

17.08.020 - Commercial and Mixed-Use Zone land uses and permit requirements.

The following table identifies the uses of land allowed by this Zoning Ordinance in each commercial and mixed-use zone, and the land use permit required to establish each use, in compliance with Section 17.02.030 (Districts Established and Designated).

Site and Architectural Review shall be required for construction of new buildings, and master sign programs in the Commercial and Mixed-Use Zoning Districts unless a Master Architectural, Landscaping, Lighting and Sign Program has been approved by the Planning Commission for the property within the last three years and the Development Services Director determines that the submittal substantially conforms with the approved program. Site and Architectural Review shall also be required for façade improvements to the roof lines or the location of doors or window of existing buildings that face streets or public use areas. Administrative Site and Architectural Review is required for some uses that involve outdoor sales activities such as auto sales and nursery products or minor alterations to the exterior of a building.

A. Administrative or administrative review shall be required for the following:

1. *Administrative Permit Review.* Uses that involve outdoor sales activities such as auto sales and nursery products or changes to the façade of a building that faces a public street or road.
2. *Façade Improvement/Alteration.* For the addition or removal of up to two doors or windows where the Director determines that the alteration is harmonious with the defining architectural characteristics of the building in relation to materials, scale, size and color and that the building will comply with applicable codes for health and safety, fire, ingress and egress and standards for commercial development. The City Planner may require the addition of an awning or similar feature to comply with the intent of the Commercial and Mixed-Use General Development Standards.

Table 17.08-1 Commercial and Mixed-Use Zone Uses and Permit Requirements

Land Use ¹	CO	GC	NG	Additional Use Regulations	DMU	NMU	WG	Additional Use Regulations
Commercial Uses								
Adult Entertainment Facilities	NP	NP	NP		NP	NP	NP	
Ambulance Services	CUP	CUP	CUP	(24)	NP	NP	NP	(24)

Animal Sales and Services	NP	APR	CUP	(1) for APR	NP	CUP	CUP	
Animal Boarding	NP	P	CUP		NP	P	P	
Animal Grooming	CUP	CUP	P		CUP	CUP	CUP	
Animal Hospitals	NP	P	P		NP	P	P	
Animal Retail Sales								
Antique and Collectible Shops	NP	P	P		P	P	P	
Artists' Studios	APR	P	P		P	P	P	
Automated Teller Machines (ATMs)	AP	AP	AP	(1)	AP	AP	AP	(1)
Bakeries								
Retail	NP	P	P		P	P	P	
Wholesale	NP	CUP	CUP		NP	NP	NP	
Wholesale accessory to bakery	NP	P	P		NP	NP	CUP	
Bars and Night Clubs	NP	CUP	CUP	(2)	APR	CUP	CUP	(2)
Bed and Breakfast Inns	CUP	CUP	CUP	(2) See <u>§ 17.22.080</u>	CUP	CUP	CUP	(2) See <u>§ 17.22.080</u>
Broker (Auto, Mortgage, Stock)	P	P	P	Enclosed Building	P	P	P	Enclosed building
Building Materials and Services	NP	NP	P	(4)	NP	NP	NP	(4)
With Incidental Retail	NP	P	P		P	P	P	Not allowed in a mixed use building
Ready Mix								
Commercial Building								

Business Support Services	CUP	P	P		P	P	P	
Catering Services	NP	P	P		P	P	P	
Commercial Filming	P	P	P		P	P	P	
Commercial Recreation & Entertainment (2) Building Less than 25,000 sq. ft. Building Greater than 25,000 sq. ft. or Outdoor Use	P(5) CUP	(5) CUP	(5) CUP	(2)	P(5) CUP	P(5) CUP	P(5) CUP	(2)
Convenience Stores With Gas Pumps	NP NP	P CUP	P CUP	(2)	NP NP	P CUP	P CUP	(2)
Entertainment, Live (Excluding Adult Entertainment)	NP	CUP	CUP	(2)	P	CUP	CUP	(2)
Equipment Sales, Services, and Rentals within an Enclosed Structure	NP	P	P	(3)	NP	P	CUP	(3)
Farm Equipment Sales and Supplies in an Enclosed Commercial Building	NP	P	P		NP	P	P	Not allowed in a mixed use building
Financial Services	P	P	P		P	P	P	
Food and Beverage Sales	NP	P	P	(2)	P	P	P	(2)

Fortunetelling	P	P	NP		NP	NP	NP	
Fuel and Ice Dealers	NP	CUP	CUP		NP	CUP	CUP	
Funeral Services	CUP	CUP	CUP		CUP	CUP	CUP	
Health and Fitness Clubs	P	P	P		P	P	P	
Hotels and Motels Extended Stay	NP NP	P P	P P		CUP CUP	CUP CUP	CUP CUP	
Laboratories	APR	APR	APR	(5)	NP	NP	NP	
Laundries Limited Unlimited	APR CUP	APR CUP	APR CUP	(1)	APR NP	APR NP	APR NP	(1)

Land Use ¹	CO	GC	NG	Additional Use Regulations	DMU	NMU	WG	Additional Use Regulations
Live-Work Units One to Two Two or More	NP	NP	NP		P CUP	P CUP	NP CUP	
Maintenance and Repair Services Incidental and Accessory to Retail Sales in an Enclosed Commercial Building Major Minor	NP NP	NP P	NP P	(6)	NP P	NP P	NP P	Not allowed in a mixed use building (6)

Medical Services Clinics/Laboratories Extended Care	(12) APR NP	APR CUP	APR CUP	(24) (5)	APR CUP	APR CUP	APR CUP	(24) (5)
Nurseries Indoors Outdoors	NP	P	P	(4)	P	P	P	Not allowed in a mixed- use building (4)
Offices Business and Professional Large Scale Office Parks	P NP	P NP	P P		P NP	P NP	P NP	
Pawn Shops	NP	CUP	NP	(8)	NP	CUP	NP	(9), (10)
Personal Services	P	P	P		P	P	P	
Personal Improvement Services	P	P	P		P	P	P	
Printing and Publishing Limited Unlimited	APR(1) NP	P CUP	P CUP		P NP	P NP	P CUP	
Recreational Vehicle Parks	NP	NP	CUP	(11)	NP	NP	NP	
Recycling Facilities Reverse Vending Small Large	S&A NP NP	S&A NP NP	S&A NP NP	See § <u>17.22.170</u> Standards	S&A NP NP	S&A NP NP	S&A NP NP	See § <u>17.22.170</u> Standards

Research and Development Services	NP	NP	CUP		NP	NP	CUP	
Restaurants Restaurant (Sit Down) Drive-Through or Drive-In	CUP NR	P APR	P APR	(2) See <u>§ 17.22.090</u>	P APR	APR APR	APR APR	(2) See <u>§ 17.22.090</u>
Retail Sales	NP (12)	P	P		P	P	P	Flammable or hazardous materials not allowed in a mixed-use building
Secondhand or Consignment Stores	NP	P	NP	(10)	P	P	P	(9), (10)
Service Stations	NP	S&A	S&A	(2) See <u>§ 17.22.200</u>	NP	S&A	S&A	(2) See <u>§ 17.22.200</u>
Shopping Centers	NP	S&A	S&A		NP	S&A	S&A	
Tattoo or Body Piercing Parlors	P	P	NP		P	P	P	(9)
Vehicle Related Sales and Services								
Vehicle Sales and Ancillary Services Indoors Outdoors	NP NP	P NP	P APR	(12)		APR(27) NP		(6), (13)

Vehicle Repair Facilities Major Minor	NP	NP	APR	(14)(13), (5)	NP	NP	CUP	(15) (13), (5)
Vehicle Storage	NP	NP	NP		NP	NP	NP	
Vehicle Washing	NP	APR	APR	(5), (16)	NP	NP	S&A	(5), (16)
Warehousing/Storage Limited for Retail Sales Wholesale and Distribution	NP NP	CUP NP	CUP CUP	(17) (17)	CUP NP	CUP NP	CUP NP	(17)

Public and Semipublic Uses

Clubs and Lodges	CUP	CUP	CUP	(2)	CUP	CUP	CUP	(2)
Convalescent Hospitals/Nursing Homes	CUP	CUP	NP	(24)	CUP	CUP	CUP	(24)
Cultural Institutions (Libraries and Museums)	CUP	CUP	CUP		APR	APR	APR	(5)
Day Care Centers	CUP	CUP	CUP		CUP	CUP	CUP	
Government Offices	P	P	P		P	P	P	
Hospital	NP	CUP	CUP	(24)	NP	CUP	CUP	(24)
Park and Recreation Facilities	CUP	CUP	CUP		CUP	CUP	CUP	

Parking Lots and Structures	S&A	S&A	S&A		S&A	S&A	S&A	
Public Safety Facilities	S&A	S&A	S&A	(24)	APR	APR	APR	(24)
Public Utility Service Yards	NP	NP	NP		NP	NP	NP	
Religious Assembly	P*	P*	CUP	*See § 17.22.180	NP	CUP	CUP	
Schools Private/Public Trade (Except Schools for Truck, Automobile, Heavy and Mechanical Equipment Repair Are Not Allowed)	CUP CUP	CUP CUP	CUP CUP		CUP CUP	CUP CUP	CUP CUP	
Telecommunications Major Minor	NP P	CUP P	CUP P	(18)	NP P	NP P	NP P	
Utilities—Major	NP	NP	NP	(19)	NP	NP	NP	(19)
Residential Uses								
New Single-Family Residential	NP	NP	NP	Replacement (20)	NP	NP	NP	Replacement (20)
	NP	NP	NP		NP(21)	CUP	CUP	
Caretaker and Employee Housing	CUP	CUP	CUP		CUP	CUP	CUP	

Existing Commercial Building	NP	NP	NP		NP	NP	APR	
First Floor	NP	NP	NP		S&A	S&A	S&A	
Second Floor Reuse for Residential								
New Mixed-Use Building	NP	NP	NP		S&A	S&A	S&A	
Multifamily					P	P	P	
Day Care Homes, Family—Large	P	NP	NP		APR	APR	APR	
Second Dwelling Unit	NP	NP	NP		NP	NP (23)	NP	
Temporary Residential Shelter	NP	CUP	P (22)		NP	CUP	CUP	
Small Temporary Residential Shelter	NP	CUP	P(22)		NP	CUP	CUP	
Large Temporary Residential Shelter								
Industrial Use (See Chapter 17.10)	NP	NP	NP		NP	NP	NP	
Accessory Uses and Structures								
Utilities—Minor	P	P	P		P	P	P	
Temporary Uses	TUP	TUP	TUP	See § 17.24.180	TUP	TUP	TUP	See § 17.24.180

Cannabis Facilities

Cannabis Cultivation	NP	NP	CUP	(28)	NP	NP	CUP	(28)
Cannabis Delivery	NP	NP	CUP	(28)	NP	NP	CUP	(28)
Cannabis Dispensary	NP	NP	CUP	(28)	NP	NP	NP	
Cannabis Distribution	NP	NP	CUP	(28)	NP	NP	CUP	(28)
Cannabis Manufacturing	NP	NP	CUP	(28)	NP	NP	CUP	(28)
Cannabis Nursery	NP	NP	CUP	(28)	NP	NP	NP	
Cannabis Testing	NP	NP	CUP	(28)	NP	NP	CUP	(28)

¹Permit Requirement

P	Permitted use in zoning district. It is the responsibility of the building owner, or lessee to secure any permits or complete tenant improvements to assure that the use complies with applicable federal, state and local requirements.
AP	Administrative Permit issued at Development Services Department.
APR	Administrative Permit Review and approval by the Development Review Committee (DRC) for compliance with standards without a public hearing.
mTUP	Minor Temporary Use Permit.
MTUP	Major Temporary Use Permit.
CUP	Conditional Use Permit required with Planning Commission approval.
S&A	Site and Architectural Review required with Planning Commission approval.
NP	Not permitted.

Additional Use Regulations and Notes:

- (1) Administrative Permit Review shall be required to ensure compliance with standards in Section 17.24.190(B)
- (2) (Site and Architectural Review Project Review).
- (2) See Section 17.22.070, Alcohol uses.
- (3) Vehicles rented for hauling shall be stored within an enclosed building or off-site in the M-1 Zoning District.
- (4) An Administrative Permit Review is required for establishment of outdoor storage to assure compliance with standards for screening in Sections 17.08.030(E), (J) and (N) and Section 17.22.160 (Outdoor merchandise and display activities).
- (5) Use is allowed with an Administrative Permit Review or if required a Site and Architectural Review to assure compliance with Chapter 17.18 (Pedestrian, Bicycle, Parking and Loading Standards).
- (6) Maintenance and repair service shall be accessory to retail sales and located within a portion of the building screened from public view and the sales floor and display areas.
- (7) Exempt if property is within a city-approved parking assessment district in compliance with Section 17.18.090(A)(4) (General Parking Reduction).
- (8) There shall be a minimum distance of 750 feet between pawn shops.
- (9) There shall a maximum of one per street frontage on a block.
- (10) No firearm or weapon sales shall be allowed.
- (11) Recreational Vehicle parks shall be sited at least 500 feet from State Highway 25 or San Felipe Road.
- (12) Minor retail sales that directly relate to the principal use are permitted as an accessory use in the CO district. Retail sales shall not occupy more than ten percent of the total gross floor area of the structure(s) on a site and shall be incidental to the principal use except for professional pharmacies that are part of a medical office complex.
- (13) Minor auto services uses such as an oil change/smog facility, tire shop and repairs that would be accessory to a fuel service station or dealership will be allowed. Welding is prohibited in the Mixed-Use Zones.
- (14) Limited auto-related uses that would normally be permitted in an Industrial Zoning District may be allowed in the North Gateway District with an Administrative Permit Review subject to the following requirements:
 - (a) The automobile repair or alteration of the body or exterior of an automobile use(s) shall be located on an interior lot that does not have frontage on Highway 25 or San Felipe Road or behind buildings that front San Felipe Road.

(b) The operation shall be contained within an enclosed building. Roll-up doors shall be oriented away from public streets and screened from public use area on adjoining properties.

(c) Storage of automobiles for repair or service shall be within an enclosed building or concealed by an attractive masonry garden wall or similar vegetative screen. The use of a cyclone fence with wood slats or barbed wire shall be prohibited.

(d) Visible off-street parking shall be limited to a 20-minute loading zone for customer pick-up/drop off and employee parking.

(e) The facility shall not share a boundary with property located in a Residential Zoning District or a hotel/motel.

(f) The cumulative area of the auto-related uses shall not constitute more than 20 percent of the uses on an interior street or lot ten percent of the uses in the North Gateway Zoning District.

(15) Auto Repair, Tune-up, Body Shop, Tire Store. One auto service facility that would serve the West Gateway District and surrounding residential land uses will be allowed within the WG district with a conditional use permit with the following standards. The combined auto repair/maintenance use(s) shall be confined to an area not larger than two acres.

(a) In order to establish an attractive entrance to Hollister and avoid an industrial appearance, all vehicles shall be contained within an enclosed building or concealed by an attractive garden wall or similar vegetative screen with the exception of a 20-minute loading zone for customer pick-up/drop and employee parking.

(b) The facility shall not share a boundary with property located in the R1, R-2, R-3 or R4 District.

(16) A Conditional Use Permit is required for any vehicle washing, drying or vacuuming done by mechanical means within 250 feet of a residential zoning district or the property line of a building with a mix of commercial and residential uses. An acoustic study may be required by the City Planner.

(17) The following additional regulations shall apply to all limited warehousing uses:

(a) All storage shall be kept within an enclosed building, except propane or gasoline powered engines or storage tanks or any boats or vehicles incorporating such components shall be stored only in designated screened areas.

(b) Offices, animal-related uses and animal storage, manufacturing, assembly of goods, and retail or wholesale distribution of any item stored within the facility shall be prohibited at the limited warehouse facility.

(c) The repair, construction, or reconstruction of any boat, engine, motor vehicle, furniture, appliance, machinery and the storage of any propane or gasoline storage tank is prohibited within any structure used for limited warehousing or on the premises of such limited warehousing, unless otherwise provided for in this Zoning Code.

(18) Major facilities shall be located a minimum of 500 feet from a Residential Zoning District or school. Stealth telecommunication facilities are required with a CUP on properties located in the North Gateway Zoning District. Telecommunication facilities shall be aesthetically and architecturally compatible with adjacent structures and features in terms of shape, materials and colors and the City Planner may require stealth telecommunication facilities in the GC Zoning District to assure compatibility with surrounding land uses. Facilities shall comply with requirements in Section 17.22.240, Article II, (Telecommunications).

(19) Municipal wells, drainage, and flood control facilities may be considered subject to an Administrative Permit for compliance with standards in Section 17.24.190(B) (Site and Architectural Review) of this title.

(20) A single-family residence lawfully established prior to the effective date of the ordinance codified in this chapter may be reconstructed if the building is involuntarily damaged or partially damaged by a fire or other calamity. The building shall be constructed consistent with the standards in the Old Town Zoning District.

(21) An exception may be allowed for lots located in the Fault Hazard Overlay Zone and if is not feasible for the property owner to conduct a surface fault investigation for a commercial or multifamily use due to the size of the property and surrounding land uses.

(22) Small temporary residential shelters (STRS) or large temporary residential shelter (LTRS) is permitted by right in the NG Zoning District provided that if it is located at least 1,000 feet from another STRS or LTRS, 500 feet from a public park, a public or private K-12 school or an R1, R2 or OT Zoning District and within 1,000 feet of a bus route. An exception to the 1,000-foot separation from an R1, R2 or OT District may be made if the shelter is located on the opposite side of Highway 25 or San Felipe Road. The STRS and LTRS shall comply with standards in Section 17.22.120 (Homeless Shelters or Transitional Housing) of this title. A Conditional Use Permit is required for a STRS that does not comply with the location and development standards or in the NG Zoning District.

(23) Permitted where a single-family residence was established on a legal lot that is less than 8,000 square feet in size and the accessory second unit complies with the standards in Chapter 17.32 (Accessory Dwelling Units) and there is not potential for lot consolidation with adjoining parcels to accommodate future multifamily development.

(24) Establishment of the land use is prohibited if the property is located in the Flood Hazard Overlay Zone.

(25) Minor vehicle repair facilities are not permitted within the Downtown Hollister Historic District.

(26) Restaurants drive-through or drive-in are not permitted within the Downtown Hollister Historic District.

(27) Outdoor vehicles sales shall not be permitted within the Downtown Hollister Historic District or the Monterey Street Historic District.

(28) See Chapter 5.42 "Cannabis Facilities Regulatory Permit" for information on criteria, procedures, standards, requirements, regulations, and provisions for cannabis.

Table 17.08-3 Commercial District Development Regulations

Development Regulation	CO	GC	NG
Lot Size—Minimum (2), (3)	7,500 sq. ft.	7,500 sq. ft.	10,000 sq. ft.
Lot Width—Minimum	75 ft.	75 ft.	100 ft.
Lot Depth—Minimum	100 ft.	100 ft.	100 ft.
Lot Frontage—Minimum	50 ft.	50 ft.	50 ft.
Yards—Minimum (4), (5), (6)			
Front (5)	10 ft.(5)	0 ft.	0 ft.
Side			
Interior (6)	0 ft	0 ft.	0 ft.
Corner (7)	10 ft.	0 ft.	0 ft.
Rear (6)	10 ft.	0 ft.	0 ft.
Height—Maximum (5), (7)	30 ft.	50 ft.	50 ft.
FAR—Maximum	0.3	2.0	2.0
Residential Development			
Mixed Use Buildings and Developments			
Landscaping—Minimum (Percent of Lot Area)			
Parcels less than 15,000 sq. ft. (8)	5%	10%	10%
Parcels 15,000 sq. ft. or more (8)	5%	5%	5%

Additional Use Regulations and Notes:

- (2) Development on Existing Lots of Record. A legally created lot having a width or area less than required for the district in which it is located shall be developed subject to the same property development regulations as a standard lot. No substandard lot shall be further reduced in area or width.
- (3) The minimum lot sizes may be reduced when the exclusive use of such lots is intended for utility substations, pumping substations, and other similar facilities, or in conjunction with shopping centers and office complexes where two or more separate lots would be created and be subject to a reciprocal agreement utilizing shared parking, landscaping, and related facilities when it can be demonstrated that the purpose of the district can be achieved and that the public health, safety, and general welfare will be maintained.
- (4) See Section 17.16.110 for exceptions to setbacks from building projections such as stairs, terraces, balconies, porches, cornices, eaves, canopies, awnings and stairs.
- (5) The front yard setback in the CO zone may be reduced to the average distance of the existing buildings from their front property line on the two abutting lots adjoining the front property line.
- (6) Structures shall not intercept a 45-degree inclined plane inward from a height of ten feet above existing grade at a residential district boundary line. Single story structures and ground level parking may encroach a maximum of five feet into required side and rear yards.
- (7) The area between the front and corner side property line and building that is not part of a driveway shall be landscaped or developed for outdoor seating.
- (8') Up to 20 percent of the required landscaping can be credited from outdoor seating areas and shaded dedicated pedestrian walks through parking areas.
- (Ord. 1038, § 2, 2008; Ord. 1056, §§ 10, 11, 2009; Ord. 1083, § 3, 2012; Ord. 1146, §§ 5—8, 2018; Ord. 1177, § 5, 2019; Ord. 1194, § 1, 2020)