile Repair – Minor	--	--	--	--	P	
Truck Repair	--	--	--	--	P	
Veterinary Facilities	--	--	P	P	P	
<b>Funerary Related</b>						
Cemeteries, Columbariums, Mausoleums, and Mortuaries	--	--	--	--	--	
<b>Medical-Related</b>						
Convalescent Homes	CUP	--	CUP	CUP	CUP	
Hospitals/Medical Facilities	CUP	--	CUP	CUP	CUP	
Laboratories – Medical Related	P	P	--	P	P	
Medical, Dental Clinics/Offices	P	P	P	P	P	
<b>Transportation, Communication, and Infrastructure Uses</b>						
Bus and Taxi Stations	--	--	--	P	P	
Public Parking Lots and Structures (not associated with a primary use)	P	P	P	P	P	
Public Utility Structures and Service Facilities	CUP	CUP	CUP	CUP	CUP	

<b>Table 2-5 Allowed Uses and Permit Requirements for Commercial and Industrial Zones</b>	<b>P Permitted By Right (Planning Permit May Be Required) CUP Conditional Use Permit MUP Minor Use Permit -- Not Allowed</b>					
	<b>C-O Commercial Office B-P Business Park C-1 Neighborhood Commercial C-2 General business C-M Commercial Manufacturing</b>					
Land Use	C-O	B-P	C-1	C-2	C-M	Specific Use Regulations
<b>Recreation</b>						
Commercial Recreation and Entertainment	--	--	--	CUP	CUP	
Game Arcade, Internet Café, or Similar Businesses	--	--	--	--	--	
Golf Course and Related Facilities	--	--	CUP	CUP	CUP	
<b>Education</b>						
Schools – Private	CUP	--	--	CUP	--	
Universities and Colleges	CUP	--	--	CUP	CUP	
Vocational Schools	CUP	--	--	CUP	CUP	
<b>Industry, Manufacturing and Processing, and Warehousing Uses</b>						
Commercial Bakery	--	--	--	--	P	
Contractors' Yard	--	--	--	--	P	
Food Processing and/or Storage	--	--	--	--	P	
Industry – Light	--	P	--	--	P	
Industry – Heavy	--	--	--	--	CUP	
Personal Storage Facilities	--	--	--	--	CUP	
Research and Development	--	P	--	--	M/CUP	
<b>Warehousing/Wholesaling</b>						
Up to 50,000 Sq. ft.	--	--	--	--	P	
Greater than 50,000 Sq. ft.	--	--	--	--	CUP	
<b>Other Uses</b>						
Accessory Uses	P	P	P	P	P	See note 3
Agricultural, Industrial, Construction Equipment Sales and Rentals	--	--	--	CUP	P	
<b>Assembly Uses</b>						
Places of Public Assembly	CUP	--	CUP	CUP	CUP	
Places of Religious Assembly	CUP	--	CUP	CUP	CUP	
Auction Houses	--	--	--	CUP	CUP	
Day Care Facilities	--	CUP	CUP	--	--	
Drive-in and Drive-thru Businesses	CUP	--	CUP	CUP	CUP	
Mobile Home Park	--	--	CUP	--	--	
Outdoor Storage Facility	--	--	--	--	P	
Recycling - Small Collection Facility	--	--	CUP	CUP	CUP	See Section 17.40.040 (Specific Use Regulations)
Recycling - Large Collection Facility	--	--	--	--	CUP	



<b>Table 2-5 Allowed Uses and Permit Requirements for Commercial and Industrial Zones</b>		<b>P Permitted By Right (Planning Permit May Be Required)</b>				
		<b>CUP Conditional Use Permit</b>				
		<b>MUP Minor Use Permit</b>				
		<b>-- Not Allowed</b>				
		<b>C-O Commercial Office</b>				
		<b>B-P Business Park</b>				
		<b>C-1 Neighborhood Commercial</b>				
		<b>C-2 General business</b>				
		<b>C-M Commercial Manufacturing</b>				
<b>Land Use</b>	<b>C-O</b>	<b>B-P</b>	<b>C-1</b>	<b>C-2</b>	<b>C-M</b>	<b>Specific Use Regulations</b>
Reverse Vending Machines	--	--	P	P	P	See Section 17.40.040 (Specific Use Regulations)
Temporary Uses	TUP	TUP	TUP	TUP	TUP	See note 2

**Notes:**

1. On-site consumption of beer and wine is only allowed in conjunction with a restaurant having 2,000 square feet or greater of floor area. No separate bar service for the sale of alcoholic beverages is allowed. Further, the restaurant shall serve food as a matter of complete table service only.
2. Christmas tree and wreath sales are permitted only between December 1 and December 25 (inclusive). All appurtenances and other materials used for such sales shall be removed by December 31 of the same calendar year.
3. Accessory uses customarily incidental to retail commerce, when located on the same lot, are permitted, provided that such accessory uses do not occupy more than 25% of the floor area of the primary use.

**17.40.030 Specific Use Regulations**

**A. Reverse Vending Machine(s).** Reverse vending machine(s) located within a commercial structure do not require discretionary permits. Reverse vending machines do not require additional parking spaces for recycling customers and may be permitted with review and approval by the Director, provided that they comply with the following standards:

1. Shall be established in conjunction with a commercial use or community service facility which is in compliance with the Zoning, Building, and Fire codes;
2. Shall be located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation;
3. Shall not occupy parking spaces required by the primary use;
4. Shall occupy no more than 50 square feet of floor space, including any protective enclosure, and shall be no more than eight feet in height;
5. Shall be constructed and maintained with durable waterproof and rustproof material that is nonreflective;
6. Shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative;
7. Shall meet all setback requirements of the zone;
8. Shall have a sign area of a maximum of four square feet per machine, exclusive of operating instructions;
9. Shall be maintained in a clean, litter-free condition on a daily basis; and
10. Shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.

**B. Small Collection Facilities.** Small collection facilities shall comply with the following standards.

1. Shall be established by Conditional Use Permit in conjunction with an existing commercial use or community service facility which is in compliance with the Zoning, Building, and Fire Codes;
2. Shall be no larger than 500 square feet and no greater than 10 feet in height, and shall occupy no more than five parking spaces, not including space that will be periodically needed for removal of materials or exchange of containers;
3. Shall meet all setback requirements of the zone and shall not obstruct pedestrian or vehicular circulation;
4. Shall accept only glass, metals, plastic containers, papers, and reusable items. Used motor oil may be accepted with permission of the County of San Bernardino Department of Environmental Health;
5. Shall use no power-driven processing equipment except for reverse vending machines;
6. Shall use containers that are constructed and maintained with durable waterproof and rustproof material that is nonreflective and matches the materials and color of the primary use. The containers shall be covered when the site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
7. Shall store all recyclable material in containers or in the mobile unit vehicle. Storage containers shall be screened from view in an aesthetically pleasing manner;
8. Shall be maintained free of litter and any other undesirable materials;
9. Mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day;
10. Attended facilities located within 100 feet of a property zoned or occupied for residential use shall operate only during the hours between 9:00 A.M. and 7:00 P.M.;
11. Containers for the 24-hour donation of materials shall be at least 50 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;
12. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside the recycling enclosure or containers.
13. Signs may be provided as follows:
  - a. Recycling facilities may have identification signs with a maximum of 15 percent per side or 12 square feet, whichever is larger, in addition to informational signs; in the case of a wheeled facility, the side will be measured from the pavement to the top of the container.
  - b. Signs must be consistent with the character of the location.
  - c. Directional signs, bearing no advertising message, may be installed if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.
14. The facility shall not impair the landscaping required for any concurrent use or any permit issued pursuant thereto;

15. No additional parking spaces will be required for customers of a small collection facility located at the established parking lot of a host use. One space will be provided for the attendant, if needed;
16. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present;
17. Occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary host use unless all of the following conditions exist:
  - a. The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation;
  - b. A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site;
  - c. The permit will be reconsidered at the end of 18 months. A reduction in available parking spaces in an established parking facility may then be allowed as follows:

For a commercial host use:

Number of Available Parking Spaces	Maximum Reduction
0—25	0
26—35	2
36—49	3
50—99	4
100+	5

For a community facility host use, a maximum five spaces reduction will be allowed when not in conflict with parking needs of the host use;

18. If the permit expires without renewal, the collection facility shall be removed from the site on the day following permit expiration.

#### 17.40.040 Development Standards

New land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements specified elsewhere in this title. Standards for accessory structures are specified in Chapter 17.10 (Accessory Buildings).

Development Feature	<b>Table 2-6 Commercial and Industrial Development Standards</b>					Additional Requirements
	C-O	B-P	C-1	C-2	C-M	
	<b>C-O Commercial Office B-P Business Park C-1 Neighborhood Commercial C-2 General business C-M Commercial Manufacturing</b>					
<b>Parcel Dimensions</b>	Minimum requirements for each <b>NEWLY CREATED</b> parcel.					
Parcel Size– Minimum (Sq. ft.)	10,000	10,000	7,200	10,000	7,200	
Parcel Width – Minimum (Feet)						
Standards Parcels	100	100	65	65	65	
Corner Parcels	100	100	70	70	70	
<b>Parcel Coverage</b> - Maximum footprint coverage (%)	70	60	50	60	80	

Development Feature	<b>C-O Commercial Office</b> <b>B-P Business Park</b> <b>C-1 Neighborhood Commercial</b> <b>C-2 General business</b> <b>C-M Commercial Manufacturing</b>					Additional Requirements
	C-O	B-P	C-1	C-2	C-M	
<b>Floor Area Ratio (FAR) - Maximum</b>	0.5	0.5	0.5	0.5	0.6	
<b>Floor Area (Enclosed) – Maximum (Sq. ft.)<sup>(1)</sup></b>	N/A	N/A	(3)(4)	(3)(4)	(3)(4)	
<b>Setbacks - Minimum (Feet)<sup>(2)</sup></b>						
Front	25	25	20	20	20 <sup>(6)</sup>	
Side (interior, each)						
Abutting a parcel zoned for residential use	20	20	0	0	20	
Abutting any other parcel	5	5	0	0	0	
Side (Street side)	25	25	20	20	20	
Rear						
Abutting a parcel zoned for residential use	20	20	25	25	20	
Abutting any other parcel	10	10	10	0	0	
Through Parcel			10	0	0	
<b>Height – Maximum (Feet)<sup>(5)</sup></b>	35					

**Notes:**

1. Enclosed or screened areas shall be provided for the maintenance of solid waste containers.
2. Decorative masonry walls of six feet in height shall be provided on all property lines which are contiguous to residentially zoned parcels.
3. The total floor area in all of the structures on any one parcel shall not exceed 13 times the buildable area of the parcel.
4. Basement floor space, cellar floor space, and parking floor space with necessary interior driveway and ramps, or space within a roof structure or penthouse for the housing of building operating equipment or machinery, shall not be considered in determining the total area within a structure.
5. The maximum height limit may be increased with the approval of a Conditional Use Permit.
6. Setbacks for a site where a portion of the street frontage is in a zone of greater requirements, the front setback of the C-M use shall be in compliance with the minimum requirements of the more restrictive zone.

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## Chapter 17.44 — Special Purpose Zones (I-HC, OS, PC, and PF)

### Sections

- 17.44.010 Purpose and Intent
- 17.44.020 Land Use Regulations and Allowable Uses
- 17.44.030 Specific Use Regulations
- 17.44.040 Development Standards

### 17.44.010 Purpose and Intent

The purposes of the individual special purpose zones and the manner in which they are applied are as follows.

- A. I-HC Institutional-Health Care Zone.** The primary intent of the Institutional-Health Care zone is to accommodate hospitals, medical clinics, medical research facilities, rehabilitation centers, and residential facilities that provide a high degree of medical care and supervision. This zone also allows employee housing as an accessory use. The zone also accommodates educational institutions and religious assembly uses including the Loma Linda University campus inclusive of lecture halls, administration, classroom, laboratory, and service buildings. Also allowed is student housing (dorms, detached or attached dwelling units) and employee housing (detached or attached dwelling units). This zone also accommodates educational uses and religious assembly uses, inclusive of assembly areas or structures, classrooms, religious administrative offices, and limited accessory residential facilities. This zone implements the General Plan Health Care land use designation.
- B. OS Open Space Zone.** The intent of the Open Space zone is to define properties reserved for the preservation of wilderness areas for passive recreational use and other undeveloped recreation lands. Development of structures is prohibited, except for those structures that may be ancillary to a passive recreational use (e.g., restrooms and small service buildings). This zone implements the General Plan Public Open Space land use designation.
- C. PC Planned Community Zone.** The intent of the Planned Community zone is to accommodate flexibility in development, encourage creative and imaginative design, and provide for development of parcels of land as coordinated projects involving a mixture of residential densities and housing types, community facilities both public and private and commercial areas. This zone is further intended to accommodate the optimum integration of urban and natural amenities within developments. The Planned Community zone allows for creation of unique use regulations and development standards for a development project, provided the regulations and standards clearly implement General Plan policy and subsequent project proposals under the Planned Community zone reflect the character envisioned by the City at the time of Planned Community zone approval. This zone implements various General Plan land use designations and can be used to implement the Special Planning Area designation.
- D. PF Public Facilities Zone.** The intent of the Public Facilities zone is to accommodate civic, government, quasi-public uses (e.g., utility easements), and public parks and recreational facilities. Civic uses include a range of uses and facilities that support government service operations (e.g., City Hall, fire stations, parks, and senior and community centers). This zone implements the General Plan City Facilities, Institutional and Parks land use designations.

### 17.44.020 Land Use Regulations and Allowable Uses

- A. Table 2-7.** Table 2-7 indicates the uses allowed within each special purpose zone and any permits required to establish the use, in compliance with Chapter 17.30 (Administration) and Chapters 17.30.410 (Hearings) through 17.30.470 (Modifications), inclusive.

- B. Prohibited Land Uses.** Any table cell with a "--" means that the listed land use is prohibited in that specific zone.
- C. Land Uses Not Listed in Table 2-7.** Land uses that are not listed in Table 2-7 or are not shown in another zone are not allowed, except as otherwise provided by Section 17.02.040 (Interpretation by City Council).
- D. Additional Regulations.** Where the last column in the Table 2-7 includes a Chapter or Section number, the regulations in the referenced Chapter or Section shall apply to the use. Provisions in other Sections of this title may also apply.
- E. Precise Plan of Design Review.** See Sections 17.30.260 (Precise plan of designed – Required when) through 17.30.300 (Precise plan of design – Conditional approval), inclusive, requirements for new or modified construction activities.
- F. Definitions.** See Chapter 17.02 (Introduction and Definitions) for land use definitions and explanations.

Table 2-7 Allowed Uses and Permit Requirements for Special Purpose Zones	P CUP MUP --					Permitted By Right (Planning Permit May Be Required) Conditional Use Permit Minor Use Permit Not Allowed
	I-HC	OS	PF	PC	Specific Use Regulations	
	I-HC OS PF PC					Institutional-Health Care Open Space Public Facility Planned Community
Land Use	I-HC	OS	PF	PC	Specific Use Regulations	
<b>Agriculture and Animal-Related</b>						
Agriculture	--	P	--	--		
Apiary	--	P	--	--	See note 1	
Animal Keeping – Private	--	P	--	--	See note 2	
Animal Keeping – Commercial	--	CUP	--	--		
Landscape Plant Nurseries – Retail or Wholesale	--	CUP	--	--		
<b>Business, Financial, and Professional</b>						
Government Offices and Facilities	P	--	P	--		
Retail Sales related to an Institution	P	P	--	P		
<b>Educational/Cultural</b>						
Libraries	P	--	P	P		
Museums	P	--	P	P		
Schools – Private	P	CUP	--	P		
Universities and Colleges	P	CUP	--	P		
<b>Medical-Related and Social Services</b>						
Convalescent Homes	P	--	--	--		
Emergency Shelters	--	--	P	--	See Section 17.40.030	
Health Centers	P	--	CUP	--		
Hospitals/Medical Facilities	P	--	CUP	--		
Laboratories – Medical Related	P	--	--	--		
Medical, Dental Clinics/Offices	P	--	--	--		

<b>Table 2-7 Allowed Uses and Permit Requirements for Special Purpose Zones</b>	<b>P CUP MUP --</b>	<b>Permitted By Right (Planning Permit May Be Required) Conditional Use Permit Minor Use Permit Not Allowed</b>			
	<b>I-HC OS PF PC</b>	<b>Institutional-Health Care Open Space Public Facility Planned Community</b>			
<b>Land Use</b>	<b>I-HC</b>	<b>OS</b>	<b>PF</b>	<b>PC</b>	<b>Specific Use Regulations</b>
Pharmacy	P	--	--	--	
<b>Recreation</b>					
Auditoriums and Theaters	CUP	--	CUP	P	
Cultural Centers	P	--	MUP	P	
Golf Course and Related Facilities	CUP	CUP	--	CUP	
Hiking Trails and Related Improvements	--	P	P	P	
Parks and Playgrounds	--	P	MUP	P	
<b>Resources and Open Space Uses</b>					
Local and Buffer Greenbelts	--	P	P	P	
Unimproved Open Space	--	P	P	--	
Water Resource Management Facilities (groundwater recharge basins, percolation, water wells, reservoirs, tanks, dams, treatment plants, gauging stations, and pumping stations)	--	P	MUP	P	
Wildlife Preserves and Sanctuaries	--	P	P	--	
<b>Transportation, Communication, and Infrastructure Uses</b>					
Airports, Heliports, and Other Landing Fields	CUP	CUP	CUP	--	
Fire and Police Stations	P	--	P	P	
Public Parking Lots and Structures (not associated with a primary use)	CUP	CUP	CUP	CUP	
Public and Private Parking Lots and Structures (incidental and accessory to primary use)	MUP	MUP	MUP	MUP	
Public Utility Structures and Service Facilities	CUP	CUP	P	CUP	
<b>Other Uses</b>					
Archeological and Paleontological Sites	--	P	P	--	
<b>Assembly Uses</b>					
Places of Public Assembly	P	CUP	CUP	CUP	
Places of Religious Assembly	P	CUP	CUP	CUP	
Cemeteries, Columbariums, Mausoleums, and Mortuaries	CUP	CUP	--	CUP	



Table 2-7 Allowed Uses and Permit Requirements for Special Purpose Zones	Permitted By Right (Planning Permit May Be Required)				
	P CUP MUP --	Conditional Use Permit Minor Use Permit Not Allowed			
	I-HC OS PF PC	Institutional-Health Care Open Space Public Facility Planned Community			
Land Use	I-HC	OS	PF	PC	Specific Use Regulations
Commercial Uses (incidental and accessory to allowed uses)	--	CUP	MUP	MUP	
Correctional Institutions	CUP	--	MUP	--	
Development of Natural Resources	CUP	CUP	CUP	CUP	
Forest Maintenance Facilities and Ranger Stations	--	CUP	P	--	
Historical Preserve	--	P	P	--	
Landfills	--	CUP	--	--	
Multiple Residences	CUP	--	--	--	Must meet development standards for the analogous residential zone
Planned Residential Development	CUP	CUP	--	CUP	
Residences for Institutional Personnel	P	--	P	--	
Reclamation for open space purposes of mines, quarries, and pits resulting from the commercial extraction of rock, sand, gravel, earth, clay, and similar materials	--	CUP	CUP	--	
Recycling - Small Collection Facility	--	--	--	MUP	
Recycling - Large Collection Facility	--	--	--	CUP	
Structures Incidental and Accessory to Allowed uses	MUP	MUP	P	MUP	Subsection 17.56.030 J

**Notes:**

1. No occupied hives shall be closer than 100 feet to any street or highway, and not closer than 400 feet to any existing dwelling unless the permission of the owner is secured in writing and notarized. No hive shall be closer than 50 feet to any common property line.
2. The noncommercial keeping of equines or bovines for purposes other than grazing is permitted, provided that any shelter or feeding structure is located a minimum distance of 75 feet from any street or highway right-of-way line and from any common property line.

**17.44.030 Specific Use Regulations**

**A. Emergency Shelters.** The requirements of this Section shall apply to all emergency shelters as defined in Section 17.02.195.

1. **Capacity.** Emergency shelters may provide a maximum of 150 beds per establishment.
2. **Intake/Waiting Areas.** On-site intake areas shall be enclosed or screened from the public right-of-way and adjacent properties. Queuing within the public right-of-way or any parking area is not permitted.
3. **Lighting.** Lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity that is consistent with existing lighting in the neighborhood.

4. **Noise.** For the purposes of noise abatement, organized outdoor activities and intake of residents in non-enclosed areas may only be conducted between the hours of 7:00 A.M. and 10:00 P.M.
5. **On-Site Management.** Emergency shelter providers must submit a written management plan at the time of application submittal, including provisions for staff training, and counseling, treatment, and training programs for residents. The management plan shall be subject to approval by the Planning Commission.
6. **On-Site Supervision.** At minimum, one staff member shall be provided for every 15 beds.
7. **Parking.** Emergency shelters that do not accept walk-in clients must provide one parking space for every 10 beds. Shelters that accept walk-in clients must provide one parking space for every five beds.
8. **Client Restriction.** Emergency shelter providers must screen for and refuse service to registered sex offenders as part of their client intake process.
9. **Security.** Emergency shelter providers must submit a written security plan prior to beginning operation that includes the hours of operation, intake/discharge procedures, screening of clients prior to admission to the shelter, and provisions for on-site security guards, if any. A site plan shall also be provided which clearly indicates parking areas, lighting, and the location of on-site walk-in and client intake areas. The security plan shall be subject to approval by the chief of police.
9. **Separation from Other Shelters.** No emergency shelter shall be located within a radius of 300 feet from the nearest shelter, as measured from property line to property line.
10. **Storage.** For emergency shelters that accept walk-in clients, an enclosed area must be provided for residents to store their belongings, such as bicycles, shopping carts, and other possessions.
11. **Maximum Stay.** No one person shall stay more than 180 consecutive days and no more than 240 days in one calendar year.
12. **Facilities.**
  - a. One toilet/shower per eight clients of each gender or for family areas.
  - b. Laundry, kitchen, dining room and storage permitted.
13. A conditional use permit shall be required should the City determine that the number of beds exceeds the need/demand for an emergency shelter. The determination of homeless need will be made at the time of the application.

#### **17.44.040 Development Standards**

New land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements specified in Tables 2-8, in addition to the general development standards (e.g., landscaping, parking and loading, etc.) and land use standards specified elsewhere in this title. Standards for accessory structures are specified in Chapter 17.10 (Accessory Buildings).

<b>Table 2-8 Development Standards for Special Purpose Zones</b>		<b>Special Purpose Zones</b>				
	<b>I-HC</b> <b>OS</b> <b>PF</b> <b>PC</b>	<b>Institutional-Health Care</b> <b>Open Space</b> <b>Public Facility</b> <b>Planned Community</b>				
<b>Development Feature</b>	<b>I-HC</b>	<b>OS</b>	<b>PF</b>	<b>PC</b>	<b>Additional Requirements</b>	
<b>Parcel Size – Minimum (sq. ft.)</b>	These standards apply to each <b>NEWLY CREATED</b> parcel.					
Parcel Area – Minimum (sq. ft.)	0	43,560	0	7,200		
Parcel Width – Minimum (Feet)	100	0	100	65		
Parcel Depth – Minimum (Feet)	70	0	70	45		
<b>Parcel Coverage</b> – Maximum footprint coverage (%) <sup>(1)</sup>	50	N/A	50	See Table 2-8.A		
<b>Floor Area Ratio (FAR)</b> – Maximum	1.0	0.1	0.8	0.5		
<b>Minimum Unit, Patio, and Balcony Areas</b>	See Table 2-7.b					
<b>Setbacks – Minimum (Feet)</b> <sup>(2)</sup>						
From Street (public or private)	25	50	25	15 Min. 20 Average 20 Garage Doors		
Front	25	0	25	25		
Side (interior) Abutting a parcel zoned for: Residential use	2	0	20	15 on one side and 5 on the other + additional 5 for each story above the first		
All other zones	10	0	5			
Side (Street side)	25	50	25	15 Min. 20 Average 20 Garage Doors		
Rear				15 on one side and 5 on the other + additional 5 for each story above the first		
Abutting a parcel zoned for:						
Residential use	20	0	20			
All other zones	10	0	0			
<b>Height (Feet)</b>	--	0 <sup>(3)</sup>	35	35		
<b>Open Space – Minimum (Sq. ft.)</b>	--	--	--	See Table 2-8.C		

**Notes:**

1. All open areas shall be permanently landscaped with an automatic irrigation system, including not less than four percent of the off-street parking area.
2. OS Setbacks for Walls and Fences: Walls and fences may be installed in compliance with the following limitations:
  - A. Natural wood, metal, or fiber, non-opaque fences may be installed, provided they are consistent with the purpose and intent of the Open Space zone and a minimum of 20 feet from the ultimate right-of-way line of any street or highway.
  - B. Masonry or solid wood fences shall be shielded from view from any street or highway by landscaping, berm, or other topographic feature, and they shall be set back a minimum distance of 50 feet from the ultimate right-of-way line of any street or highway.

- 3. OS zone height: There shall be no maximum structure height standards, except as approved by the Conditional Use Permit.
- 4. Maximum structure coverage:
  - A. In order to maximize the amount of open space within a planned residential development, the maximum structure coverage shall be as follows:

**Table 2-8.A  
Maximum Structure Coverage**

Unit per acre	Maximum Structure Coverage Maximum footprint(%)
0-16	45
16.01 and over	50

- B. For the purpose of this Subsection, maximum structure coverage shall be determined by subtracting the land area set aside for private streets and alleys and the rights-of-way for public streets and alleys and any other public rights-of-way.
- 5. Minimum unit, patio, and balcony areas.
  - A. The minimum areas measured in square feet and minimum dimensions measured in lineal feet for dwelling unit floor areas, private patios, and balconies shall be as specified in Table 2-8.B.

**Table 2-8.B  
Minimum Unit, Patio, and Balcony Areas**

Dwelling Unit Type	Dwelling Unit Floor Area	Private Area	Patios 1 Min. Dimension	Area	Balconies 2 Min. Dimension
Bachelor and single	450	200	12	60	6
One-bedroom	650	200	12	60	6
Two-bedroom	900	250	12	60	6
Three-bedroom	1100	300	13	60	6
Four-bedroom	1300	400	14	60	6

- B. Private patios shall be provided for each ground-floor dwelling unit.
  - C. Balconies shall be provided for each dwelling unit above the ground floor. At least 50 percent of the lower 42 inches of open area around a balcony shall be screened from view. Private patios and balconies shall adjoin the living area of the dwelling unit they are intended to serve. Balconies which serve as entrances or exits shall not satisfy this requirement, except where the entrances or exits are for the sole use of a particular dwelling unit.
- 6. Useable Open Space.
  - A. The minimum amounts specified this Subsection are calculated to ensure recreation, leisure, and open space which are adequate in size, utility, and accessibility for properly planned residential developments. The recreation, leisure, and open space areas shall be provided for each dwelling unit.
  - B. Planned Residential Developments and Planned Communities shall meet one of the following open space standards as described below:
    - (1) Properties under Fifteen Percent Slope. Not less than twenty percent of the gross land area shall be held in common as landscaped, recreational open space. Such open space shall contain a minimum dimension of fifty square feet, and be accessible to each lot through a system of public or private walkways. Open space areas may include swimming pools, putting greens, court games, and other recreational leisure facilities, as well as landscaped areas or areas with native vegetation. Such areas shall be identified as permanent open space on the final tract map. Open space calculations shall not include buildings, private patios, balconies, driveways, and off-street parking areas.
    - (2) Properties with an Average Slope of Fifteen Percent or More. Not less than twenty-five percent of the gross land area shall be held in common open space. Such open space shall contain a minimum dimension of twenty-five square feet, and be accessible to each lot through a system of public or private walkways. Open space areas may include natural undeveloped areas of land, swimming pools, putting greens, court games, and other recreational leisure facilities, as well as landscaped areas or areas with native vegetation. Such areas shall be identified as permanent open space on the final tract map. Open space calculations shall not include buildings, private patios, balconies, driveways, and off-street parking areas.
  - C. Recreation and leisure areas may include game courts or rooms, swimming pools, private dock areas, gardened roofs or grounds, sauna baths, putting greens, play lots, or other similar areas serving all residents of the development. The areas shall not include private patios, balconies, decks, or other areas used solely by the residents of an individual dwelling unit nor areas used exclusively for pedestrian or vehicular access ways.
  - D. Recreation and leisure areas shall not be located within 10 feet of the wall of any ground floor dwelling unit having a door or window or within five feet of any other wall. The recreation and leisure areas shall have a minimum width of 20 feet.

- E. The minimum square footage requirements for usable open space, as specified in Subsection B., above, shall not satisfy any requirement of dedication of land or in lieu fees relating to public park and recreational facilities.
- F. Private water areas may partially satisfy the open space requirement, but not less than 35 percent of the required open space for each dwelling unit shall be land area.
- G. Enclosed recreation or leisure areas may occupy not more than 15 percent of the square footage required. The remaining area shall be open space.
- H. In addition to meeting all other design criteria, attempts shall be made to maximize the number of dwelling units that abut the usable open space.
  - 1. A recreation area containing at least 10,000 square feet with a minimum dimension of 50 feet and a minimum average dimension of 100 feet shall be provided and maintained.
  - 2. The area shall be located at least 20 feet away from a structure wall with ground floor windows or doors, and at least five feet from a structure wall with no windows or doors.
- J. Special attention shall be given to the placement of tot lots which shall be arranged at convenient locations.
- K. Recreation areas shall include appropriate facilities (e.g., swimming pools, tennis courts, basketball courts, putting greens, playground equipment, volleyball courts, lawn bowling, outdoor cooking facilities, etc.)
- L. Clubhouse facilities shall be provided in one of the recreation areas, and of sufficient size to accommodate meetings held by the membership of the homeowners' association and shall contain other facilities usually associated with a clubhouse (e.g., kitchens, recreation areas, workshops, lounges, etc.).

## Chapter 17.45 Combining/Overlay Zones (FP, GH, HM, and PD)

### Sections

17.48.010 Applicability

17.48.020 Purpose and Intent

### 17.45.010 Applicability

#### A. Applicability

1. The applicability of any combining/overlay zone to specific sites is illustrated by the overlay Zoning Map symbol established by Section 17.04.050 (Zones Established).
2. Combining/overlay zones will generally be applied to areas that have different underlying zones, but have unique features or characteristics that are common to the parcels that are located within the combining/overlay zone.

**B. Identification.** Combining/overlay zones shall be identified by suffixing the applicable combining/overlay letters next to the underlying Zoning Map's symbol.

**C. In the Event of Conflicts.** In the event of any conflict between the provisions of this Chapter and any other provision of Title 17, this Chapter shall control.

### 17.45.020 Purpose and Intent

The purposes of the individual combining/overlay zones and the manner in which they are applied are as follows:

**A. FP Floodplain Overlay Zone.** The intent of the Floodplain Overlay zone is to safeguard those areas of the City subject to periodic flooding and accompanying hazards, with the objective of promoting health, safety, and general welfare of the people of the City. This overlay zone implements various General Plan land use designations. The objectives of the Floodplain Overlay zone are:

1. To prohibit occupancy or the encroachment of any structure, improvement, or development that would obstruct the natural flow of floodwaters within a designated floodway on the floodplain;
2. To keep developments in the remainder of the floodplain above the design flood flow elevation; and
3. To prevent economic loss caused by excessive flooding and to prevent loss of life or property.

**B. GH Geologic Hazards Overlay Zone.** The intent of the Geologic Hazards Overlay zone is to provide for suitable protection for areas subject to the threat of loss, life, and/or personal property due to seismic shaking and resultant ruptures or ground failure, landslides, and other potential geologic hazards. More specifically, this overlay zone will allow the City to exercise the mandated approval authority within special study zones as established by the State Geologist required by the provisions of the Geologic Hazards Zones Act (Chapter 7.5, Division 2, of the California Public Resources Code). This overlay zone implements various General Plan land use designations.

**C. H Historic Mission Overlay Zone.**

1. The intent of the Historic Mission Overlay zone is to accommodate a basic framework for future development to achieve the following objectives:

- a. To preserve and enhance the Mission Road area and associated historical and cultural resources;
  - b. To preserve and enhance the rural atmosphere of the area;
  - c. To facilitate the continued use and enjoyment of existing properties by focusing on new development projects and/or rehabilitation, restoration, and adaptive reuse of historical and/or cultural resources;
  - d. To allow for consistent, compatible, and complementary development of the vacant properties within the Mission Road area; and
  - e. To encourage pedestrian friendly new development in the area through the incorporation of livable/walkable community concepts.
2. This overlay zone implements various General Plan land use designations.

**D. PD Planned Development Overlay Zone.**

1. The intent of the Planned Development Overlay zone is to provide opportunities for nontraditional approaches to residential development. Using this overlay zone, applicants can craft unique development standards, provided that the density complies with that established for the underlying zone and all applicable General Plan policies, and further provided that the development plan:
  - a. Preserves natural land features, open space, and other valuable and desirable environmental features of a particular area;
  - b. Provides for specified community benefits not otherwise required for development in the underlying zone as a trade-off for deviating from the otherwise applicable development standards; and
  - c. Clearly demonstrates compatibility of use with respect to existing and future developments in the surrounding areas.
  - d. Provides for specified community benefits not otherwise required for development in the underlying zone as a trade-off for deviating from the otherwise applicable development standards; and
  - e. Clearly demonstrates compatibility of use with respect to existing and future developments in the surrounding areas.
2. This overlay zone shall only be applied to suitable properties classified in the commercial, institutional, mixed use, and residential zones. This zone implements various General Plan land use designations.