

2.04. NON-RESIDENTIAL ZONES

2.04.01. Purpose + Intent

The purposes of the non-residential zones are to:

- A.** Designate adequate land for commercial and industrial uses and growth consistent with the General Plan;
- B.** Maintain and strengthen the City’s economic resources;
- C.** Provide a range of employment opportunities to meet the needs of current and future residents;
- D.** Designate adequate land for a full range of local- and regional-serving commercial and retail services consistent for residents, employees, and visitors;
- E.** Provide sufficient areas for a wide range of manufacturing, industrial processing, and service industrial uses and protect areas where such uses now exist; and
- F.** Ensure that appropriate site design and operational standards are in place to promote commerce while protecting health and safety and minimizing impacts on adjacent properties.

Additional purposes of each non-residential zone are as follows:

G. Regional Commercial (RC).

The Regional Commercial (RC) zone provides for large-format retail development along with associated restaurant and commercial service activity. It is intended to accommodate retail, commercial, service, entertainment/amusement, and other regional- and visitor-serving amenities in areas near major freeway connections and around major intersections. This zone implements the Regional Commercial General Plan land use designation.



H. Light Industrial (IL).

The Light Industrial (IL) zone is intended to accommodate a wide variety of employment-generating uses and protect these areas from incompatible uses. This zone provides for offices, business and industrial parks, research and development, warehouses, distribution centers, light manufacturing, public and quasi-public uses, and supportive commercial uses. This zone implements the Workforce and Employment District General Plan land use designation.



I. Heavy Industrial (IH).

The Heavy Industrial (IH) zone is intended to accommodate manufacturing, processing, storage, and similar heavy industrial uses, including those which may create some objectionable conditions, and protect these areas from incompatible uses. This zone provides for manufacturing, processing, assembly, wholesale and storage uses, trucking terminals, railroad facilities, public and quasi-public uses, and similar and compatible uses, subject to regulations needed to protect health and safety, adjoining properties, and the surrounding area. This zone implements the Workforce and Employment District General Plan land use designation.



J. Resource Recovery (RR).

The Resource Recovery (RR) zone applies to land where natural resource recovery and/or reclamation activities such as mining and extraction are primary land uses. This zone implements the Resource Recovery General Plan land use designation. All uses and development regulations shall be determined on a case-by-case basis.

2.04.02. Land Use Regulations

The land uses allowed in the non-residential zones are listed below, together with the planning permit type required for each use. Numeric notes can be found at the end of the table.

FIGURE 2.04.02-1. Allowed Uses – Non-Residential Zones

P = Permitted; AUP = Administrative Use Permit; CUP = Conditional Use Permit; TUP = Temporary Use Permit; A-U = Accessory Use; X = Not Permitted

NON-RESIDENTIAL ZONES					
Use ¹	IL	IH	RC	RR	Additional/Specific Use Regulations
Agriculture and Animal Keeping Uses					
Agricultural Support, Sales, Service, and Storage	P	P	X	X	
Aquaculture	AUP	AUP	X	X	
Animal Husbandry and Production	CUP	CUP	X	X	
Animal Raising and Keeping, Exotic	X	X	X	X	
Animal Raising and Keeping, Domestic Pets	X	X	X	X	
Animal Raising and Keeping, Horses	X	X	X	X	
Animal Raising and Keeping, Large Livestock	X	X	X	X	
Animal Raising and Keeping, Small Livestock, Poultry, and Beekeeping	X	X	X	X	
Backyard Breeding	X	X	X	X	
Community Garden	A	A	A	X	
Crop Production	X	X	X	X	
Greenhouse, Private	P	P	P	X	
Horticultural Production	AUP	AUP	AUP	X	
Kennels, Private/Hobby	AUP	AUP	AUP	X	
Private Garden	A	A	A	X	
Stable/Equestrian Facility, Commercial/Public	X	X	X	X	
Stable/Equestrian Facility, Hobby/Private	X	X	X	X	
Automobile and Vehicle Uses					
Auto and Vehicle Rental	X	X	P	X	See Chapter 4.05 (Automotive Service and Repair/Fueling Stations)
Auto and Vehicle Sales, New	X	X	P	X	See Chapter 4.05 (Automotive Service and Repair/Fueling Stations)
Auto and Vehicle Sales, Used	X	X	P	X	See Chapter 4.05 (Automotive Service and Repair/Fueling Stations)
Auto and Vehicle Sales and Rental, Large Vehicles and Equipment	AUP	P	X	X	4.05 (Auto and Vehicle Services and Repair)
Auto and Vehicle Services and Repair – Major	AUP	P	X	X	See Chapter 4.05 (Automotive Service and Repair/Fueling Stations)
Auto and Vehicle Services and Repair – Minor	P	P	P	X	See Chapter 4.05 (Automotive Service and Repair/Fueling Stations)
Auto and Vehicle Towing/Impounding	CUP	P	X	X	
Auto and Vehicle Washing and Detailing	AUP	P	AUP	X	
Auto and Vehicle Wrecking/Dismantling	X	P	X	X	

NON-RESIDENTIAL ZONES					
Use ¹	IL	IH	RC	RR	Additional/Specific Use Regulations
Fueling Stations	CUP	CUP	CUP	X	See Chapter 4.05 (Automotive Service and Repair/Fueling Stations)
Truck Stop/Fueling Station	AUP	P	AUP	X	See Chapter 4.05 (Automotive Service and Repair/Fueling Stations)
Cannabis Related Uses					
Cannabis Cultivation, Commercial	X	X	X	X	See Chapter 4.07 (Cannabis Activity)
Cannabis Cultivation, Personal	X	X	X	X	See Chapter 4.07 (Cannabis Activity)
Cannabis Logistics, Distribution, and Transportation Facility	X	X	X	X	
Cannabis Manufacturing	X	X	X	X	
Cannabis Retailer, Microbusiness, or Dispensary	X	X	P	X	See Chapter 4.07 (Cannabis Activity)
Cannabis Testing Laboratory	X	X	X	X	
Eating and Drinking Establishments and Entertainment Uses					
Bar/Nightclub/Lounge	P	X	P	X	
Brewpub/Taproom/Wine Bar/ Microdistillery	P	X	P	X	
Cinema/Theater/Performing Arts Center	P	X	P	X	
Drive-Through, Non-Restaurants (Accessory)	A	A	A	X	See Chapter 4.13 (Drive-Through Uses)
Live Entertainment as Accessory Use, Indoors (Accessory)	A	X	A	X	
Live Entertainment as Accessory Use, Outdoors (Accessory)	A, AUP, TUP	X	A, AUP, TUP	X	Regular outdoor events as an accessory use require an AUP. Sporadic events require a TUP (See Chapter 4.27 ((Temporary Uses)).
Outdoor Dining (Accessory)	A	X	A	X	
Outdoor Entertainment	AUP	X	AUP	X	
Restaurant, Dine-In and Take-Out	P	AUP	P	X	
Restaurant, Drive -Through	AUP	AUP	P	X	See Chapter 4.13 (Drive-Through Uses)
Industrial and Manufacturing Uses					
Artisan Manufacturing/Makers Space	P	P	AUP	X	
Brewery/Distillery/Winery – without tasting room or > 10,000 sf	P	P	CUP	X	
Brewery/Distillery/Winery – with tasting room and <10,000 sf	P	P	AUP	X	
Construction and Materials Yards	AUP	P	X	X	
Food or Beverage Manufacturing	AUP	P	X	X	
Hazardous Materials/Wholesale Fuel Storage and Distribution	X	P	X	X	
Indoor Warehousing, Storage, Wholesaling, and Distribution	P	P	CUP	X	Small footprint fulfillment centers less than 50K sf in size may be allowed in the RC Zone with a CUP.
Manufacturing/Processing, Heavy	X	P	X	X	
Manufacturing/Processing, Light	P	P	X	X	

NON-RESIDENTIAL ZONES					
Use ¹	IL	IH	RC	RR	Additional/Specific Use Regulations
Mining/Resource Extraction	X	X	X	CUP	The following uses may be permitted in the RR district subject to a CUP: mining; sand or gravel extraction; batch plants; asphalt plants; and secondary processing of raw mineral materials.
Outdoor Storage (Primary Use)	AUP	P	X	X	See Chapter 4.20 (Outdoor Storage)
Outdoor Storage (Accessory)	A	A	A	X	See Chapter 4.20 (Outdoor Storage)
Salvage and Wrecking Yards	X	P	X	X	
Lodging					
Bed and Breakfast	X	X	X	X	
Lodging – Extended Stay	AUP	X	P	X	
Lodging – Hotels	AUP	X	P	X	
Lodging – Motels	AUP	X	P	X	
Lodging – Timeshares	AUP	X	P	X	
Recreation, Education, and Public Assembly Uses					
Campground, Temporary	X	X	TUP	X	See Chapter 4.27 (Temporary Uses)
Cemeteries, Crematories, or Mausoleums	AUP	AUP	X	X	
Civic/Government	P	P	P	X	
College/University	CUP	X	CUP	X	
Commercial Recreation and Sports, Indoor	P	P	P	X	
Commercial Recreation and Sports, Outdoor	AUP	CUP	AUP	X	
Community Assembly, Up to 5,000 sf (gross sf)	P	AUP	P	X	
Community Assembly, > 5000 sf – 12,000 sf (gross sf)	AUP	AUP	P	X	
Community Assembly, >12,000 sf (gross sf)	CUP	CUP	AUP	X	
Cultural Institutions	P	X	P	X	
Day Care Centers	P	X	P	X	See Chapter 4.09 (Child Day Care in a Home (Small and Large) and Day Care Centers)
Instructional Services, <= 5000 sf	P	X	P	X	
Instructional Services, > 5000 sf	P	X	P	X	
Open Space, Natural	P	P	P	P	
Parks and Recreation Facilities	P	X	P	X	
Public Service Facility	P	P	P	X	
Recreational Vehicle (RV) Park	X	X	X	X	
Schools, Public or Private (TK-12)	CUP	X	CUP	X	
Social Service Facilities	AUP	X	AUP	X	
Tutoring Facilities	P	X	P	X	
Vocational/Trade School	CUP	X	AUP	X	

NON-RESIDENTIAL ZONES					
Use ¹	IL	IH	RC	RR	Additional/Specific Use Regulations
Residential Uses					
Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)	X	X	X	X	
Caretaker’s Unit	A	A	X	X	
Child Day Care in a Home, Large	X	X	X	X	
Child Day Care in a Home, Small	X	X	X	X	
Cottage Food Operation	X	X	X	X	
Cottage Industry	X	X	X	X	
Emergency Shelter	P	X	AUP	X	See Chapter 4.14 (Emergency Shelters)
Group Residential Home	AUP	X	AUP	X	
Home Occupation	A	A	X	X	See Chapter 4.15 (Home Occupations)
Live/Work	AUP	X	AUP	X	See Chapter 4.16 (Live/Work)
Manufactured/Mobile Home Park	X	X	X	X	
Residential Care Facilities, Large	X	X	X	X	
Residential Care Facilities, Small	X	X	X	X	
Residential Housing Types					
<i>Single-Family Dwelling, Attached</i>	X	X	X	X	
<i>Single-Family Dwelling, Detached</i>	X	X	X	X	
<i>Two-Family Dwelling/Duplex</i>	X	X	X	X	
<i>Multi-Family Dwelling, Triplex/Quadplex</i>	X	X	X	X	
<i>Multi-Family Dwelling, ≥ 5 Units</i>	X	X	X	X	
<i>Mobile Home</i>	X	X	X	X	
<i>Manufactured/Modular/Prefabricated Dwelling Unit</i>	X	X	X	X	
Single-Room Occupancy	X	X	X	X	
Supportive Housing	CUP	X	X	X	
Transitional Housing	CUP	X	X	X	
Yard Sales (Temporary)	P	P	X	X	See Chapter 4.27 (Temporary Uses)
Retail, Service, and Office Uses					
Adult-Oriented Business	CUP	CUP	X	X	See Chapter 4.03 (Adult-Oriented Businesses)
Alcohol Sales, Off-Sale	P	P	P	X	
Animal Sales and Services	P	P	P	X	
ATM (Accessory)	A	A	A	X	
Bail Bonds	CUP	X	X	X	See Chapter 4.06 (Bail Bonds)
Banks, Financial, and Savings and Loan Institutions	P	X	P	X	Drive-through financial institutions are covered under “Drive-Through, Non-Restaurant”
Building Materials Sales and Services	P	P	AUP	X	
Business to Business Support Services	P	P	AUP	X	
Check-Cashing Businesses	CUP	X	CUP	X	See Chapter 4.08 (Check-Cashing Businesses)
Convenience Market	CUP	CUP	CUP	X	
Food Preparation, Commercial	P	P	P	X	
Fortunetelling, Palm and Card Reading	P	X	P	X	

NON-RESIDENTIAL ZONES					
Use ¹	IL	IH	RC	RR	Additional/Specific Use Regulations
Funeral Homes and Mortuaries	P	P	P	X	
General Retail ≤ 5,000 sf	P	CUP	P	X	General Retail allowed with a CUP in the IH zone only when in conjunction with a mini-storage warehouse or facility (see Chapter 4.19 Mini-Storage Warehousing or Facility).
General Retail 5,000 sf – 25,000	P	CUP	P	X	General Retail allowed with a CUP in the IH zone only when in conjunction with a mini-storage warehouse or facility (see Chapter 4.19 Mini-Storage Warehousing or Facility).
General Retail/Superstore > 25,000	P	X	P	X	
Grocery Store	P	X	P	X	
Hospital	AUP	X	AUP	X	
Kennels/Boarding, Commercial	P	P	P	X	
Kiosk/Outdoor Vending	P	P	P	X	
Laundromat	P	AUP	P	X	
Massage Establishment, Accessory Use	A	X	A	X	See Chapter 4.18 (Massage Establishment (Accessory))
Massage Establishment, Stand-Alone	X	X	X	X	
Medical Services, Extended Care	AUP	X	AUP	X	
Medical Services, Medical/Dental/Holistic/Clinic	P	X	P	X	
Medical Services, Urgent Care	P	X	P	X	
Mini-Storage Warehousing or Facility	CUP	CUP	X	X	See Chapter 4.19 (Mini-Storage Warehousing or Facility)
Neighborhood Market	P	X	P	X	
Nursery/Garden Center	P	P	P	X	
Offices, Processing	P	P	P	X	
Offices, Professional/Administrative	P	CUP	P	X	Office uses allowed with a CUP in the IH zone only when in conjunction with a mini-storage warehouse or facility (see Chapter 4.19 Mini-Storage Warehousing or Facility)
Offices, Service	P	CUP	P	X	Office uses allowed with a CUP in the IH zone only when in conjunction with a mini-storage warehouse or facility (see Chapter 4.19 Mini-Storage Warehousing or Facility)
Outdoor Display (Accessory)	A	X	A	A	
Pawnshop	CUP	X	CUP	X	See Chapter 4.21 (Pawnshops)
Personal Services	P	X	P	X	
Research and Development	P	P	AUP	X	
Smoke Shops	P	X	P	X	See Chapter 4.24 (Smoke Shops)
Smoking Lounge	P	X	P	X	
Swap Meet, Outdoor (Temporary)	TUP	X	TUP	X	
Tattoo/Body Art/Piercing	P	X	P	X	See Chapter 4.25 (Tattoo/Body Art/Piercing Establishments)
Resale/Consignment/Thrift Shop	P	X	P	X	See Chapter 4.25 (Resale/Consignment/Thrift Shops)
Veterinary Hospitals	P	AUP	P	X	

NON-RESIDENTIAL ZONES					
Use ¹	IL	IH	RC	RR	Additional/Specific Use Regulations
Utility, Transportation, and Communication Uses					
Airports and Heliports	CUP	CUP	CUP	X	
Communications, Facilities within Buildings	P	P	AUP	X	
Communications, Telecommunications/ Large Commercial Antennas	AUP/ CUP	AUP/ CUP	AUP/ CUP	X	An AUP or CUP is required, depending on the design and height of the large commercial antenna, as regulated by Section 4.26.04 (Large Commercial Antennas).
Communications, Telecommunications/ Small Wireless Facilities	P	P	AUP	X	See Chapter 4.26 (Telecommunications/ Wireless Facilities)
Freight/Trucking Facility	AUP	P	AUP	X	
Light Fleet-Based Services	P	P	AUP	X	
Mobile Recycling Unit	A	A	A	X	
Parking Lots and Structures	P	P	A, AUP	X	
Passenger Transportation Facilities	CUP	CUP	CUP	X	
Public Utilities, Major	AUP	P	CUP	X	
Public Utilities, Minor	P	P	P	X	
Renewable Energy System (Primary Use)	P	P	CUP	X	
Renewable Energy System, Building-Mounted (Accessory)	A	A	A	X	
Renewable Energy System, Stand-Alone or Ground Mounted (Accessory)	A	A	A, AUP	X	
Recycling Collection Facility	AUP	P	X	X	
Recycling Processing Facility	AUP	P	X	X	
Reverse Vending Machine (Accessory)	A	A	A	X	
Utility Yard	AUP	P	CUP	X	

Notes:

1. Uses shall be consistent with criteria of the Bermuda Dunes Airport Compatibility Plan, including applicable County-wide criteria as may exist at the time of project review. If the project is located in the Bermuda Dunes Airport Influence Areas, compatibility zones and regulations apply. Please see Riverside County Airport Land Use Commission Staff (www.rcaluc.org) and Indio Planning Staff for the most up-to-date regulations.

2.04.03. Development Regulations

Table 2.04.03-1 prescribes the development standards for the non-residential zones. Additional regulations are also denoted in the righthand column. Section numbers in this column refer to other sections of this Code.

FIGURE 2.04.03-1. Development Standards – Non-Residential Zones

NON-RESIDENTIAL ZONES				
Standards	RC	IL	IH	Additional Regulations
Lot and Density Standards¹				
Minimum Lot Size (sf)	40,000	10,000	20,000	
Minimum Lot Width (ft)	100	80	100	
Minimum Lot Depth (ft)	200	100	100	
Building Form and Location				
Maximum Floor Area Ratio	1.0	1.0	1.0	
Maximum Height (ft)/Stories – Primary Building	55/3 stories	55/3 stories	55/3 stories	Projects must comply with both stories and overall height maximums.
Maximum Height (ft) – Primary Building w/ Architectural Features	65	65	65	Architectural features include rooftop stair access and elevator shafts, mechanical equipment, or other rooftop amenities, as approved by City staff. See Section 3.01.03 (Measuring Heights).
Maximum Height Adjacent to Residential Zones	Within 45-degree plane from property line at grade.			
Distance between Structures (ft)	Minimum required by Building and Fire code.			
Setbacks – Minimums (ft)				
<i>Front</i>	10	10	10	Minimum front setback shall be landscaped in the IL and IH zones, excluding driveways. No parking allowed in minimum setback area.
<i>Street Side</i>	10	10	10	Minimum front setback shall be landscaped in the IL and IH zones, excluding driveways. No parking allowed in minimum setback area.
<i>Interior Side</i>	10; 25 ft abutting a residential zone	10; 25 ft abutting a residential zone	10; 25 ft abutting a residential zone	
<i>Rear</i>	10; 25 ft abutting a residential zone	10; 25 ft abutting a residential zone	10; 25 ft abutting a residential zone	
<i>Alley</i>	5	5	5	
Open Space Standards				
Minimum Open Space	10% of lot (must be publicly-accessible)	400 sf total for the first 20 employees ² , and additional 10 sf per employee over 20	400 sf total for the first 20 employees ² , and additional 10 sf per employee over 20	Common open space includes roof decks and other shared common open areas. Minimum open space dimension is 15 feet in either direction. Setback areas are not considered usable open space unless they are at least 20 feet wide.
Minimum Landscaping (% of lot)	10	10	10	25% must be live plant material. See Section 3.02.09 (Landscaping)

NON-RESIDENTIAL ZONES				
Standards	RC	IL	IH	Additional Regulations
Other Standards				
Accessory Structures	See Section 3.02.04 (Accessory Structures)			
Setbacks and Encroachments	See Section 3.02.03 (Setbacks and Encroachments)			
Utilities, Service Areas, and Building Equipment	See Section 3.02.07 (Utilities, Service Areas, and Building Equipment)			
Refuse and Recycling	See Section 3.02.08 (Refuse and Recycling)			
Landscaping	See Section 3.02.09 (Landscaping)			
Fences, Walls, and Screening	See Section 3.02.10 (Fences, Walls, and Screening)			
Outdoor Lighting	See Section 3.02.11 (Outdoor Lighting)			
Parking and Loading	See Chapter 3.03 (Parking and Loading)			
Performance Standards	See Chapter 3.04 (Performance Standards)			
Signs	See Chapter 3.05 (Sign Regulations)			

1. Densities and intensities shall be consistent with criteria of the Bermuda Dunes Airport Compatibility Plan, including applicable County-wide criteria as may exist at the time of project review. If the project is located in the Bermuda Dunes Airport Influence Areas, compatibility zones and regulations apply. Please see Riverside County Airport Land Use Commission Staff (www.rcaluc.org) and Indio Planning Staff for the most up-to-date regulations.
2. Number of employees shall be based on the largest shift that occurs in a typical week.

2.04.04. Supplemental Regulations

A. Open Space.

1. Publicly-Accessible Open Space (PAPOS).

This section applies to publicly-accessible private open spaces in non-residential zones, when provided (either where required or provided voluntarily). Publicly-accessible open space may include: plazas, courtyards, seating areas, and parklets, among others.

a. **PAPOS Design and Dimensions.** PAPOS shall be designed to create usable open space for public use. PAPOS shall meet the following standards:

- i. Minimum dimension of 20 feet in one direction with a minimum of at least 15 feet in any other direction. Minimum 400 square feet in total area.
- ii. A maximum of 40 percent of the open space may be covered but cannot be enclosed. Open space is considered enclosed when the space between a floor, decking, or ground level and a roof structure has sides taller than 50 inches in height on more than two sides.
- iii. Minimum 20% landscape area as per Subsection A.1.c below.
- iv. Be publicly accessible for a minimum of 12 consecutive hours per day.
- v. Be directly accessible from a public right-of-way or from a publicly-accessible lobby; or, if the PAPOS is not directly accessible and visible from a public right-of-way, clear signage shall be visible from the public right-of-way identifying the PAPOS, open space type, hours of access, and amenities.



- b. **PAPOS Amenities.** PAPOS shall include seating options (e.g., seat walls, planter ledges, benches, picnic tables, and seating steps), shade structures (e.g., awnings, trellises, umbrellas), and **at least one** of the following amenities and features:
 - i. Water features
 - ii. Public art
 - iii. Drinking fountains
 - iv. Public restrooms
- c. **PAPOS Landscaping.** PAPOS shall provide a combination of trees, shrubs, and ground cover as follows:
 - i. A minimum of 20% of the open space area shall be planted with ground cover and/or shrubs.
 - ii. A minimum of one tree shall be planted per 400 square feet of the open space area.

2. Common Outdoor Open Space.

This section applies to private common outdoor open space in non-residential zones. Private common outdoor open spaces are shared and accessible only to building occupants and their visitors. They can be located at the ground level, on parking podiums, or on rooftops, provided they are adequately landscaped. Common outdoor open spaces may include: courtyards, gardens, outdoor dining areas, and rooftop amenities, among others.

- a. **Common Outdoor Open Space Design and Dimensions.** Common outdoor open spaces shall meet the following standards. Required setback areas with a dimension less than 20 feet shall not be counted towards common open space requirements.
 - i. Common outdoor open spaces shall be located a minimum of 15 feet from parking areas, with minimum five feet of landscape screening.
 - ii. Minimum dimension of 20 feet in any direction.
 - iii. A maximum of 40 percent of the common outdoor open space may be covered but cannot be enclosed. Common open space is considered enclosed when the space between a floor, decking, or ground level and a roof structure has sides taller than 50 inches in height on more than two sides.
 - iv. Courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1.25:1.
 - v. A minimum of 20% of the open space area shall be planted with trees, ground cover, and/or shrubs.
 - vi. Slope shall not exceed 10 percent.
 - vii. Common outdoor open spaces shall include places to sit, and shade structures.

