

ORDINANCE NO. 665 N.S.
AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE ZONING CODE REGARDING PERMITTED
AND CONDITIONALLY PERMITTED LAND USES,
PERFORMANCE STANDARDS AND RELATED REGULATIONS
(CODE AMENDMENT 93006)

WHEREAS, Goals #1 and #2 of the City's General Plan call for efforts to retain and recruit businesses and to establish the City as the North County commercial retail center; and

WHEREAS, in support of General Plan Goals #1 and #2, the Land Use Element of the City's General Plan contains Policy OA-11 and a supporting program that call for the the preparation and adoption of an Economic Development Strategy; and

WHEREAS, pursuant to Policy OA-11, the City has adopted an Economic Strategy that includes a goal to simplify and streamline the entitlement approval process and an objective to eliminate conditional use requirements where such requirements are unnecessary for health, safety or welfare purposes; and

WHEREAS this code amendment has been prepared in order to implement the above-mentioned goal and objective of the Economic Strategy; and

WHEREAS, public hearings were conducted by the Planning Commission on October 25, 1993 and by the City Council on November 16, 1993, to consider facts as presented in the staff report and to accept public testimony regarding this proposed code amendment and pre-zoning; and

WHEREAS, at its meeting of November 16, 1993, the City Council adopted a Negative Declaration for this code amendment in accordance with the California Environmental Quality Act; and

WHEREAS, at its meeting of November 16, 1993, the City Council gave first reading to this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that Title 21 (Zoning) of the Municipal Code be amended as follows;

SECTION I: Section 21.08.480 is amended to read as follows:

"21.08.480 Yard, front.

'Front yard' means a yard extending across the front of the lot between the inner side yard lines and measured from the front line of the lot to the nearest line of the building; provided, that if any building line of official plan line has been established for the street upon which the lot faces, then such measurement shall be taken from such building line or official plan line to the nearest line of the building."

SECTION II: Section 21.12.010 is amended to read as follows:

- "21.12.010 Districts established.**
- Residential agriculture district or R-A district
- Single-family residential district or R-1 district
- Duplex/triplex district or R-2 district
- Multifamily residential district or R-3 district
- Multifamily/office district or R-3-0 district
- Multifamily/mobilehome district or R-4 district
- Neighborhood commercial district or CP district
- General retail commercial district or C-1 district
- Highway commercial district or C-2 district

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E. PRIVATE CLUB AND COMMERCIAL RECREATION

1. Indoor Facilities:

a. Amusement arcades (video/electronic games*, pinball, etc.).....	N	P	P	P	P	P	N	N	N
b. Bowling alleys.....	N	N	P	P	P	P	N	N	N
c. Card rooms.....	N	N	C	C	C	N	N	N	N
d. Dance halls, dance schools.....	N	N	C	C	C	C	N	N	N
e. Gyms, health spas, etc.....	N	N	P	P	P	P	P	P	P
f. Pool/billiard halls.....	N	N	P	P	P	P	N	N	N
g. Racquetball, handball courts.....	N	N	P	P	P	P	P	P	P
h. Shooting Range.....	N	N	N	N	P	N	P	N	P
i. Skating Rink (ice, roller).....	N	N	P	P	P	P	N	N	N
j. Theaters.....	N	C**	P	C**	C**	C**	N	N	N

* 4 or more video/electronics games constitutes an arcade.

** Requires a finding that a theater will not be detrimental to the City's efforts to revitalize the historic downtown.

2. Outdoor facilities:

a. Amusement parks (permanent).....	N	N	N	C	C	C	C	N	N
b. Ballfields, playgrounds, stadiums and amphitheaters.....	N	N	N	C	C	C	C	N	C
c. Carnivals, circuses (subject to approval of a temporary use permit)...	N	N	P	P	P	C	C	N	N
d. Golf courses, driving ranges.....	N	N	C	C	C	C	C	N	C
e. Miniature auto/go-cart courses.....	N	N	N	N	C	C	C	N	C
f. Miniature golf.....	N	N	P	P	P	C	C	N	C
g. Off-road vehicle courses.....	N	N	N	N	N	N	N	N	N
h. Pools, waterslides.....	N	N	N	C	C	C	C	N	C
i. Shooting ranges.....	N	N	N	N	C	C	N	N	C
j. Tennis courts.....	N	N	N	P	P	P	P	N	C

F. RETAIL COMMERCIAL

1. Automobiles, motorcycles, recreational vehicles, trucks, boats, farm equipment:

a. Parts sales (indoors, without installation).....	N	N	P	P	P	P	P	N	P
b. Vehicle Sales (including auto service as ancillary use):									
(1) New and 25 percent or less used...	N	N	N	P	P	P	P	N	P
(2) More than 25% used.....	N	N	N	C	C	C	C	N	C

2. Building Materials..... N N P P P P P P P C

3. Cocktail Lounges & bars..... N C C C C C C N C

4. Food & beverage sales (includes groceries, supermarkets, mini-marts, delis, liquor stores, bakeries, specialty food stores)..... N P P P P P P P P

5. Fuel Dealers (includes propane, butane, fuel oil, gasoline, diesel fuel)..... N N N C C C C N C

6. Furniture, appliances, home furnishings.. N N P P P P P P P

7. General merchandise (includes department stores, drug stores, discount stores, specialized retail, artisans, manufacturing incidental to retail use, etc.)... N P P P P P P N P

8. Mobile home sales..... N N N N C C C N C

9. Nurseries (retail and wholesale)..... C P P P P P P P P

10. Outdoor sales:

a. Peddlers.....	N	C	C	C	C	C	C	N	N
b. Temporary, "parking lot" sales (subject to temporary use permit).....	N	P	P	P	P	P	P	P	P

11. Pet stores..... N N P P P P N N N

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12. Restaurants:
 a. Drive-through..... N N N P* P* P* P* P* P*
 b. Sit-down and/or walk-up..... N P** P** P** P** P** P** P** P**
 c. Outdoor seating..... N P P P P P P P P
 d. Where liquor is served..... N P P P P P P P P

* Permitted if more than 300 feet from the nearest residential zoning district; conditional if 300 feet or less from the nearest residential zoning district.

** Permitted if 5,000 square feet or less in gross floor area; if 5,000 square feet or more in gross floor area, subject to approval of a conditional use permit and finding that such a restaurant will not be detrimental to the City's efforts to revitalize the historic downtown.

13. Secondhand merchandise:
 a. Antiques..... N N P P P N P N N
 b. Clothing, furniture and household goods:
 (1) Without donation drop-off..... N P P P P P P N N
 (2) With donation drop-off..... N N N C C N C N N
 c. Swap meets, flea markets..... N N N C C C C N N

14. Service Stations:
 a. Without auto service uses..... N P P P P P P N P
 b. With auto service uses..... N C C C C C C N C

15. Winetasting Rooms..... C N P P P P P P P

G. SERVICE COMMERCIAL

1. Appliance repair..... N N P P P P P P P
 2. Automobiles, motorcycles, recreational vehicles, trucks, boats, farm equipment:
 a. Body and paint (primary use)..... N N N C C N C N C
 b. Carwashes..... N N N C C C C N C
 c. Detailing..... N N N P P C P N P
 d. Rental and accessory services..... N N N P P P P N P
 e. Repair, parts installation (primary use)..... N N N C C C C N C
 3. Contracted services (plumbing, heating & airconditioning, janitorial, pest exterminating, construction trades)..... N N N P P N P N P
 4. Equipment rental (includes outdoor storage)..... N N N N C C C N C
 5. Financial services (banks, savings & loans credit unions, thrifts)..... N P P P P P P N P
 6. Health care services:
 a. Clinics, social services facilities... N N C C C N N N C
 b. Emergency/urgent care centers including outpatient services..... N N P P P P P P P
 c. Hospitals..... N N N N N N N N C
 d. Offices for physicians, dentists, chiropractors, psychiatrists, etc..... P P P P P P* P P P

* Subject to a limitation that the floor area shall not exceed 10 percent of the total floor area of a commercial center.

7. Laundries and dry cleaning plants (does not include laundromats or non-plant laundries)..... N N N C P N P N P

8. Offices (general: including insurance, real estate, administrative, consulting professions such as accountants, architects, attorneys, engineers, etc.).. C P P P P P* P P P

* Subject to a limitation that the floor area shall not exceed 10 percent of the total floor area of a commercial center.

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LAND USE	R3D	CP	C-1	C-2	C-3	RC	M	PM	AP
9. Personal services:									
a. Barber/beauty shops, nails & tanning salons, massage.....	C	P	P	P	P	P	P	N	P
b. Laundries, non-plant.....	N	P	P	P	P	P	P	N	P
c. Laundromats.....	N	P	P	P	P	N	N	N	N
d. Locksmiths.....	N	P	P	P	P	P	P	N	P
e. Mortuaries.....	N	N	C	C	C	C	C	N	C
f. Parcel services.....	N	P	P	P	P	P	P	C	P
g. Tailor/dressmakers, alterations, shoe repair.....	N	P	P	P	P	P	P	N	P
10. Printing, publishing, blueprinting, duplicating.....	N	N	P	P	P	P	P	P	P
11. Recycling collection centers for aluminum glass, paper, plastic, etc. (does not include collection of hazardous/toxic items).....	N	N	N	N	C	N	C	N	C
12. Small motor repair (electrical motor rewinding lawnmower repair, etc.).....	N	N	N	P	P	N	P	N	P
13. Upholstery (includes Auto Upholstery)....	N	N	N	C	P	N	P	N	P
H. TRANSIENT LODGINGS									
1. Bed & breakfast inns.....	C	N	P	P	P	P	P	N	P
2. Campgrounds.....	N	N	N	C	C	C	C	N	C
3. Hotels & motels.....	N	N	P	P	P	C*	P	N	P
* Requires a finding that a hotel or motel will not be detrimental to the City's efforts to revitalize the historic downtown.									
4. Recreational vehicle parks.....	N	N	N	C	C	C	C	N	C
I. WHOLESALE AND STORAGE									
1. Mini-storage facilities.....	N	N	N	N	P	N	P	P	P
2. Temporary construction yards in conjunction with valid building permit on the site of the building permit or on the immediately adjacent property).....	P	P	P	P	P	P	P	P	P
3. Warehousing.....	N	N	N	P	P	N	P	P	P
4. Wholesale & distribution (not including truck terminals and fuel dealers).....	N	N	N	P	P	N	P	P	P
5. Vehicle storage lots (automobiles, recreational vehicles, boats, trailers, trucks and construction and farm equipment as freestanding, commercial businesses).....	N	N	N	N	C	N	C	N	C
J. MANUFACTURING & PROCESSING									
1. Apparel manufacturing.....	N	N	N	N	P	N	P	P	P
2. Chemical products manufacturing and processing.....	N	N	N	N	C	N	C	C	C
3. Concrete, gypsum & plaster products manufacturing and processing.....	N	N	N	N	N	N	C	C	P
4. Electrical equipment, electronic & scientific instruments manufacturing and assembly.....	N	N	N	N	P	N	P	P	P
5. Food & kindred products processing (includes wholesale bakeries; does not include crop processing & packaging or meat packing/slaughterhouse).....	N	N	N	N	P	N	P	P	P
6. Furniture & fixtures manufacturing (does not include cabinet shops).....	N	N	N	N	P	N	P	P	P

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7. Glass products manufacturing (does not include stained glass and glassblowing by artisans).....	N	N	N	N	P	N	P	P	P
8. Lumber & wood products manufacturing, processing & assembly:									
a. Cabinet shops.....	N	N	N	N	P	N	P	P	P
b. Prefabricated walls & trusses, fire-wood, plywood & veneer mills).....	N	N	N	N	P	N	P	P	P
9. Machinery, motor vehicle and transportation equipment manufacturing & assembly.....	N	N	N	N	P	N	P	P	P
10. Meat Packing, slaughterhouse.....	N	N	N	N	N	N	N	N	N
11. Metal industries: primary (includes foundries, smelting, refining, extruding, casting and plating).....	N	N	N	N	N	N	C	C	C
12. Metal fabrication (indoors only, includes sheet metal, machine shops, welding).....	N	N	N	N	P	N	P	P	P
13. Mobile home & modular building manufacturing & assembly (indoors only).....	N	N	N	N	P	N	P	P	P
14. Outdoor manufacturing and assembly.....	N	N	N	N	C	N	C	C	C
15. Paper products manufacturing & assembly..	N	N	N	N	P	N	P	P	P
16. Paving materials manufacturing & processing (including roofing tar creosoted wood).....	N	N	N	N	N	N	C	C	C
17. Plastics, fiberglass, and rubber products manufacturing, processing & assembly.....	N	N	N	N	P	N	P	P	P
18. Recycling & scrap processing (includes auto dismantlers).....	N	N	N	N	N	N	C	N	C
19. Small scale manufacturing & assembly (includes artisans, jewelry, toys, brooms & brushes, etc.).....	N	N	N	N	P	N	P	P	P
20. Stone & cut stone products processing....	N	N	N	N	P	N	P	P	P
21. Structural clay & pottery-related products manufacturing.....	N	N	N	N	P	N	P	P	P
22. Testing laboratories (soils & materials testing, research and development).....	N	N	N	N	P	N	P	P	P
23. Textile mills.....	N	N	N	N	N	N	C	C	C
K. RESOURCE EXTRACTION									
1. Sand & gravel mining.....	N	N	N	N	C	C	C	C	N
2. Fill dirt mining.....	N	N	N	N	C	C	C	C	N
L. TRANSPORTATION									
1. Airport, landing strip, helicopter operations.....	N	N	N	N	N	N	N	N	P
2. Bus stations:									
a. Public.....	N	P	P	P	P	P	P	P	P
b. Private.....	N	N	C	C	C	C	C	C	C
3. Parking lots:									
a. Public (including park & ride lots)...	C	P	P	P	P	P	P	P	P
b. Private Off-street parking for commercial and industrial uses.....	C	P	P	P	P	P	P	P	P
4. Truck terminals.....	N	N	N	N	C	N	C	N	C
5. Truck stops.....	N	N	N	C	C	N	C	N	N
6. Multi-modal center.....	N	P	P	P	P	P	P	P	P

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M. GENERAL ACCESSORY USES COMMON TO MOST ZONES

1. Canopies & structures which project into the public right-of-way (subject to approval of an encroachment permit)..... N P P P P P P N N
2. Outdoor storage of materials and equipment*:
 - a. If property and adjacent streets are improved and storage is screened as specified in Section 21.21.110.... P P P P P P P P P
 - b. If property and adjacent streets are not improved and storage is screened as specified in Section 21.21.110.... C C C C C C C C C

* This subsection addresses outdoor storage as an accessory use and not as a primary use, such as for retail building materials and equipment rental.
3. Outdoor display of merchandise for sale or rental in accordance with Section 21.21.120..... P P P P P P P P P
4. Non-conforming uses and buildings (in conformance with Sections 21.20.340 and 21.20.350):
 - a. Replace existing non-conforming use with a new, less non-conforming use..... C C C C C C C C C
 - b. Additions to existing buildings containing a non-conforming use..... C C C C C C C C C
 - c. Restoration of destroyed residential non-conforming use..... C C C C C C C C C
 - d. Restoration of destroyed residential non-conforming building to previous state of non-conformity..... C C C C C C C C C
 - e. Lot line adjustment between two buildings with non-conforming setbacks..... C C C C C C C C C
5. Signs (subject to compliance with sign regulations contained within Chapter 21.19 including DRC approval):
 - a. Wall-mounted, projecting., etc..... P P P P P P P P P
 - b. Freestanding no more than 6 feet in height and no more than 32 square feet in area..... P P P P P P P P P
 - c. Highway-oriented (higher than 6 feet and larger than 32 square feet)..... P P P P P P P P P
 - d. Billboards..... C C C C C C C C C
 - e. Real estate directional signs..... P P P P P P P P P
6. Trailer/temporary building use:
 - a. For a construction office..... C P P P P P P P P
 - b. For a place of business:
 - (1) temporary..... N C C C C C C C C
 - (2) for less than one year while construction of permanent building is taking place and subject to available paved parking..... N P P P P P N N N
 - (3) permanent..... N N N N N N N N N

N. USES SIMILAR TO ANY OF THE ABOVE-LISTED USES

Any use not specifically listed above is not permitted unless the Planning Commission determines a particular land use to be similar to another permitted or conditional use within a particular zoning district.

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TABLE 21.16.210

DEVELOPMENT STANDARDS FOR C-1, C-2, C-3, M, AND PM DISTRICTS

District	Height Limit	Minimum Lot Area (sq ft)	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard Street Side	Minimum Side Yard Interior	Minimum Rear Yard
C-1	40 ft	2,000	none	none ¹	none ¹	none ⁴	none ⁵
C-2	50 ft	5,000	50 ft	none ²	none ²	none ^{4,6}	none ^{5,6}
C-3	50 ft	5,000	50 ft	none ²	none ²	none ^{4,6}	none ^{5,6}
M	50 ft	5,000	50 ft	none	none	none	none
PM	50 ft	10,000	none	15 ft ³	15 ft ³	none ⁴	none ⁵

NOTES:

25 foot landscaped front and street side yards (setbacks) are required adjacent to streets for properties located outside of the historic downtown (i.e. on the east side of the City).

- a. A 15 foot landscaped yard (setback) is required along Spring Street except between 9th and 16th Streets, where no front or street side yard (setback) is required.
- b. Where the frontage in a block (on the same side of the street) is partially in an R district a front yard (setback) of 10 feet and a street side yard (setback) of 5 feet is required.

The 15 foot front and street side yard (setback) shall be appropriately landscaped and maintained except for area required for sidewalks and driveways, which shall not use more than 40 percent of the front yard.

Where the interior side yard of any lot is adjacent to the interior side yard of any lot in an R district, an interior side yard (setback) of 5 feet is required.

Where the rear yard of any lot is adjacent to the rear or interior side yard of any lot in an R district, a rear yard (setback) of 10 feet is required.

Section 21.20.205 specifies circumstances under which the required interior side and rear yards of C-1 and C-3 zoned lots that are adjacent to R-zoned lots may be waived.

EXHIBIT C**CHAPTER 21.16H****NEIGHBORHOOD COMMERCIAL DISTRICT**

Section 21.16H.010. Purpose. The Neighborhood Commercial or CP district provides for neighborhood commercial uses in a manner consistent with the land use element of the general plan.

Among the purposes of the regulations established in this Chapter is to guide development of neighborhood commercial properties into high quality, cohesively-planned centers that provide the following linkages among a center's component parcels:

1. Common access drives and shared parking lots in order to minimize traffic flow and safety impacts and to reduce the number of vehicle miles traveled among commercial destinations;
2. Coordinated drainage facilities, street improvements, and utilities;
3. Coordinated and compatible site design, landscaping, architectural styles, and signage;
4. Opportunities for common management and maintenance of sites, buildings, landscaping.

Section 21.16H.020. Permitted Uses. Those land uses which are permitted by right and those which are subject to approval of a conditional use permit in the CP district are listed in Section 21.16..

Section 21.16H.030. Development Standards. Standards for the creation of new lots and for the development of lots shall be the same as those specified for the RC Regional Commercial Zone in Sections 21.16G.040 and 21.16G.050.

Section 21.16H.040. Development Permit Requirements. Development Permit Requirements for the CP district shall be the same as those specified for the RC Regional Commercial Zone in Section 21.16G.030.

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Commercial/light industry district or C-3 district
 Regional Commercial district or RC district
 Industrial district or M district
 Planned industrial district or PM district
 Airport planned development district or AP,PD district
 Parks and Open Space district or POS district
 Combining building size district or B district
 Planned development overlay district or PD district
 Hillside development overlay district or H district
 Historical and architectural overlay district or HP district
 Primary floodplain overlay district or PF district
 Secondary floodplain overlay district or SF district
 Redevelopment overlay district or RD district"

SECTION III: Section 21.15.230 is amended to read as follows:

"Bed and breakfast rooms serving tourists and visitors may be provided in existing residential structures of historic or architectural significance subject to the following provisions:

- a. In residential districts, a conditional use permit shall be required; said conditional use permit shall not authorize any commercial type uses or permanent dwelling accommodations (except that for the owner or resident manager);
- b. In commercial and industrial districts, see Table 21.16.200.

SECTION IV:

- A. Section 21.16.060 (R-3-O District) is amended to delete the existing text and to replace it with new text to read as follows:

"Uses permitted by right and subject to approval of a conditional use permit and standards for the development of land in the R-3-O district shall be as listed in Table 21.16.060. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the R-3-O district."

- B. Table 21.16.060 is amended as follows

- (1) Under the column entitled "None but the following uses or uses, which in the opinion of the Planning Commission, are similar will be allowed", the following changes shall be made:
 - (a) Item #3 is revised to read: "Professional offices, institutional, retail and service commercial uses"
 - (b) Items #5 and #6 are deleted.
 - (c) Item #7 is renumbered as item #5.
- (2) Under the column entitled "Use Permit Required", the space for item #3 shall read: "As specified in Section 21.16.200".

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SECTION V: Section 21.16.075 (CP District) is hereby established to read as follows:

"21.16.075 CP district.

Uses permitted by right and subject to approval of a conditional use permit in the CP district shall be as listed in Section 21.16.200. Development of land within the CP district shall be in conformance with the standards listed in Chapter 21.16H. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the CP district."

SECTION VI:

- A. Section 21.16.080 (C-1 District) is amended to delete the existing text and to replace it with new text to read as follows:

"Uses permitted by right and subject to approval of a conditional use permit in the C-1 district shall be as listed in Section 21.16.200. Development of land within the C-1 district shall be in conformance with the standards listed in Section 21.16.210. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the C-1 district."

- B. Table 21.16.080 is hereby deleted.

SECTION VII:

- A. Section 21.16.090 (C-2 District) is amended to delete the existing text and to replace it with new text to read as follows:

"Uses permitted by right and subject to approval of a conditional use permit in the C-2 district shall be as listed in Section 21.16.200. Development of land within the C-2 district shall be in conformance with the standards listed in Section 21.16.210. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the C-2 district."

- B. Table 21.16.090 is hereby deleted.

SECTION VIII:

- A. Section 21.16.100 (C-3 District) is amended to delete the existing text and to replace it with new text to read as follows:

"Uses permitted by right and subject to approval of a conditional use permit in the C-3 district shall be as listed in Section 21.16.200. Development of land within the C-3 district shall be in conformance with the standards listed in Section 21.16.210. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the C-3 district."

- B. Table 21.16.010 is hereby deleted.

SECTION IX:

- A. Section 21.16.110 (M District) is amended to delete the existing text and to replace it with new text to read as follows:

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"Uses permitted by right and subject to approval of a conditional use permit in the M district shall be as listed in Section 21.16.200. Development of land within the M district shall be in conformance with the standards listed in Section 21.16.210. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the M district."

B. Table 21.16.110 is hereby deleted.

SECTION X:

A. Section 21.16.120 (PM District) is amended to delete the existing text and to replace it with new text to read as follows:

"Uses permitted by right and subject to approval of a conditional use permit in the PM district shall be as listed in Section 21.16.200. Development of land within the PM district shall be in conformance with the standards listed in Section 21.16.210. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the PM district."

B. Table 21.16.120 is hereby deleted.

SECTION XI: Section 21.16.150 (RC District) is amended to delete the existing text and to replace it with new text to read as follows:

"Uses permitted by right and subject to approval of a conditional use permit in the RC district shall be as listed in Section 21.16.200. Development of land within the RC district shall be in conformance with the standards listed in Chapter 21.16G. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the RC district."

SECTION XII: Section 21.16.160 (AP,PD District) is amended to read as follows:

"Uses permitted by right and subject to approval of a conditional use permit in the AP,PD district shall be as listed in Section 21.16.200. Development of land within the AP,PD district shall be in conformance with the standards listed in the Airport Land Use Plan (ALUP) adopted pursuant to Public Utilities Code Sections 21670 et seq. Those uses listed within the ALUP as being "conditional" do not require approval of a conditional use permit but are subject to those conditions of development listed in said ALUP. All new development shall be subject to approval of a development plan. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the AP,PD district."

SECTION XIII: Section 21.16.200 is hereby established to read as follows:

"21.16.200 Permitted and conditional uses in commercial and industrial districts.

Those uses which are permitted by right and which are subject to approval of a conditional use permit in the commercial and industrial districts shall be as listed in Table 21.16.200. In the event of conflict between Table 21.16.200 and any other section within this title, the contents of Table 21.16.200 shall prevail."

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SECTION XIV: Table 21.16.200, attached as Exhibit A, is hereby established.

SECTION XV: Section 21.16.210 is hereby established to read as follows:

"21.16.210 Development standards for the C-1, C-2, C-3, M and PM districts.

All property located within the C-1, C-2, C-3, M and PM districts shall be developed in accordance with the development standards listed in Table 21.16.210."

SECTION XVI: Table 21.16.210, attached as Exhibit B, is hereby established.

SECTION XVII: Section 21.16G.020 (Permitted Uses in the RC District) is amended to delete the existing text and replace it with the following:

"21.16G.020 Permitted uses. Uses permitted by right and subject to approval of a conditional use permit in the RC district shall be as listed in Section 21.16.200."

SECTION XVIII: Chapter 21.16H Neighborhood Commercial (CP) District, attached as Exhibit C, is hereby established.

SECTION XIX: Chapter 21.18 Floating Zone District Regulations is hereby deleted.

SECTION XX: Section 21.20.020 (Establishing places of assemblage) is hereby deleted.

SECTION XXI: Section 21.20.050 (Amusement places in C-1 and C-2 districts) is hereby deleted.

SECTION XXII: Section 21.20.060 (Accessory buildings in C and C districts) is hereby deleted.

SECTION XXIII: Section 21.20.070 (Mining) is hereby deleted.

SECTION XXIV: Section 21.20.090 (Residential use in C-2 and C-3 districts) is hereby deleted.

SECTION XXV: Section 21.20.130 (Exceptions to building height limits) is amended to read as follows:

"Section 21.20.130 Exceptions to building height limits.

Chimneys, silos, cupolas, flagpoles, monuments, gas storage holders, radio and other towers, water tanks, church steeples, and similar structures and mechanical appurtenances may be permitted in excess of the height limits specified for each zoning district, subject to approval of a site plan by the Development Review Committee, except as provided in Section 21.20.080 (public utility distribution and transmission lines)."

8. Landscaping. Landscaping shall be provided as required by the planning commission.

E. Minimum Yards.

1. No mobilehome or trailer space shall be located closer than twenty feet from the property line when said line is a public street.
2. No mobilehome or trailer space shall be closer than five feet from any other portion of the property line of said mobilehome or trailer park.
3. No mobilehome or trailer space shall be placed closer than five feet from its side lot line or space boundary line.
4. Storage areas shall be provided for boat trailers and other recreation vehicles as required by the planning commission.

SECTION XXVIII: Section 21.21.040 (General performance standards for all uses) is amended to read as follows:

"Section 21.21.040 General performance standards for all uses.

- A. Fire and explosion Hazards. All activities involving and all storage of inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire-suppression equipment and devices standard in industry and as approved by the fire department. All incineration is prohibited.
- B. Radioactivity or Electrical Disturbance. Devices which radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located. Further, no radiation of any kind shall be emitted which is dangerous to humans. All radio transmissions shall occur in full compliance with Federal Communications Commission (FCC) and other applicable regulations.
- C. Noise. No land use shall increase the ambient noise level as measured at the nearest residentially zoned property line to a level that constitutes a public nuisance.
- D. Vibration. No vibrations shall be permitted so as to cause a noticeable tremor measurable without instruments at the lot line.
- E. Smoke. Except for fireplaces and barbecues, no emission shall be permitted at any point from any chimney which would constitute a violation of standards established by the San Luis Obispo County Air Pollution Control District (APCD).
- F. Odors. Except for fireplaces and barbecues, no emission shall be permitted of odorous gases or other odorous matter in such quantities as to constitute a public nuisance.
- G. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission shall be permitted which can cause damage to health, animals, vegetations, or other forms of property, or which can cause any excessive

soiling at any point. No emissions shall be permitted in excess of the standards established by the San Luis Obispo County Air Pollution Control District (APCD).

H. Glare. No direct glare, whether produced by floodlight, high-temperature processes such as combustion or welding, or other processes, so as to be visible from any boundary line of the property on which the same is produced shall be permitted. Sky-reflected glare from buildings or portions thereof shall be so controlled by reasonable means as are practical to the end that said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.

I. Liquid or Solid Wastes. No discharge shall be permitted at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accord with standards approved by the California Department of Health or such other governmental agency as shall have jurisdiction over such activities. Manufacturing, processing, treatment, and other activities involving use of toxic or hazardous materials shall be designed to incorporate the best available control technologies and wherever technically feasible shall employ a "closed loop" system of containment.

J. Transportation Systems Impacts. Vehicular, bikeway, and/or pedestrian traffic, directly attributable to the proposed land use, shall not increase to a significant extent without implementation of adequate mitigation measures in a form to be approved by the City Engineer. In determining significance of impacts, consideration shall be given to cumulative (projected build-out) capacity of streets and highways serving the land use. Mitigation measures required may include but not be limited to curb, gutter, sidewalk, street and/or alley, bikeway, transit related improvements and traffic signalization. Mitigation may be required as pursuant to the California Environmental Quality Act (CEQA), or as a condition of a discretionary review.

SECTION XXIX: Section 21.21.090 (Combining uses) is hereby deleted.

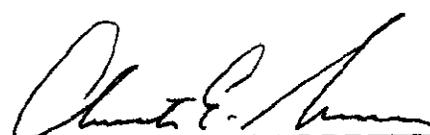
PASSED AND ADOPTED THIS 7th day of December, 1993 by the following roll call vote:

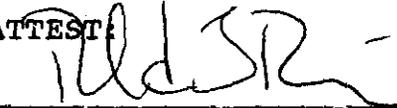
AYES: Heggarty, Macklin, Martin, Picanco, and Iversen

NOES: None

ABSENT: None

ABSTAIN: None


MAYOR CHRISTIAN E. IVERSEN

ATTEST: 
RICHARD J. RAMIREZ, CITY CLERK

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EXHIBIT A

TABLE 21.16.200

PERMITTED LAND USES: COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

EXPLANATION OF CODES USED IN THIS CHART

P (permitted use) denotes a land use which is permitted.
 C (conditional use) denotes a land use which requires approval of a conditional use permit.
 N (non-permitted use) denotes a land use which is not permitted.

NOTE: All uses are subject to compliance with the general regulations and performance standards contained within in Chapters 21.20 and 21.21.

LAND USE R30 CP C-1 C-2 C-3 RC M PM AP

A. AGRICULTURE & ANIMAL KEEPING

1. Animal hospitals, veterinary clinics (includes overnight boarding as an accessory use).....	N	N	N	C	C	N	C	N	N
2. Animal Keeping:									
a. Bee keeping.....	N	N	N	N	N	N	N	N	N
b. Cattle & horse grazing.....	N	N	N	N	N	P	N	N	P
c. Commercial poultry, goat, rabbit farms and dairies.....	N	N	N	N	N	N	N	N	N
d. Hogs, pig keeping or farming.....	N	N	N	N	N	N	N	N	N
e. Exotic animals (other than dogs, cats, horses, cattle, sheep, pigs, poultry and rabbits).....	C	N	N	N	N	N	N	N	N
f. Horse, cattle, sheep keeping per section 21.20.100 (accessory to residential use).....	C	N	N	N	N	N	N	N	N
g. Horse ranches, stables, etc.....	N	N	N	N	N	N	N	N	N
h. Kennels, pet boarding.....	N	N	N	C	C	N	C	N	N
i. Poultry & rabbit keeping per section 8.04.150	P	N	N	N	N	N	N	N	N
j. Zoos (private).....	N	N	N	N	N	N	N	N	N
3. Crop processing & packaging (includes wineries; does not include food processing involving cooking or similar activities).....	N	N	N	N	C	N	C	C	P
4. Crop production (includes dry and irrigated farming, orchards, vineyards).....	C	N	N	N	N	P	N	N	P
5. Equestrian facilities (includes stables, riding, training and showing facilities).....	N	N	N	N	C	N	N	N	C
6. Feed lots, livestock auctions/sales yards.....	N	N	N	N	N	N	N	N	N
8. Outdoor sales of agricultural products:									
a. Year-round roadside produce stands and Certified Farmers Markets.....	N	N	N	C	C	C	C	C	C
b. Seasonal stands (including Christmas trees and pumpkins).....	P	P	P	P	P	P	P	P	P

B. RESIDENTIAL

1. Boardinghouse, roominghouse.....	C	N	N	N	N	N	N	N	N
2. Caretaker apartments and other residences in commercial and industrial zones:									
a. One per facility/business.....	P	P	P	P	P	P	P	P	N
b. More than one per facility/business...	C	C	C	C	C	C	C	C	N
3. Convalescent care facilities/nursing homes.....	C	N	N	N	N	N	N	N	N
4. Group homes (convents, monasteries, fraternities, sororities).....	C	N	N	N	N	N	N	N	N
5. Home occupation businesses conforming to regulations in Chapter 21.23.....	P	P	P	P	P	P	P	P	N

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LAND USE	R30	CP	C-1	C-2	C-3	RC	M	PM	AP
6. Mobile homes on individual lots:									
a. As permanent dwellings.....	N	N	N	N	N	N	N	N	N
b. As temporary caretaker units during construction of a permanent building..	P	P	P	P	P	P	P	P	P
7. Mobile home parks.....	N	N	N	N	N	N	N	N	N
8. Multiple family (2 or more residential units per lot as a primary land use).....	P	N	N	N	N	N	N	N	N
9. Residential care facilities (for elderly, handicapped, etc.):									
a. 5 and fewer residents.....	P	N	N	N	N	N	N	N	N
b. More than 6 residents.....	C	N	N	N	N	N	N	N	N
10. Single family (as a primary land use):									
a. Detached.....	P	N	N	N	N	N	N	N	N
b. Attached, condominiums, PUD/townhouse.....	C	N	N	N	N	N	N	N	N
c. Second units for related senior citizens.....	P*	N	N	N	N	N	N	N	N
d. Guest house without kitchen facilities.....	P*	N	N	N	N	N	N	N	N
* Not to be in addition to the maximum permissible density.									
C. INSTITUTIONAL, PUBLIC & QUASI-PUBLIC									
1. Cemeteries (including pet cemeteries)....	N	N	N	N	N	N	N	N	P*
* In Airport Clearzone only.									
2. Churches (including meeting halls & Sunday schools as accessory uses).....	C	N	C	C	C	N	C	N	N
3. Day care centers:									
a. 6 children or less.....	P	P	P	P	P	P	P	P	P
b. More than 6 children.....	C	C	C	C	C	C	C	C	C
4. Libraries, museums and art galleries (private).....	P	P	P	P	P	P	P	P	P
5. Convention centers (private).....	N	N	P	P	P	P	P	P	P
6. Public facilities (government offices, community centers, libraries, recreation buildings, equipment yards, etc.).....	C	P	P	P	P	P	P	P	P
7. Public parks, playgrounds, ballfields....	C	P	P	P	P	P	P	P	P
8. Public utilities facilities:									
a. Wells, pump stations, switching and relay boxes.....	P	P	P	P	P	P	P	P	P
b. Pipelines & power transmission lines..	P	P	P	P	P	P	P	P	P
c. Water tanks, electrical substations...	C	C	C	C	C	C	C	C	C
9. Retreat houses.....	N	N	N	N	N	N	N	N	N
10. Schools:									
a. Public, all levels.....	P	P	P	P	P	P	P	P	P
b. Private preschool - 12th grade.....	C	C	C	C	C	N	C	C	C
c. Business, trade, dance schools.....	N	N	P	P	P	P	P	P	P
11. Social halls, clubs, lodges, scouts and fraternal organizations.....	C	C	P	P	P	C	P	P	P
D. COMMUNICATIONS									
1. Broadcasting studios.....	N	N	P	P	P	P	P	P	P
2. Transmission & receiving stations (not including ham operators, private microwave and radio dispatch).....	N	N	C	C	C	C	C	C	C