City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE:	June 16, 2015
AGENDA DATE:	June 25, 2015
PROJECT:	New Zoning Ordinance (NZO) Draft Module #1: Use Regulations
TO:	Planning Commission
FROM:	Planning Division, (805) 564-5470 Danny Kato, Senior Planner Marck Aguilar, Project Planner

I. PURPOSE

The purpose of this hearing is to review the New Zoning Ordinance (NZO) draft Module #1: Use Regulations. The document is comprised of three "use" components: 1) base zone purposes and use regulations; 2) development standards for specific uses; and 3) use classifications.

The Use Classifications Chapter 28.53 beginning on page 54 will be a useful reference section as the Module is reviewed. Additionally, there is also a Use Correspondence Table beginning on page 63 that shows the correlation between Proposed Use Groups and Existing Uses.

The initial draft dated May 4, 2015 was reviewed by the NZO Joint Committee on May 11, 2015. The current revised draft reflects comments from that meeting, follow up comments received from the Committee Members and also staff comments as noted.

The purpose of the NZO Joint Committee and subsequent Community/Planning Commission review of the modules is for education and informal comment on choices being considered. The comments received on the modules will be used to inform and prepare the Administrative Draft Zoning Ordinance in late spring of next year.

Much of the content of the document consists of reorganization and clarification of language and regulations contained in our existing Zoning Ordinance. It includes new zone classification names, and allowed use tables, which would make it easier for the user to determine if a use is allowed by right, or whether a Performance Standard Permit or Conditional Use Permit is required.

Because much of the content is the same as the uses allowed in the existing Zoning Ordinance, and similar to the approach used for the NZO Committee review, discussion will be focused on new or changed uses, some of which deal directly with General Plan Policies and recommended implementation actions.

Although revisions have been made to Module #1 based on the NZO Committee recommendations, the same questions are posed to the Planning Commission as an initial basis for discussion and either affirmation or revision of the Committee's recommendations.

II. DISCUSSION

Staff identified and presented several issues to the NZO Joint Committee to focus the discussion during the time available while also leaving the discussion open ended for addition concerns or issues to be identified. A similar format is reflected below with the additional inclusion of summarized comments from the Joint Committee and staff.

In the discussion below, the proposed new zone names are utilized with the current names following in parentheses to help transition the references and smooth the discussion.

1. Industrial M-I Zone [Currently "M-1" Zone] (Module 1, page 18)

General Plan Policy LG8: *Preserve and encourage the long term integrity of light manufacturing uses.*

Possible GP Implementation Action to be Considered LG8.1: *Narrow Commercial Uses. Narrow the range of permitted commercial uses to ancillary types in the M-1 zone for protection of industrial/manufacturing and related land uses.*

Possible GP Implementation Action to be Considered EF15: *Protect Industrial Zoned Areas. Preserve the industrial zones as a resource for the service trades, product development companies, and other industrial businesses not precluding priority housing in the C-M, Commercial Manufacturing Zone.*

Possible GP Implementation Action to be Considered EF16: *Industrial Uses. Ensure that there is sufficient land available for industrial uses.*

The M-1, Light Manufacturing zone of the City is the least restrictive and allows all uses with the exception of residential (except for a small caretaker unit). The table beginning on page 19 shows all the uses to be allowed in the M-I, Manufacturing Industrial Zone (current M-1 zone).

Question to Joint Committee:
1. As M-C (C-M) zone properties potentially get redeveloped with Average Unit-Size Density (AUD) housing and other nonresidential uses, preserving land for light manufacturing, industrial uses will be very important. Should some of the general retail and/or office uses currently allowed in the M-I (M-1) zone be eliminated? If so, which uses? Please examine the commercial uses on the Land Use Regulations-Manufacturing Zones table (page 20) to consider which uses could be eliminated.

NZO Joint Committee: The NZO Joint Committee was asked to review the M-I allowed uses listed in the Land Use Regulations-Manufacturing Zones Table (Table 28.06.020) in the weeks following their May 11, 2015 meeting and provide staff with additional thoughts on the listed uses. Positions

range from preserving industrial uses through removal of many uses to keeping all existing allowed uses.

It was also suggested that M-I (M-1) parcels bordering the M-C (C-M) zone, mid-block between Haley and Gutierrez Streets and those adjacent to the C-G (C-2) parcels fronting Milpas Street, should retain the ability to have non-industrial uses and that this would help facilitate the intended multi-unit residential mixed use on the M-C (C-M) and C-G (C-2) parcels by reducing potential adjacent conflicts with M-I (M-1) parcels. This would also allow lot mergers to provide more efficient access and parking (versus only frontal access from Haley and Milpas Streets) and facilitate complimentary back to back horizontal mixed-use (e.g. office and residential). Eliminating office, retail and commercial uses from the M-I (M-1) zone could push those uses to the M-C (C-M) zone and reduce potential sites for residential uses.

Committee discussion acknowledged that removal of presently allowed uses would result in non-conforming development but, would be a step toward preserving more industrial type uses in the M-I Zone. Alternately, retaining presently allowed uses would continue to erode the only area available within the City that can accommodate industrial uses.

A clarification of "Caretaker Unit" in the M-I (M-1) zone was requested. Caretaker units are a special unit type not envisioned to be a single-unit residence but rather, serve more like an on-site manager for a storage facility.

Staff: Revised draft Module #1 reflects the Joint Committee recommendations.

2. Neighborhood Markets (Module 1, §28.32.330, page 47)

Possible GP Implementation Action to be Considered LG4.4: *Corner Stores/Small Neighborhood Centers. Amend the Zoning Ordinance to enable and ease establishment of limited neighborhood-serving commercial and mixed use in residential zones.*

While there are existing neighborhood markets in our R-2, Two-Unit Residential (currently R-2), R-M, Residential Multi-Unit (currently R-3) and RM-H, Residential Multi-Unit and Hotel (currently R-4) zones (see attachment); new neighborhood markets are currently not an allowed use in residential zones. Zoning Ordinance Chapter 28.87, General Provisions, allows limited improvements to nonconforming markets that were properly permitted as of September 1998. As reflected in the questions below, the NZO proposed to allow small neighborhood markets in residential single unit zones with a Conditional Use Permit and with a Performance Standard Permit in most less restrictive residential zones if certain development standards are met. It also proposed to require a CUP if alcohol sales was proposed.

Questions to Joint Committee:

2.a. Are the standards proposed in 28.32.330 (page 47) adequate?
2.b. Is the type of permit required in each zone classification appropriate?
2.c. Should a Conditional Use Permit should be required if alcohol sales are proposed in residential areas?

NZO Joint Committee: Split on whether neighborhood markets should be restricted to only corner parcels or, allowable on non-corner parcels. Indoor and outdoor seating acceptable. No support for neighborhood markets in the Residential, Single-Unit Zones, citing low residential density and that neighborhood markets might generate a significant rise in vehicle trips. The Committee discussed alcohol sales and settled on not requiring a CUP in that that process would a significant obstacle to most if not all proposals. Neighborhood markets in the R-2, Two-Unit Residential (currently R-2), R-M, Residential Multi-Unit (currently R-3) and RM-H, Residential Multi-Unit and Hotel (currently R-4) zones would be allowed with a Performance Standard Permit.

The Committee supported some deli/restaurant use provided that at least 50% of the floor area is utilized for retail sales. Distance separation between markets was a post meeting topic, with the suggestion to restrict Neighborhood Markets to one corner of an intersection rather than a discrete distance.

Staff:

- CUP requirement for alcohol sales removed.
- Neighborhood market use removed from Residential Single-Unit zones (the "RS" zones, currently A-1, A-2, E-1, E-2, E-3, R-1).
- Request Planning Commission discussion and determination on whether corner lots, non-corner/mid-block lots, or both should be viable neighborhood market locations.
- Concern for distance separation of markets without a discrete distance specified. A short, or "half block" street could potentially have a neighborhood market at each end. Staff suggests consideration of a specified distance separation.

3. Home Occupation Standards (Module 1, §28.32.180, page 38)

General Plan Policy LG10.1: *Provide viable live-work opportunities throughout the City.*

Possible GP Implementation Action to be Considered LG10.1: *Live Work. Create a live-work land use category, zoning designation, or standards to enable viable live work opportunities including standards for home occupation in residential zones that are consistent with building codes.*

Currently, home occupations as defined in our zoning ordinance are an allowed use. The NZO proposes to clarify the operational and performance standards required for a home occupation, as well as include a new process requiring a Zoning Affidavit to conduct a home occupation. The affidavit would serve as an opportunity to ensure that the resident(s) are informed of the limitations of the home occupation standards.

Question to Joint Committee:
3. Are the standards and process for home occupations adequate? If not, what should be added in order to preserve neighborhood character?

NZO Joint Committee: Discussed barber shop and beauty parlors as home businesses and generally agreed that a one-person hair cutting/styling home occupation could be acceptable. Suggested

changing the term "lodging." Expressed concern about the language specifying the allowance for "up to two commercial vehicles parked on site" in that it might imply or encourage that number.

Staff:
- Lodging/Hotels to be revisited pending the outcome of the vacation rentals ordinance.
- Removed subsection ("Commercial Vehicles and Attachments") specifying "up to two vehicles."

4. Mobile Food Vendors (Module 1, §28.32.260, page 44)

Currently, food vendors on *private property* are prohibited as they are classified as peddlers and are regulated under the City's Peddlers Ordinance SBMC Chapter 5.32. Staff frequently receives inquiries about the zoning rules that apply to food trucks that park on private property and sell food on a temporary basis. The module proposes new operational standards that would allow this use on private property. (Food trucks in the *street right of way* are regulated by the California Vehicle Code.)

Question to Joint Committee:
4. Should new zoning standards be established for mobile food vendors on private property? If so, are the proposed standards adequate?

NZO Joint Committee: Supportive of this new allowed use. Recommended removal of specific front setback and school buffer distances. Requested that staff explore methods to allow limited reduction of parking on site.

Staff: Standards revised in response.

5. Temporary Use Regulations (Module 1, §28.32.360, page 48)

Currently, seasonal holiday sales are regulated under SBMC 28.87.290. Staff also frequently receives requests for other temporary events throughout the City. Currently, there is no clear process or limitation on the frequency and conditions on such requests. The module proposes limitations and standards for events that a site could have in a year.

Question to Joint Committee:
5. Are the standards and limitations adequate?

NZO Joint Committee: General guidance to staff noting that successful temporary events are indicative of community support and efforts should be made to accommodate them. More events can be expected downtown as conversion to mixed use and residential proceeds over time. Develop standards addressing parking displacement by temporary uses.

Staff: This topic may have been presented prematurely. Temporary Uses are proposed to be allowed, subject to a new Temporary Use Permit and associated performance standards, and therefore are more appropriately addressed in Module #2: Development Standards and Module #3: Administrative Procedure.

6. Automobile Service Stations (Module 1, §28.32.100, page 32)

Currently, the M-C, Manufacturing Commercial (currently C-M) and M-I, Manufacturing Industrial (currently M-1) zones allow new automobile service stations, including a mini-market, without a Conditional Use Permit (CUP). All other zones require a CUP, and SBMC §28.94.030.V includes the conditions and standards that apply. SBMC §28.87.205 includes site development standards for automobile service stations that do not need a CUP. The consultant has combined both sections into one. Given the number of standards required, staff would like the NZO process to consider allowing automobile service stations including mini-markets in the C-N, Commercial Neighborhood zone (currently C-P zone) and C-G, Commercial General (currently C-2 zone) with a Performance Standard Permit (PSP) instead of a CUP.

A follow up comment from a Committee Member observed that driveway locations and landscaping should be evaluated with respect to possible negative impacts to on-site circulation around the pumps.

Question to Joint Committee:
6. Should the City allow a service station that meets the standards with a Performance Standard Permit in the C-R (currently C-P) and C-G (currently C-2) zones?

NZO Joint Committee: Supports and finds preferable the use of a Performance Standard Permit (PSP) to a Conditional Use Permit (CUP).

Staff: No changes made to the Automobile Service Stations section reviewed by the Committee. Transportation Division staff would continue to review development proposals with the goal of limiting conflicts and promoting safety.

7. Community and Market Gardens (Module 1, §28.32.120, page 34)

Possible GP Implementation Action to be Considered LG11.4:
Audit for Community Gardens. Conduct and audit to determine if the City owns land that could be used for community gardens and encourage voluntary private development of gardens.

Agriculture is currently allowed in the City's residential zones in compliance with certain standards. The General Plan calls for encouraging the development of community gardens on privately owned land.

The NZO includes a new use classification for Community and Market Gardens. The distinction is that Community Gardens do not involve on-site sales, and are proposed to be allowed in residential and nonresidential zones if certain standards are met. Market Gardens allow on site sales, and are proposed to be allowed by right in the C-N, Commercial Neighborhood (presently C-P), C-G, Commercial General (presently C-2), M-C, Manufacturing Commercial (presently C-M), and M-I, Manufacturing Industrial (presently M-1) zones, and also allowed with a Performance Standard

Permit in the O-R, Office Restricted (presently R-O) and O-M, Office Medical (presently C-O) zones.

Question to Joint Committee:

7. Are these appropriate uses and standards in the zone classifications proposed?

NZO Joint Committee: Recommended removal of the proposed 25,000 square feet size limitation. Suggested augmenting the standards for the operational plan to address odors, pests, herbicides and other operation facets.

Staff: Maximum size restriction removed. Module #2: Development Standards will include performance standards to address nuisances.

III. NEXT STEPS & TIMELINE

Planning Commission's direction on Module #1 will be incorporated, and the resulting document will be posted on the NZO website. The next step will be the preparation and review of Module #2: Development Standards, which will analyze current development standards and identify standards that need to be revised or rewritten to clarify intent, implement City goals and policies, correct deficiencies, or that are contradictory with other regulations. This will also consider the process and circumstances under which development standards may be waived or modified. Topics include, but are not limited to landscaping, parking, nonconforming provisions and performance standards. See Section A.2, 4, 6 and 7 of the document Zoning Standards to be Considered in the NZO Work Effort on the NZO website for a more complete list of topics.

NZO Joint Committee draft Module #2 Review	October 2015
Planning Commission draft Module #2 Review & 2 Public Workshops	November, 2015

Website

A website has been developed for this effort and can be found at www.SantaBarbaraCA.gov/NZO. The website includes information on upcoming meetings, reference materials associated with standards being reviewed, and an area to provide public comment. Relevant comments on zoning standards to be addressed will be considered and forwarded to decision makers prior to formulating any recommendations. Staff expects that once a consultant is hired, they will provide input on how best to engage the general public. **Staff encourages any public member that wishes to be noticed of future meetings associated with this effort to register on this website.**

Exhibits:

A. NZO Draft Module 1: Use Regulations (dated June 12, 2015)
B. Neighborhood Markets in R-2, R-3, R-4 Zones
C. Neighborhood Markets in Non-Residential Zones
D. NZO Joint Committee of May 11, 2015 – Staff Notes
E. M-I and M-C Uses Map

City of Santa Barbara

New Zoning Ordinance Module 1: Use Regulations

June 12, 2015

Draft for Planning Commission Review

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EXHIBIT A

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Introduction

This module proposes a set of base zone purpose statements, use regulations, and use classifications for Santa Barbara's New Zoning Ordinance (NZO), based on an analysis of existing provisions, the Issues and Options paper, General Plan, and comments from City staff, Planning Commission, NZO Joint Committee, and stakeholders. The goal of the proposed provisions is to create a user-friendly set of use regulations that clearly establishes allowable uses and standards for specific uses in each zone.

There are three 'use' components of the Santa Barbara Zoning Ordinance that are addressed in this module: 1) base zone purposes and use regulations; 2) development standards for specific uses; and 3) use classifications. Each component is organized in the manner it is anticipated to be organized in the final Ordinance. Placeholders are included for sections of the Ordinance that are not part of the NZO effort for informational purposes. These sections are not part of the NZO module but will be incorporated into the final Ordinance.

BASE ZONES

The existing ordinance has 23 distinct base zones that establish the types of uses and intensity of development for each area of the City.

The current zone names do not always provide information regarding the purpose and nature of the zone. For example, the "E-2" zone is a single-family residential zone with a minimum lot size of 10,000 square feet. There is no identification of what the "E" or the "2" stand for. The medical office zone is represented as "C-O". It is assumed that the "O" stands for office, but it is unclear what the "C" stands for. The current zone names are proposed to be updated to provide context of the character of each zone. For example, each single-family residential zone could be renamed as "RS." In residential single-family districts, suffixed numbers can differentiate zones by minimum lot size. This approach is a renaming of zones and does not rezone property. The following table lists the current and proposed base zone district names. Current base zone district names are also shown in parenthesis in each of the land use regulation tables in subsequent sections of this document.

PROPOSED ZONE CLASSIFICATIONS			
Proposed Zone		*Existing Zone*	
Base Zones			
Residential Zones			
RS-1A	Residential Single Unit, 1 acre minimum lot size	A-1	One-Family Residence Zones
RS-25	Residential Single Unit, 25,000 square foot minimum lot size	A-2	
RS-15	Residential Single Unit, 15,000 square foot minimum lot size	E-1	
RS-10	Residential Single Unit, 10,000 square foot minimum lot size	E-2	
RS-7.5	Residential Single Unit, 7,500 square foot minimum lot size	E-3	
RS-6	Residential Single Unit, 6,000 square foot minimum lot size	R-1	
R-2	Two-Unit Residential	R-2	Two-Family Residence
R-M	Residential Multi-Unit	R-3	Limited Multiple-Family Residence
RM-H	Residential Multi-Unit and Hotel	R-4	Hotel-Motel-Multiple Residence
Commercial and Office Zones			
O-R	Office Restricted	R-O	Restricted Office
O-M	Office Medical	C-O	Medical Office
C-R	Commercial Restricted	C-P	Restricted Commercial
C-G	Commercial General	C-2	Commercial
Manufacturing Zones			
M-C	Manufacturing Commercial	C-M	Commercial Manufacturing
M-I	Manufacturing Industrial	M-1	Light Manufacturing
Coastal-Commercial Related Zones			
C-L (coastal)	Commercial Limited	C-1	Limited Commercial
HRC-1	Hotel and Restaurant	HRC-1	Hotel and Related Commerce
HRC-2	Hotel and Visitor-Serving Commercial	HRC-2	Hotel and Related Commerce
H-C	Harbor Commercial	HC	Harbor Commercial
O-C	Ocean-Oriented Commercial	OC	Ocean-Oriented Commercial
OM-I	Ocean-Oriented Manufacturing Industrial	OM-1	Ocean-Oriented Light Manufacturing
Park and Recreation Zone			
P-R	Park and Recreation	PR	Park and Recreation Zone

Comment [m1]: STAFF COMMENT: When reviewed by the JOINT CMTE, this proposed zone name was "C-N, Commercial Neighborhood." It has evolved to "C-R, Commercial Restricted" to more consistent with the overall nomenclature.

Purpose Statements

Purpose statements provide a link between the General Plan's policies and the regulations the City employs to implement them. In the NZO, purpose statements will be located at the beginning of each set of zone standards to clarify the overall purpose of the zone as well as the more specific intent of each sub-zone. Purpose statements explain, in general language, the way the zone is intended to be used and how it fits into the City's land use policy. These statements serve as a guide for administration of zone regulations, and can provide a basis for the findings required for review and action on discretionary permits.

Zone Use Regulations

The classification of land uses described below establishes the basis for regulation. The critical components of implementation, however, are the specific rules that govern the land uses in each zone. The regulation of permitted uses within a zone should be consistent with the policies of the General Plan and the purposes of the zone.

In the current ordinance, allowable uses in each zone build upon a less restrictive zone. This is called "cumulative zoning" or "pyramid zoning" and is a rather old-fashioned approach, not reflective of best practices. Further complicating the determination of allowed uses, each zone also includes a list of permitted uses and refers to other sections of the ordinance for other uses that are allowed pursuant to approval of a Performance Standard Permit or Condition Use Permit. Further, zones are located in their own chapter, preventing the review and comparison of related zones and making it clunky for one to understand the requirements.

In the NZO, use regulations for each zone are proposed to be arranged in tables with cross-references to other applicable regulations to present information in a logical, consistent, and easily navigable format. The use regulations for multiple zones are presented side-by-side to facilitate comparisons between similar zones and to ease user navigation. Generally, the existing use regulations have been retained.

STANDARDS FOR SPECIFIC USES

This chapter contains standards for specific uses and activities. These requirements are supplemental regulations that apply to specific uses and activities in some or all districts in addition to any other requirements and conditions applicable to the uses and with little or no variation between districts. The proposed regulations are derived from a variety of sources, primarily chapters 28.87 (General Provisions), 28.93 (Performance Standard Permits), and 28.94 (Conditional Use Permits).

Supplemental regulations are proposed for the following uses. Notable proposed new standards and changes to existing standards are identified for each.

- **Accessory Uses.** Clarifies what an accessory use is and when an accessory use is allowed.

- **Additional Dwelling Unit.** Incorporates existing standards from Section 28.93.030.E. and current practices.
- **Agriculture.** Incorporates existing standards from Section 28.15.030.H.
- **Automated Teller Machines.** Incorporates existing standards from Section 28.87.280.
- **Automobile Service Stations.** Incorporates existing standards from Sections 28.87.205 and 28.94.030.V.
- **Banks and Financial Institutions in the O-M Zone.** Incorporates existing standards from Sections 28.87.205 and 28.94.030.U.
- **Community and Market Gardens.** This new section includes regulations appropriate for the management and operation of Community and Market Gardens to encourage local food production and promote access to healthy foods.
- **Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices.** Incorporates existing standards from Section 28.93.030.B and 28.94.030.R.
- **Day Care Centers.** Incorporates existing standards from Section 28.94.030.H.
- **Drive Through Facility.** Incorporates existing standards from Section 28.87.240.
- **Garden Apartment Developments.** Incorporates existing standards from Chapter 28.30.
- **Home Occupation.** This new section includes standards based on the definition of Home Occupations in Section 28.04.385 and updates to ensure home occupations are consistent with building codes, as described in Implementation Action LG10.1 of the General Plan. It also includes provisions for compliance with state law regarding cottage food.
- **Horse Keeping.** Incorporates existing standards from Section 28.15.030.B.
- **Hotels and Extended Stay Hotels.** Incorporates existing standards from Sections 28.21.030 and 28.94.030.BB.
- **Large Family Day Care Homes.** Incorporates existing standards from Section 28.93.030.A.
- **Live-Work Units.** The purpose of this section is to provide viable live-work opportunities throughout the City. This new section addresses the requirements associated with live-work units in specifies zones (e.g., O-C or M-C) as determined appropriate by the City, in accordance with Implementation Action LG10.2 of the General Plan.
- **Mobile Food Vendors.** This new section is added to define the appropriate use of mobile vendors, including location, and development and operating standards.

- **Outdoor Tennis Clubs and Lawn Bowling Clubs.** Incorporates existing standards from Section 28.94.030.E.
- **Public Works and Utilities.** Incorporates existing standards from Sections 28.15.030.I, 28.93.030.C, 28.93.030.D, and 28.94.030.W.
- **Retail Sales, Neighborhood Market.** This new section is added to recognize existing corner stores in residential areas and allow new ones where compatible with and complimentary to the surrounding area.
- **Transitional and Supportive Housing.** This new section is included for compliance with state law.

USE CLASSIFICATIONS

The existing ordinance contains exhaustive lists of permitted uses and references multiple other zones and ordinance sections for additional use allowances. The sheer size of these sections is an obstacle to usability, and requires a considerable amount of time to locate needed information. Although the intent of this system may have been to provide a great deal of certainty regarding allowed development, the outcome is at times the opposite.

To avoid ambiguity, the Ordinance must be amended frequently, or interpretations need to be made, to accommodate new and changing uses; these repeated adjustments are a symptom of an overly rigid classification system. Many jurisdictions have adopted a more flexible system for use regulation to accommodate new development and minimize the need for such interpretations and amendments. Typically, this strategy includes the formulation of "use groups" that classify all land uses and activities according to common characteristics. For example, the Zoning Ordinance currently lists many types of sales separately, including bookstores, stationery stores, jewelry stores, shoe stores, clothing stores, among others. A use group system would consolidate all of these types of sales into one category—retail sales—because they share common physical requirements and play a similar role within neighborhoods.

Instead of employing comprehensive lists of every allowed use in a zone, the use classifications proposed in this module consolidate the items into a modern classification system which places land uses and activities into groups based on common function, product, or physical characteristics. The groups are designed to be broad enough to allow classification of new, unanticipated uses, to reduce confusion and the need to amend this section of the ordinance or make interpretations.

In circumstances where the City has historically used or where a specific use type warrants, more fine-tuned regulation, additional subcategories of standard uses have been proposed. These include different subcategories for automobile/vehicle sales and servicing.

The new streamlined use classifications will accomplish two main objectives:

- **Use of Plain English.** The use classifications have names that a layperson can understand and recognize. For instance, automobile sales and services are all grouped together in an identifiable use category.
- **Hierarchy of Uses.** Use classifications have been grouped into broader categories to facilitate understanding and regulation. For example, the following categories and sub-categories aid in identifying particular groups of uses:

  Automobile Sales and Service:

  Automobile Rentals

  Automobile/Vehicle Sales and Leasing

  Minor Service and Repair

  Service Station

  Washing

  Eating and Drinking Establishments:

  Bars/Night Clubs/Lounges

  Food and Beverage Tasting

  Full Service

  Convenience

The objective of the classification system is to categorize uses in a way that makes it easier to determine whether a particular type of use is appropriate for the zone given the policies of the General Plan and the stated purpose of the zone. The intensity of the use will be regulated by development standards.

USE CORRESPONDENCE TABLE

The Use Correspondence Table relates proposed use classifications to existing uses. The table is organized according to the proposed use classification scheme described in the Use Classifications section of this paper, with uses grouped according to type (residential, commercial, etc.), along with the existing uses to which they correspond.

Zone District Purpose Statements and Use Regulations

Chapter 28.04 Residential Zones

28.04.010 Purpose

The specific purposes of the Residential Zones are to:

A. Preserve, protect, and enhance the character of the City's different residential neighborhoods.

B. Provide for a full range of housing options to suit the spectrum of individual lifestyles and space needs and ensure continued availability of the range of housing opportunities necessary to meet the needs of all segments of the community consistent with the General Plan.

C. Ensure adequate light, air, and open space for each dwelling, enhance livability, and develop and sustain a suitable residential environment.

D. Ensure that the scale and design of new development and alterations to existing structures are compatible with the scale, mass, and character of their neighborhoods.

E. Provide sites for public, semi-public, and neighborhood serving land uses that are appropriate in a residential environment, such as day care, schools, and community facilities that provide goods and services to support daily life within walking distance of neighborhoods and complement surrounding residential development.

F. Implement and provide appropriate regulations for General Plan classifications of Low Density Residential, Medium Density Residential, Medium High Density Residential, and High Density Residential.

Additional purposes of each Residential Zone follow.

RS Residential Single Unit. This zone is intended to provide areas for single-unit housing on individual lots at appropriate low densities of one unit per legal lot with allowances for a secondary dwelling unit when certain standards are met. Designators (e.g. -25, -15) refer to minimum lot size in thousands of square feet or, in the case of RS-1A, acres.

R-2 Two-Unit Residential. This zone is intended to provide areas for medium-density residential where the principal use of land is for two-unit dwellings. Single-unit dwellings and garden apartment developments are also allowed.

R-M Residential Multi-Unit. This zone is intended to provide areas for a variety of multi-unit housing types.

Comment [m2]: LODGE: Revise this statement to strengthen the protection.

STAFF COMMENT: Additional phrasing added beginning with, "…enhance…"

RM-H Residential Multi-Unit and Hotel. This zone is intended to provide areas for a variety of multi-unit housing types. It is also the intent of this zone to allow hotels and similar establishments, including related restaurant, recreational, conference center, and other auxiliary uses primarily for use by hotel guests, while protecting the existing housing stock, and to preserve the residential character of those neighborhoods which are still primarily residential.

28.04.020 Land Use Regulations

Table 28.04.020 prescribes the land use regulations for Residential Zones.

Use classifications are defined in Chapter 28.53, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are prohibited.

The table also notes additional use regulations that apply to various uses. Numbers in parentheses refer to specific limitations listed at the end of the table. Section numbers in the right hand column refer to other sections of this Ordinance.

TABLE 28.04.020: LAND USE REGULATIONS-RESIDENTIAL ZONES

"A" Allowed Use — *"-" Use Not Allowed*
"PSP" Performance Standard Permit Required — *"(#)" Specific Limitations at the end of the table*
"CUP" Conditional Use Permit Required

Use Classification (Current Zone names in parentheses)	*RS (A-1, A-2, E-1, E-2, E-3, R-1)*	*R-2 (R-2)*	*R-M (R-M)*	*RM-H (RM-H)*	*Additional Regulations*
Residential Uses					
Residential Housing Types					
Single-Unit Dwelling	A	A	A	A	
Duplex	-	A	A	A	
Multi-Unit Residential	-	-	A	A	
Special Unit Types					
Garden Apartment	-	CUP	-	-	§Garden Apartment Developments
Secondary Dwelling Unit	A	-	-	-	§Secondary Dwelling Unit
Additional Dwelling Unit	PSP	-	-	-	§Additional Dwelling Unit
Accessory Dwelling Unit	-	A	-	-	§Accessory Dwelling Unit
Affordable Efficiency Dwelling Units	-	-	A	A	§Affordable Efficiency Dwelling Unit

TABLE 28.04.020: LAND USE REGULATIONS-RESIDENTIAL ZONES					
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*		*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*			
Use Classification *(Current Zone names in parentheses)*	*RS (A-1, A-2, E-1, E-2, E-3, R-1)*	*R-2 (R-2)*	*R-M (R-M)*	*RM-H (RM-H)*	*Additional Regulations*
Home Occupations	A	A	A	A	§Home Occupation
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices					
6 or fewer individuals	A	A	A	A	§Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
7 to 12 individuals	PSP	PSP	PSP	PSP	
More than 12 individuals	CUP	CUP	CUP	CUP	
Family Day Care					
Small	A	A	A	A	
Large	PSP	PSP	PSP	PSP	§Large Family Day Care Homes
Group Residential	CUP(5)	CUP	CUP	CUP	
Mobilehome	A(2)	A(2)	A(2)	A(2)	§Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use
Mobilehome Park	CUP(2)	CUP(2)	CUP(2)	CUP(2)	§Mobilehome and Permanent Recreational Vehicle Parks
Supportive Housing	§Transitional and Supportive Housing				
Transitional Housing	§Transitional and Supportive Housing				
Public and Semi-Public Uses (7)					
Cemetery	CUP	CUP	CUP	CUP	
Community Assembly	CUP	CUP	CUP	CUP	
Community Garden	A	A	A	A	§Community and Market Gardens
Cultural Institution	CUP	CUP	CUP	CUP	
Day Care Centers	CUP	CUP	CUP	CUP	§Day Care Centers
Hospitals and Clinics	-	-	-	CUP	
Public Facilities	CUP	CUP	CUP	CUP	
Recreational Vehicle Park					
Overnight	-	-	-	CUP	§Overnight Recreational Vehicle Parks
Permanent	CUP(2)	CUP(2)	CUP(2)	CUP(2)	§Mobilehome and Permanent Recreational Vehicle Parks

Comment [m3]: STAFF COMMENT: Development standards for Group Residential to be developed in Module #2: Development Standards

TABLE 28.04.020: LAND USE REGULATIONS-RESIDENTIAL ZONES					
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*		*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*			
Use Classification *(Current Zone names in parentheses)*	*RS (A-1, A-2, E-1, E-2, E-3, R-1)*	*R-2 (R-2)*	*R-M (R-M)*	*RM-H (RM-H)*	*Additional Regulations*
Schools	CUP	CUP	CUP	CUP	
Skilled Nursing Facility	-	-	-	CUP	
Social Service Facilities	CUP(6)	CUP(6)	CUP(6)	CUP(6)	
Commercial Uses					
Agriculture	A	A	A	A	§Agriculture
Commercial Entertainment and Recreation					
Small-scale	CUP(1)	CUP(1)	CUP(1)	CUP(1)	§Outdoor Tennis Clubs and Lawn Bowling Clubs
Large-scale	CUP(3)	CUP(3)	CUP(3)	CUP(3)	
Eating and Drinking Establishments	-	-	-	CUP(4)	
Hotels and Extended Stay Hotels	-	-	CUP	A	§Hotels and Extended Stay Hotels
Parking, Public or Private (Non-residential)	CUP	CUP	CUP	CUP	
Retail Sales, Neighborhood Market	~~CUP~~	PSP/ ~~CUP(8)~~	PSP/ ~~CUP(8)~~	PSP/ ~~CUP(8)~~	§Retail Sales, Neighborhood Market
Transportation, Communication, and Utilities Uses					
Telecommunications Facilities	§Telecommunications Facilities				
Public Works and Utilities	§Public Works and Utilities				
Other Applicable Types					
Accessory Uses and Structures	A	A	A	A	§Accessory Uses and Structures
Animal Keeping	A	A	A	A	§Horse Keeping and SBMC 6.08, Care and Keeping of Animals
Interim Use	CUP	CUP	CUP	CUP	§Interim Use
Nonconforming Use	§Nonconforming Use				
Temporary Use	§Temporary Use				

Comment [m4]: NZO CMTE: 1) Remove Neighborhood Markets from RS zones & 2) Remove CUP requirement for alcohol sales in the other zones.

TABLE 28.04.020: LAND USE REGULATIONS-RESIDENTIAL ZONES

"A" Allowed Use *"-" Use Not Allowed*
"PSP" Performance Standard Permit Required *"(#)" Specific Limitations at the end of the table*
"CUP" Conditional Use Permit Required

Use Classification *(Current Zone names in parentheses)*	*RS (A-1, A-2, E-1, E-2, E-3, R-1)*	*R-2 (R-2)*	*R-M (R-M)*	*RM-H (RM-H)*	*Additional Regulations*

Specific Limitations

1. Limited to outdoor tennis clubs and lawn bowling clubs.
2. Not allowed in a landmark district and not allowed within a high fire hazard zone unless designed to meet high fire standards.
3. Limited to golf courses and driving ranges. Miniature golf is not allowed.
4. There shall be a minimum of 100 established hotel-motel guest rooms within 500 feet of the boundary of the restaurant site or as allowed pursuant to §Hotels and Extended Stay Hotels. The 100 guest rooms may be used to support any number of restaurants.
5. Limited to convents and monasteries.
6. Must be located a minimum 300 feet from any other social service facility or emergency shelter.
7. Other public or quasi-public facilities not specifically permitted may be allowed in any zone pursuant to Conditional Use Permit approval.
8. ~~Conditional Use Permit required for alcohol sales.~~

Comment [m5]: NZO CMTE: Remove CUP requirement for alcohol sales.

Chapter 28.05 Commercial and Office Zones

28.05.010 Purpose

The specific purposes of the Commercial and Office Zones are to:

A. Provide for the orderly, well-planned, and balanced development of commercial, office, and residential areas.

B. Encourage a mix of uses that promotes convenience, economic vitality, fiscal stability, and a pleasant quality of life.

C. Provide for a full range of commercial, retail, and professional services to serve the city, its residents, employees, and visitors.

D. Promote pedestrian- and transit-oriented mixed-use areas at appropriate locations.

E. Provide appropriate transition between commercial and office uses and adjacent residential zones to preserve commercial feasibility and provide a desirable living environment by preserving and protecting surrounding residential land uses in terms of light, air, and existing visual amenities.

F. Implement and provide appropriate regulations for General Plan classifications of Commercial/Medium High Residential, Commercial/High Residential, Office/Medium Density Residential, Office/Medium High Residential, and Office/High Residential.

Additional purposes of each Commercial and Office Zone follow.

O-R Office Restricted. The O-R zone is intended to provide sites for administrative, financial, business, professional, and public offices as well as a mix of complementary uses. This zone is a transitional zone between major commercial zones and residential zones.

O-M Office Medical. The O-M zone is intended to provide sites for medical, dental, and related professional offices, complementary uses, and residential development near a major medical facility.

C-R Commercial Restricted. The C-R zone is intended for pedestrian-oriented commercial development that primarily serves neighborhood needs such as convenience shopping and offices.

C-G Commercial General. The C-G zone is intended to serve as the City's major retail, professional, and service zone, with a human-scale and pedestrian-orientation at the street level.

28.05.020 Land Use Regulations

Table 28.05.020 prescribes the land use regulations for Commercial and Office Zones.

Use classifications are defined in Chapter 28.53, Use Classifications. In cases where a specific land use or activity is not defined, the Community Development Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are prohibited.

The table also notes additional use regulations that apply to various uses. Numbers in parentheses refer to specific limitations listed at the end of the table. Section numbers in the right hand column refer to other sections of this Ordinance.

TABLE 28.05.020: LAND USE REGULATIONS-COMMERCIAL AND OFFICE ZONES

"A" Allowed Use
"PSP" Performance Standard Permit Required
"CUP" Conditional Use Permit Required
"-" Use Not Allowed
"(#)" Specific Limitations at the end of the table

Use Classification	*O-R (R-O)*	*O-M (C-O)*	*C-R (C-P)*	*C-G (C-2)*	*Additional Regulations*
Residential Uses					
Residential Housing Types					
Single-Unit Dwelling	A	A	A	A	
Duplex	A	A	A	A	
Multi-Unit Residential	A	A	A	A	
Home Occupations	A	A	A	A	§Home Occupation
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices					
6 or fewer individuals	A	A	A	A	§Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
7 to 12 individuals	A	A	A	A	
More than 12 individuals	CUP	CUP	CUP	CUP	
Family Day Care					
Small	A	A	A	A	
Large	A	A	A	A	§Large Family Day Care Homes
Group Residential	-	-	PSP	A	
Mobilehome	A(2)	A(2)	A(2)	A(2)	§Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use
Mobilehome Park	CUP(2)	CUP(2)	CUP(2)	CUP(2)	§ Mobilehome and Permanent Recreational Vehicle Parks
Supportive Housing	§Transitional and Supportive Housing				
Transitional Housing	§Transitional and Supportive Housing				

Comment [m6]: LODGE: It may be more consistent with the nomenclature for this to be "C-R, Commercial Restricted" instead of "C-N, Commercial Neighborhood." It would parallel the "O-R, Office Restricted" zone name.
STAFF COMMENT: Concur.

TABLE 28.05.020: LAND USE REGULATIONS-COMMERCIAL AND OFFICE ZONES					
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*			*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*		
Use Classification	*O-R (R-O)*	*O-M (C-O)*	*C-R (C-P)*	*C-G (C-2)*	*Additional Regulations*
Public and Semi-Public Uses (15)					
Cemetery	CUP	CUP	CUP	A	
Colleges and Trade Schools	CUP	CUP	CUP	A	
Community Assembly	CUP	CUP	CUP	A	
Community Garden	A	A	A	A	§Community and Market Gardens
Cultural Institution	CUP	CUP	CUP	A	
Day Care Centers	CUP	CUP	A	A	§Day Care Centers
Hospitals and Clinics					
Hospitals	-	CUP	CUP	CUP	
Clinic	CUP	A	CUP	A	
Birth Centers	-	A	A	A	
Instructional Services	-	-	A	A	
Public Facilities	CUP	CUP	CUP	A	
Recreational Vehicle Park					
Overnight	-	-	CUP	CUP	§Overnight Recreational Vehicle Parks
Permanent	CUP(2)	CUP(2)	CUP(2)	CUP(2)	§Mobilehome and Permanent Recreational Vehicle Parks
Schools	CUP	CUP	CUP	A	
Skilled Nursing Facility	-	CUP	CUP	CUP	
Social Service Facilities	CUP(7)	CUP(7)	CUP(7)	CUP(7)	
Commercial Uses					
Adult Entertainment Facilities	-	-	-	A	§Adult Entertainment Facilities
Agriculture	A	A	A	A	§Agriculture
Animal Care, Sales and Services					
Animal Daycare	-	-	A(3)	A(3)	
Grooming and Pet Stores	-	-	A(3)	A(3)	
Veterinary Services	-	-	A	A	
Artists Studios	-	-	A(12)	A	
Automated Teller Machines	A	A	A	A	§Automated Teller Machines

Comment [m6]: LODGE: It may be more consistent with the nomenclature for this to be "C-R, Commercial Restricted" instead of "C-N, Commercial Neighborhood." It would parallel the "O-R, Office Restricted" zone name.

STAFF COMMENT: Concur.

TABLE 28.05.020: LAND USE REGULATIONS-COMMERCIAL AND OFFICE ZONES					
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*			*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*		
Use Classification	*O-R (R-O)*	*O-M (C-O)*	*C-R (C-P)*	*C-G (C-2)*	*Additional Regulations*
Automobile/Vehicle Sales and Services					
Automobile Rentals	-	-	A	A	
Automobile/Vehicle Sales and Leasing	-	-	-	A(8)	
Service and Repair, Minor	-	-	CUP	A	
Service Station	-	-	PSP(4)	PSP	§Automobile Service Stations
Washing	-	-	CUP	CUP	
Banks and Financial Institutions	A	A/PSP(9)	A	A	§Banks and Financial Institutions in the O-M Zone
Business Services	-	-	A	A	
Commercial Entertainment and Recreation					
Cinema/Theater	-	-	-	A	
Small-scale	-	-	CUP	A	
Large-scale	-	-	-	CUP	
Eating and Drinking Establishments	-	-	A	A	
Food Preparation	-	-	A(5)	A(6)	
Funeral Parlors and Interment Services	-	-	-	A	
Hotels and Extended Stay Hotels	CUP(11)	-	A	A	§Hotels and Extended Stay Hotels
Live-Work Units	A	A	A	A	
Maintenance and Repair Services	-	-	A	A	
Market Garden	PSP	PSP	A	A	§Community and Market Gardens
Medical Cannabis Dispensaries	PSP	PSP	PSP	PSP	§Medical Cannabis Dispensaries
Mobile Food Vendors	-	-	A	A	§Mobile Food Vendors
Nurseries and Garden Centers	-	-	A	A	
Offices					
Business and Professional	A	-	A	A	
Medical and Dental	A	A	A	A	

Comment [m6]: LODGE: It may be more consistent with the nomenclature for this to be "C-R, Commercial Restricted" instead of "C-N, Commercial Neighborhood." It would parallel the "O-R, Office Restricted" zone name.
STAFF COMMENT: Concur.

TABLE 28.05.020: LAND USE REGULATIONS-COMMERCIAL AND OFFICE ZONES					
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*			*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*		
Use Classification	*O-R (R-O)*	*O-M (C-O)*	*C-R (C-P)*	*C-G (C-2)*	*Additional Regulations*
Outdoor Sales and Display	-	-	A(16)	A	
Outdoor Seating	-	-	A(17)	A(17)	
Parking, Public or Private	A	A	A	A	
Personal Services	-	-	A	A	
Retail Sales					
Building Materials and Services	-	-	-	A	
Food and Beverage Retail Sales	-	-	A	A	
General Retail	-	A/PSP(10)	A(13)	A	§Medical Equipment Supply Stores
Neighborhood Market	PSP	PSP	PSP	PSP	§Retail Sales, Neighborhood Market
Industrial Uses					
Custom Manufacturing	-	-	-	A(1)	
Food and Beverage Manufacturing, Small Scale	-	-	A(1)	A(1)	
Household Hazardous Waste Collection Facility	-	-	A	A	
Research and Development	A	-	-	A	
Warehousing and Storage					
Personal Storage	-	-	-	A(14)	
Transportation, Communication, and Utilities Uses					
Telecommunications Facilities	§Telecommunications Facilities				
Transportation Passenger Terminals	-	-	-	PSP	
Public Works and Utilities	§Public Works and Utilities				
Other Applicable Types					
Accessory Uses and Structures	A	A	A	A	§Accessory Uses and Structures
Animal Keeping	A	A	A	A	§Horse Keeping and SBMC 6.08, Care and Keeping of Animals
Interim Use	CUP	CUP	CUP	CUP	§Interim Use
Nonconforming Use	§Nonconforming Use				
Temporary Use	§Temporary Use				

Comment [m6]: LODGE: It may be more consistent with the nomenclature for this to be "C-R, Commercial Restricted" instead of "C-N, Commercial Neighborhood." It would parallel the "O-R, Office Restricted" zone name.

STAFF COMMENT: Concur.

TABLE 28.05.020: LAND USE REGULATIONS-COMMERCIAL AND OFFICE ZONES

"A" Allowed Use *"-" Use Not Allowed*
"PSP" Performance Standard Permit Required *"(#)" Specific Limitations at the end of the table*
"CUP" Conditional Use Permit Required

Use Classification	*O-R (R-O)*	*O-M (C-O)*	*C-R (C-P)*	*C-G (C-2)*	*Additional Regulations*

Specific Limitations

1. Limited to no more than 10 employees engaged in manufacturing. Manufacturing activities are limited to those that are customarily incidental or essential to retail, wholesale, or service store or business and may occupy no more 25 percent of the floor area of the building in the C-R Zone and 50 percent in other zones. Meat and fish processing are not allowed.
2. Not allowed within a high fire hazard zone unless designed to meet high fire standards or a landmark district.
3. All activities shall be conducted within an enclosed building.
4. Limited to no more than six pump stations.
5. Limited to no more than 10 employees at any given time.
6. Limited to no more than 20 employees at any given time.
7. Must be located a minimum 300 feet from any other social service facility or emergency shelter.
8. Limited to sales of used automobiles. Either new or used motorcycles and mopeds are allowed.
9. Banks with 1,000 square feet of floor area or less are allowed. Banks with more than 1,000 square feet of floor area require Performance Standard Permit approval.
10. Limited to medical equipment supply stores. Medical equipment supply stores with 3,000 square feet of floor area or less are allowed. Medical equipment supply stores with more than 3,000 square feet of floor area require a Performance Standard Permit.
11. Limited to Bed and Breakfast Inns located in Structures of Merit or Landmarks pursuant to Chapter 22.22, Historic Structures, or in another structure on the same lot as a Structure of Merit or Landmark used as a Bed and Breakfast Inn.
12. No industrial or manufacturing uses are allowed.
13. Department and hardware stores are limited to no more than 10,000 square feet of floor area.
14. Individual storage compartments not to exceed 400 square feet in area.
15. Other public or quasi-public facilities not specifically permitted may be allowed in any zone pursuant to Conditional Use Permit approval.
16. Limited to Automobile Service Stations.
17. In conjunction with any establishment that serves or sells food and/or beverages ~~except Neighborhood Markets~~.

Comment [m6]: LODGE: It may be more consistent with the nomenclature for this to be "C-R, Commercial Restricted" instead of "C-N, Commercial Neighborhood." It would parallel the "O-R, Office Restricted" zone name.
STAFF COMMENT: Concur.

Comment [m7]: NZO CMTE: Delete per NZO Committee comments.

Chapter 28.06 Manufacturing Zones

28.06.010 Purpose

The specific purposes of the Manufacturing Zones are to:

A. Designate adequate land for manufacturing, research and development, and flexible commercial uses to strengthen the city's economic base and provide a range of employment opportunities for current and future population of the city and region.

B. Provide areas for a wide range of manufacturing, industrial processing, and service commercial uses and protect areas where such uses now exist.

C. Implement and provide appropriate regulations for General Plan classifications of Commercial Industrial/Medium High Residential and Industrial.

Additional purposes of each Manufacturing Zone follow.

M-C Manufacturing Commercial. The M-C zone is intended to accommodate a wide range of limited industrial, residential, retail service, office, and research and development uses.

M-I Manufacturing Industrial. The M-I zone is intended to provide area for a diverse range of industrial uses, including manufacturing and processing, research and development, fabrication, equipment and service yards, and wholesaling. Retail, office, and other nonresidential uses are also permitted.

Comment [m8]: CAMPANELLA: Consider allowing less intensive uses (e.g. general retail, or office) on peripheral M-1 parcels adjacent to M-C (CM) and C-G (C-2) zones. See Staff Report.

28.06.020 Land Use Regulations

Table 28.06.020 prescribes the land use regulations for Manufacturing Zones.

Use classifications are defined in Chapter 28.53, Use Classifications. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are prohibited.

The table also notes additional use regulations that apply to various uses. Numbers in parentheses refer to specific limitations listed at the end of the table. Section numbers in the right hand column refer to other sections of this Ordinance.

TABLE 28.06.020: LAND USE REGULATIONS-MANUFACTURING ZONES			
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*	*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*		
Use Classification	*M-C (C-M)*	*M-I (M-1)*	*Additional Regulations*
Residential Uses			
Residential Housing Types			
Single-Unit Dwelling	A	~~A(4)~~	
Duplex	A	-	
Multi-Unit Residential	A	-	
Special Unit Types	-	-	
Caretaker Unit	-	A(4)	
Home Occupations	A	-	§Home Occupation
Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices			
6 or fewer individuals	A	-	§Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices
7 to 12 individuals	A	-	
More than 12 individuals	CUP	-	
Family Day Care			
Small	A	-	
Large	A	-	§Large Family Day Care Homes
Group Residential	A		
Mobilehomes	A(2)	-	§Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use
Mobilehome Park	CUP(2)	-	§Mobilehome and Permanent Recreational Vehicle Parks
Supportive Housing	§Transitional and Supportive Housing		
Transitional Housing	§Transitional and Supportive Housing		
Public and Semi-Public Uses (6)			
Colleges and Trade Schools	A	A	
Community Assembly	A	A	
Community Garden	A	A	§Community and Market Gardens
Cultural Institution	A	A	
Day Care Centers	A	A	§Day Care Centers
Emergency Shelter	A	-	§Emergency Shelter

Comment [m9]: CAMPANELLA: Recommends no change to allowed uses in the M-I zone.

Comment [m10]: LODGE: Concerned with single unit dwelling in M-I zone.

STAFF COMMENT: "Caretaker Unit" is not envisioned to serve as a single unit residence type. It has been moved to the "Special Unit Types" use category.

Comment [m11]: LODGE: IN the M-I zone, eliminate all Public and Semi-Public Uses, with possible exception of Trade Schools

Comment [m12]: STAFF COMMENT: All uses proposed for removal from the M-I zone by NZO CMTE/CMTE MEMBERS shown in **RED TEXT.**

TABLE 28.06.020: LAND USE REGULATIONS-MANUFACTURING ZONES			
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*	*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*		
Use Classification	*M-C (C-M)*	*M-I (M-1)*	*Additional Regulations*
Hospitals and Clinics			
Hospitals	CUP	-	
Clinic	A	-	
Birth Centers	A	-	
Instructional Services	A	A	
Public Facilities	A	A	
Recreational Vehicle Park			
Overnight	CUP(2)	-	§Overnight Recreational Vehicle Parks
Permanent	CUP(2)	-	§Mobilehome and Permanent Recreational Vehicle Parks
Schools	A	CUP	
Skilled Nursing Facility	A	-	
Social Service Facilities	CUP(5)	CUP(5)	
Commercial Uses			
Adult Entertainment Facilities	A	A	§Adult Entertainment Facilities
Agriculture	A	A	§Agriculture
Animal Care, Sales and Services			
Animal Daycare	A(3)	A	
Grooming and Pet Stores	A	A	
Kennels	-	A	
Veterinary Services	A	A	
Artists Studios	A	A	
Automated Teller Machines	A	A	§Automated Teller Machines
Automobile/Vehicle Sales and Services			
Automobile Rentals	A	A	
Automobile/Vehicle Sales and Leasing	A(1)	A(1)	
Service and Repair, Minor	A	A	
Service Station	A	A	§Automobile Service Stations
Washing	A	A	
Banks and Financial Institutions	A	A	
Business Services	A	A	
Commercial Entertainment and Recreation			

Comment [m9]: CAMPANELLA: Recommends no change to allowed uses in the M-I zone.

Comment [b13]: LODGE: Remove schools from M-I except possibly for Trade Schools.

Comment [m14]: NZO CMTE: General agreement from Cmte to Not allow more stand-alone office or retail use in the central areas.

CAMPANELLA: Suggest allowing retail & office uses along the boundary of the M-I.

Comment [m15]: LODGE: M-I Zone. Remove uses listed between Adult Entertainment Facilities through Automated Teller Machines, inclusive.

Comment [b16]: STAFF COMMENT: Kennels are currently only permitted in the M-I Zone. If eliminated, they would not be allowed anywhere.

Comment [m17]: STAFF COMMENT: "Large/Commercial Vehicle," "Repair, Major" and "Towing and Impound" relocated from Commercial Use to Industrial Use category.

Comment [m18]: LODGE: M-I Zone. Remove Banks & Financial Institutions through Eating & Drinking Establishments, inclusive.

TABLE 28.06.020: LAND USE REGULATIONS-MANUFACTURING ZONES			
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*	*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*		
Use Classification	*M-C (C-M)*	*M-I (M-1)*	*Additional Regulations*
Cinema/Theater	A	A	
Small-scale	A	A	
Large-scale	CUP	CUP	
Eating and Drinking Establishments	A	A	
Food Preparation	A	A	
Funeral Parlors and Interment Services	A	A	
Hotels and Extended Stay Hotels	A	A	§Hotels and Extended Stay Hotels
Live-Work Units	A	-	§Live-Work Units
Maintenance and Repair Services	A	A	
Market Gardens	A	A	§Community and Market Gardens
Medical Cannabis Dispensaries	PSP	PSP	§Medical Cannabis Dispensaries
Mobile Food Vendors	A	A	§Mobile Food Vendors
Nurseries and Garden Centers	A	A	
Offices			
Business and Professional	A	A	
Medical and Dental	A	A	
Outdoor Sales and Display	A	A	
Outdoor Seating	A(7)	A(7)	
Parking, Public or Private	A	A	
Personal Services	A	A	
Retail Sales			
Building Materials and Services	A	A	
Food and Beverage Retail Sales	A	A	
General Retail	A	A	
Neighborhood Market	A	-	§Retail Sales, Neighborhood Market
Industrial Uses			
Automobile and Vehicle Repair, Major.	A	A	
Commercial Vehicle and Equipment Sales and Rental	A	A	
Construction and Materials Yard	A	A	
Custom Manufacturing	A	A	
Hazardous Waste Management Facility	CUP	CUP	§Hazardous Waste Management Facility

Comment [m9]: CAMPANELLA: Recommends no change to allowed uses in the M-I zone.

Comment [m19]: MURILLO: M-I Zone. Remove Eating & Drinking Establishments.

Comment [m20]: MURILLO & LODGE: M-I Zone. Remove Hotel uses.

Comment [m21]: MURILLO & LODGE: M-I Zone. Remove Office uses

TABLE 28.06.020: LAND USE REGULATIONS-MANUFACTURING ZONES			
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*	*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*		
Use Classification	*M-C (C-M)*	*M-I (M-1)*	*Additional Regulations*
			Overlay
Household Hazardous Waste Collection Facility	A	A	
Food and Beverage Manufacturing			
Small Scale	A	A	
Large Scale	-	A	
Industry, General	-	A	
Industry, Limited	A	A	
Recycling Collection Facility	A	A	
Research and Development	A	A	
Salvage and Wrecking	CUP	CUP	
Towing and Impound	A	A	
Warehousing and Storage			
Indoor	A	A	
Outdoor	-	A	
Personal Storage	A	A	
Wholesaling and Distribution	-	A	
Transportation, Communication, and Utilities Uses			
Freight and Truck Terminals	-	A	
Light Fleet Based Services	A	A	
Transportation Passenger Terminals	A	A	
Telecommunications Facilities	§Telecommunications Facilities		
Public Works and Utilities	§Public Works and Utilities		
Other Applicable Types			
Accessory Uses and Structures	A	A	§Accessory Uses and Structures
Animal Keeping	A	A	§Horse Keeping and SBMC 6.08, Care and Keeping of Animals
Interim Use	CUP	CUP	§Interim Use
Nonconforming Use	§Nonconforming Use		
Temporary Use	§Temporary Use		

Comment [m9]: CAMPANELLA: Recommends no change to allowed uses in the M-I zone.

Comment [m22]: LODGE: M-I Zone. Remove R&D uses.

Comment [b23]: STAFF COMMENT: Opinion differs: R&D may involve chemicals or noise generating equipment.

TABLE 28.06.020: LAND USE REGULATIONS-MANUFACTURING ZONES			
"A" Allowed Use *"PSP" Performance Standard Permit Required* *"CUP" Conditional Use Permit Required*	*"-" Use Not Allowed* *"(#)" Specific Limitations at the end of the table*		
Use Classification	*M-C (C-M)*	*M-I (M-1)*	*Additional Regulations*
Specific Limitations 1. Limited to sales of used automobiles. New or used motorcycles or mopeds are allowed. 2. Not allowed within a high fire hazard zone unless designed to meet high fire standards or a landmark district. 3. Outdoor activities may occur between the hours of 9:00 a.m. and 4:00 p.m. Activities at all other times shall be conducted within an enclosed building. 4. Limited to a caretaker unit of no more than 400 square feet of net floor area. 5. Must be located a minimum 300 feet from any other social service facility or emergency shelter. 6. Other public or quasi-public facilities not specifically permitted may be allowed in any zone pursuant to Conditional Use Permit approval. 7. In conjunction with any establishment that serves or sells food and/or beverages ~~except Neighborhood Markets~~.			

Comment [m9]: CAMPANELLA: Recommends no change to allowed uses in the M-I zone.

Comment [b24]: LODGE What is purpose and is it needed?

STAFF: See Staff Report

Comment [m25]: NZO CMTE: Delete per NZO Committee comments

Chapter 28.07 Coastal-Commercial Related Commercial Zones

Placeholder. *This chapter will include the zone classifications that are unique to the Coastal Overlay (S-D-3) Zone and are not in any other portion of the City. These zones include the Hotel and Related Commerce (HRC-1 and HRC-2), Ocean-Oriented Commercial (OC), Harbor Commercial (H-C), Ocean-Oriented Light Manufacturing (OM-1), and Limited Commercial (C-L) zones. Substantive changes will not be made to the provisions for these zones, though they will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

Chapter 28.08 Park and Recreation Zone

28.08.010 Purpose

The specific purposes of the Park and Recreation Zone are to:

A. Protect and preserve publicly owned park and beach lands for the benefit and enjoyment of present and future generations of resident and visitors.

B. Promote uses of park lands which are compatible with surrounding land uses and to encourage the protection of the City's open space through conservation and appropriate development.

C. Establish categories of park and recreation facilities and/or land and establish an appropriate system of review for proposed uses, improvements and/or development.

D. Maintain and protect neighborhoods that are adjacent to parks and recreation facilities, while providing for the appropriate types and/or intensity of land use of parks and recreation facilities, for the benefit of the community.

28.08.020 Park and Recreation Categories

A. **Designation of Parks By Category.** The City Council shall adopt a resolution that designates or assigns all City parks and recreation facilities to one of the categories listed in Subsection 28.08.020(B), Park and Recreation Categories. In addition, the resolution shall include an exhibit that summarizes review and approval procedures for park and recreation facility uses.

   1. ***Future Facilities.*** In the future, if a new facility is proposed to be designated or an existing facility assigned to another category, the Parks and Recreation Commission and Planning Commission shall make a recommendation on such a designation to the City Council. The City Council shall hold a noticed public hearing prior to making a decision on the proposed category designation and amending said resolution.

B. **Park and Recreation Categories.** The following categories of park and recreation facilities reflect the diversity of such facilities within the community. Parks and recreation facilities with similar use characteristics have been grouped into the following categories to establish an orderly system of inventory and allowed uses within the respective categories and to make property owners aware of the uses allowed in such nearby facilities.

   1. ***Undeveloped Parkland.*** The future use of these undeveloped parklands has not been determined. These are properties that the City owns that may or may not be appropriate for parks and/or recreation use.

   2. ***Open Space.*** This land is intended to be protected and managed as a natural environment with passive recreation usage and minimal development.

3. ***Passive Park.*** These are developed parks of natural, cultural or ornamental quality suited to passive outdoor recreation such as bird watching, walking and picnicking.
4. ***Neighborhood Park.*** These are small parks that typically serve a limited geographic area and nearby population.
5. ***Beach.*** These are areas that provide access to the ocean and sand areas for passive and active recreation.
6. ***Community Park.*** These multi-use parks are usually larger than Neighborhood Parks. These are parks where special, pre-arranged activities and special events and functions occur. These are specialized facilities that serve a concentrated or limited population or specific group from a wide geographic area of the City.
7. ***Sports Facilities.*** These are outdoor facilities where active recreational activities and organized sports and tournaments occur and which may include related buildings and parking areas.
8. ***Community Buildings.*** These are indoor facilities where active recreational activities and organized sports and tournaments, meetings and gatherings and other community oriented activities occur. Community Buildings may also include related parking and grounds.
9. ***Regional Park.*** These are facilities where major organized events occur that draw people from throughout the region. They may also include areas of diverse environmental, cultural, educational or scientific quality with a variety of opportunities for both passive and active recreation activities.

28.08.030 Use Regulations

Table 28.08.030 prescribes the uses and improvements allowed in the park and recreation categories defined in Section 28.08.020, Park and Recreation Categories. Additional use and improvement allowances follow the table.

In cases where a specific use or improvement is not defined, the Community Development Director shall determine if the improvement is allowed or whether the park or recreation facility would be required to move to another category. Uses and improvements not found to be substantially similar to those listed are prohibited.

Determinations as to whether a use or a change in the intensity of use is allowed in a particular park category and the appropriate review process shall be made by the Parks and Recreation Director.

TABLE 28.08.030: CATEGORIES OF PARKS AND RECREATION FACILITIES AND ALLOWED IMPROVEMENTS/USES

"A" Allowed with Parks and Recreation Staff Review
"PC" Planning Commission Review
"-" Not Allowed
"PRC" Parks and Recreation Commission Review, Public Hearing
"PRC-N" Parks and Recreation Commission Review, Noticed Public Hearing

Allowed Improvements/Uses	*Category Of Park*								
	Undeveloped	*Open Space*	*Passive Park*	*Neighborhood Park*	*Beach*	*Community Park (3)*	*Sports Facilities*	*Community Buildings*	*Regional Park (2, 3)*
Trails	A	A	A	A	A	A	A	-	A
Minor Buildings	-	PRC	PRC	PRC	PRC	PRC	PRC	PRC	PRC
Community Buildings (1)	-	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC
Meeting Rooms									
Small (≤ 75 people)	-	-	-	PRC	-	PRC	-	PRC	PRC
Large (>75 people)	-	-	-	-	-	PRC-N	-	PRC-N	PRC-N
Outdoor Game Areas and Informal Ball Fields and Courts	-	-	-	PRC	PRC	PRC	PRC	-	PRC
Formal Ball Fields and Courts	-	-	-	-		-	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC
Swimming Pools									
Wading	-	-	-	PRC-N/ PC	-	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC
Swimming	-	-	-	-	-	-	PRC-N/ PC	PRC-N/ PC	PRC-N/ PC
Playgrounds									
Small (Up to 4,000 SF)	-	-	-	PRC	PRC	PRC	PRC	-	PRC
Large (> 4,000 SF)	-	-	-	-	PRC-N	PRC-N	PRC-N	-	PRC-N
Picnic Areas									
Individual	A	A	A	A	A	A	A	-	A
Small Group (up to 4 tables together)	-	-	-	A	A	A	A	-	A
Large Group	-	-	-	-	PRC-N	PRC-N	PRC-N	-	PRC-N
Community Gardens	-	-	-	PRC-N	-	PRC-N	-	-	PRC-N
Child Care Centers	-	-	-	PRC-N	-	PRC-N	-	PRC-N	PRC-N
Carousels and similar amusements	-	-	-	-	-	PRC-N	-	-	PRC-N
Day Camps	-	A	A	A	A	A	A	A	A

TABLE 28.08.030: CATEGORIES OF PARKS AND RECREATION FACILITIES AND ALLOWED IMPROVEMENTS/USES

"A" Allowed with Parks and Recreation Staff Review
"PC" Planning Commission Review
"-" Not Allowed
"PRC" Parks and Recreation Commission Review, Public Hearing
"PRC-N" Parks and Recreation Commission Review, Noticed Public Hearing

Allowed Improvements/Uses	*Category Of Park*								
	Undeveloped	*Open Space*	*Passive Park*	*Neighborhood Park*	*Beach*	*Community Park (3)*	*Sports Facilities*	*Community Buildings*	*Regional Park (2, 3)*
Concessions	-	-	-	-	-	PRC-N	PRC-N	PRC-N	PRC-N
Parking Area									
Informal (not paved)	A	A	A	A	A	A	A	A	A
Small Formal (≤10 spaces)	-	PRC	PRC	PRC	PRC	PRC	PRC	PRC	PRC
Formal (> 10 spaces)	-	-	PRC-N	PRC-N	PRC-N	PRC-N	PRC-N	PRC-N	PRC-N
Lighting - General	-	PRC	PRC	PRC	PRC	PRC	PRC	PRC	PRC
Ball Field Lighting	-	-	-	-	-	-	PRC-N	-	PRC-N
Miscellaneous									
Artwork or Memorial	-	-	PRC	PRC	PRC	PRC	PRC	PRC	PRC
Shade Structure	-	-	PRC	PRC	PRC	PRC	PRC	PRC	PRC

Specific Limitations

1. A noticed public hearing shall be required for additions to or new community buildings that may have the potential to impact the surrounding neighborhood due to a change in the intensity of use resulting in traffic, noise or lighting impacts. Planning Commission review is also required.

2. Zoological gardens that are classified as a Regional Park are also allowed to include the following uses: animal exhibits/habitats and related animal care, medical and holding areas for animals, class rooms including indoor educational exhibit space, gift shops, restaurants, snack bars and administrative offices and service facilities related to zoological garden operations.

3. Outdoor performance areas, including band shells and amphitheaters, existing or approved prior to June 30, 1995, are allowed uses and may be maintained and improved without a Conditional Use Permit as long as no expansion in seating occurs and no improvements occur which allow amplified music where it did not previously exist. Future outdoor performance areas and expansions of existing ones may be allowed in Community and Regional Parks, subject to issuance of a Conditional Use Permit.

Chapter 28.32 Standards for Specific Uses and Activities

28.32.010 Purpose

The purpose of this chapter is to establish standards for specific uses and activities that are permitted or conditionally permitted in several or all zones. These provisions are supplemental standards and requirements to minimize effects of these uses and activities on surrounding properties and to protect the health, safety, and welfare of their occupants and of the general public.

28.32.020 Applicability

Each land use and activity covered by this chapter shall comply with the requirements of the section applicable to the specific use or activity, in addition to any applicable standard this ordinance requires in the zone where the use or activity is proposed and all other applicable provisions of this ordinance.

A. The uses that are subject to the standards in this chapter shall be located only where identified in this chapter or allowed by base, overlay, or specific plan zone use regulations.

B. The uses that are subject to the standards in this chapter are allowed only when authorized by the planning permit required by base zone regulations, such as a Conditional Use Permit, except where this chapter establishes a different planning permit requirement for a specific use.

28.32.030 Accessory Uses

An accessory use shall be secondary to a primary use and shall be allowed only in conjunction with a principal use or building to which it relates under the same regulations as the main use in any zone. Accessory uses and structures are also subject to the development and site regulations found in Chapter TBD, General Site Regulations.

28.32.040 Accessory Dwelling Unit

Placeholder. *Currently Section 28.18.075.E of the existing Zoning Ordinance. Substantive changes will not be made to these provisions. They will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

Comment [m26]: STAFF COMMENT: Placeholder since no substantive changes will be made to these provisions.

28.32.050 Additional Dwelling Unit

Comment [m27]: STAFF COMMENT: Additional language and formatting by staff after NZO Committee review.

Where a lot in an RS Zone has an area of more than the required lot area for that zone and adequate provisions for ingress and egress, a Performance Standard Permit may be granted

by the Staff Hearing Officer for the construction of additional one-family dwellings and allowable accessory buildings.

A. **Minimum Site Area.** The minimum site area per dwelling unit shall be the minimum lot area required for the base zone.

B. **Configuration.** Dwelling units shall be detached; a duplex configuration is not permitted.

C. **Setbacks and Building Separation.** The additional dwellings shall comply with the setback and building separation provisions of the base zone. However, the front yard is determined to end at the first main building on the lot.

D. **Open Yard.** Open yards in conformance with the open yard requirements of the base zone shall be met for each dwelling unit and shall be provided on site.

E. **Parking.** Required parking shall be provided for each dwelling unit. Eligibility for parking exceptions pursuant to Section TBD, Single Residential Unit or Group Home, is based on the Maximum Net Floor area for each dwelling unit rather than the lot.

F. **Accessory Buildings.** Each dwelling unit may have the maximum amount of accessory building floor area as permitted by the base zone; however the maximum accessory building floor area may not be combined to create one building larger than is permitted in the zone.

28.32.060 Adult Entertainment Facilities

Placeholder. *Currently Chapter 28.81 of the existing Zoning Ordinance. Substantive changes will not be made to these provisions. They will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

28.32.070 Affordable Efficiency Units

Affordable efficiency units shall be developed and operated in compliance with the following standards:

A. **Maximum Occupancy.** Occupancy is limited to no more than two persons who qualify as either very low or low income households at the time of their initial occupancy.

B. **Affordable Efficiency Dwelling Unit Minimum Floor Area.** Each unit shall contain not less than 150 square feet of usable floor area exclusive of floor area in the kitchen, bathroom, and closet.

28.32.080 Agriculture

Agricultural operations shall be located, developed, and operated in compliance with the following standards:

A. **Accessory Buildings.**

1. Accessory buildings for agricultural purposes shall not exceed 500 square feet in aggregate unless a Modification is granted pursuant to Section TBD, Modifications.
2. Accessory buildings used for agricultural purposes shall be located a minimum of 100 feet from any property line.
3. Accessory buildings used for agricultural purposes may be placed on a parcel without a main building.
4. Accessory buildings shall not be placed on ridgelines or in such a manner that the peak of the roof exceeds the ridgeline elevation by more than six feet.
5. Accessory buildings shall be placed outside of the 100-year floodplain of any creeks or drainages.
6. Building siding and roof colors shall be in earth or vegetation tones to minimize visibility unless otherwise approved by the Architectural Board of Review or the Historic Landmarks Commission.

B. **Storage Requirements.** All flammables, pesticides and fertilizers shall be stored in accordance with the regulations of the California Fire Code and Santa Barbara County Department of Health Services or successor agency. At a minimum, any area where such materials are stored shall have a continuous concrete floor and lip which is tall enough to contain 110 percent of the volume of all the materials stored in the area. No pesticides, chemical fertilizers or other hazardous materials shall be stored outside of buildings.

C. **Large Vehicles.** No vehicles in excess of five tons shall be kept, stored or parked on the property, except that such vehicles may be on the property as necessary for completion of grading performed in accordance with a grading permit issued by the City of Santa Barbara.

D. **Sanitation.** Sanitary facilities shall be provided for agricultural workers as required by the Santa Barbara County Division of Environmental Health and the California Occupational Safety and Health Administration.

E. **Water Meters.** All agricultural operations involving an area of one-half (1/2) acre or greater shall be placed on "Irrigation" water meters, as defined by authorization of Title 14 of this Code.

F. **Irrigation Systems.** All new or retrofitted agricultural irrigation systems for agricultural uses other than those carried out in greenhouses, shall be designed in accordance with the standards of the Soil Conservation Service for water conserving irrigation.

28.32.090 Automated Teller Machines

A. **Location.** Automated Teller Machines (ATMs) are not allowed on lots that are immediately adjacent to residentially zoned lots, where;

1. The ATM is within 100 feet of the residentially zoned lot, and either:

   a. Located on an exterior wall of a structure, which wall is visible from the adjacent residential lot, or

   b. Accessible through a door located on a building face visible from an adjacent residential lot which is open other than during normal hours of the business conducted in the building.

B. **Nonconforming ATMs; Amortization Period.** Any ATM existing on the effective date of the ordinance first enacting this section (Ord. 5072, 1998) and which is located as described in Subsection A shall be either removed, or moved to a location that conforms to the provisions of Subsection A within six years of the date of its original installation. During such six year period, such ATM must also comply with the following conditions:

1. Such ATM shall not be replaced, improved or upgraded during said period, and

2. Such ATM and associated security lighting shall not be operated between the hours of 10:00 p.m. and 7:00 a.m. daily.

3. An illuminated sign stating the hours of operation of the ATM shall be placed in a location visible to potential users of the ATM, subject to Santa Barbara Municipal Code Chapter 22.70, Sign Ordinance.

28.32.100 Automobile Service Stations

Automobile Service Stations shall be located, developed, and operated in compliance with the following standards:

A. **Lot Size/Frontage**. New Service Stations shall be located on a lot greater than 8,000 square feet in size with a minimum street frontage of 100 feet.

B. **Driveways**.

1. *New Establishments*. Driveway entrances shall be located a minimum of 20 feet from the curb return (beginning of curve) on corner lots.

2. *Existing Establishments*. Relocation of driveway entrances may be required to minimize interference with the movement and safety of vehicular and pedestrian traffic.

C. **Internal Circulation**. Where access from an internal circulation system of a shopping center or public parking area is available, direct street access to an automobile/vehicle service establishment may be prohibited or restricted.

D. **Screening**

1. ***Restrooms***. The entrance to all restrooms shall be screened from abutting properties by a decorative screen.

2. ***Lot Perimeters***. An ornamental masonry wall shall be provided along all property lines that abut property used or zoned for residential purposes.

   a. The wall shall be three feet high within 10 feet of the front property line, otherwise the wall shall be six feet high.

   b. A five foot wide planting area shall be provided along the interior side of the wall.

E. **Landscaping**. Landscaping shall be provided in accordance with the following. All landscaped areas shall be permanently maintained in compliance with Section TBD, Landscaping.

1. A 150 square foot planter area shall be provided at the corner of intersecting streets unless a building is located at the corner.

2. At least 10 percent of the area not covered by buildings on the parcel shall be landscaped.

3. A landscaped buffer with a minimum inside width of five feet shall be provided along all property lines. A minimum of one tree per five parking spaces shall be planted.

4. A landscaped planter with a minimum inside width of three feet shall be provided along the front and street side property lines, except for vehicular circulation openings.

5. Except where buildings abut planting areas, all planting areas shall be within planters bound by a physical barrier. The physical barrier shall be designed to allow stormwater runoff to pass through.

F. **Operations and Storage**.

1. Except in M-C and M-I Zones, all work shall be conducted within an enclosed building except pumping motor vehicle fluids, checking and supplementing various fluids, and mechanical inspection and adjustments not involving any disassembly.

2. All materials, products and merchandise shall be stored and displayed within an enclosed building.

3. No used or discarded automotive parts or equipment or visible junk or wrecked vehicles shall be located or stored outside a building.

4. Trash shall be stored in areas screened from public view by a fence with a minimum height of six feet. Trash shall not be stored or piled above the height of the fence.

G. **Review of Architecture and Landscaping**. The architecture of structures and landscaping of the site shall be reviewed and approved by the appropriate design

review board. The architectural theme shall be integrated into the design of all improvements of the site including canopies and fencing.

H. **Conditions of Approval.** If a PSP is required, conditions of approval may include limitations on operational characteristics of the use; restrictions on outdoor storage and display, location of pump islands, canopies, and service bay openings; and/or requirements for buffering, screening, lighting, planting areas, or other site elements, to avoid adverse impacts on adjacent lots or the surrounding area.

28.32.110 Banks and Financial Institutions in the O-M Zone

Banks and Financial Institutions are allowed in the O-M Zone to allow branch banks as a convenience to the medical community and neighborhood, so that there will be less traffic into the commercial areas for deposits, and as a cash source for patients in the area. It is not the intent to establish a banking community in the area. Banks and Financial Institutions with more than 1,000 square feet of floor area in the O-M Zone are subject to the following standards:

A. **Location.** Banks and Financial Institutions shall be located on a lot that is a minimum of 300 feet from a lot that contains another Bank or Financial Institution.

B. **Customer Area.** There shall not be more than 1,000 square feet of space accessible to customers for services.

C. **Drive-up Window Prohibited.** There shall be no drive-up window, but a walk-up window may be permitted.

D. **Signs.** The signing of the operation shall in a manner as to identify but not advertise, and to blend in with the neighborhood.

E. **Services.** Services are limited to deposits, check cashing, cashier and travelers checks, acceptance of loan applications, and night deposits. Loan applications processing and safety deposit boxes are not allowed.

28.32.120 Community and Market Gardens

Community and Market Gardens shall be located, developed, and operated in compliance with the following standards.

A. **Management.** A manager shall be designated for each garden who shall serve as liaison between gardeners, property owner(s), and the City.

B. ~~**Size.** Gardens are limited to 25,000 square feet.~~

C. **Hours of Operation.** Gardens shall only be tended between dawn and dusk.

D. **Buildings and Structures.** Accessory buildings, such as sheds, greenhouses, hoophouses, or farmstands shall comply with the development standards of the underlying zone. Market Garden structures that meet the definition of floor area as

Comment [m28]: WHITE: Incorporate development standards language for pesticides, pests, odors, noise, etc. Suggest a buffer area (setback?) for the operation so as to limit overspray of pesticides, overgrowth to adjacent property.

STAFF COMMENT: Restrictions are not required for backyard gardens or regular Agriculture uses. Would it be appropriate to make this *more* restrictive?

STAFF COMMENT: Module #2, Development Standards will include performance standards to generally address nuisances.

Comment [m29]: NZO CMTE: Opposed to size limitation.

defined in Section TBD, Floor Area *(currently Section 28.85.020.D)*, shall count as nonresidential floor area.

E. **Equipment.** Only household garden tools and equipment, applicators and products, may be used. This includes, but not limited to, soil preparation, cultivation, planting, application of chemicals, dust control, harvesting, etc. Pull behind equipment is prohibited.

F. **Operational Plan.** The applicant shall submit an operational plan to the Community Development Director that identifies roles and responsibilities, contact information, and operations.

G. **Maintenance.**

1. The operator shall be responsible for the overall maintenance of the site and shall remove weeds, debris, etc. in a timely manner.
2. Soil amendments, composting, and waste material shall be managed and shall not attract nuisance flies or support growth of flies.

H. **Sale of Produce.** Incidental sales on site may be permitted for Market Gardens only. Sales are limited to items that are grown on-site.

I. **Composting.** Composting is limited to the materials generated on-site and must be used on-site. Composting shall be located outside of required setbacks and shall be screened.

J. **Utilities**. The land shall be served by a water supply sufficient to support the cultivation practices used on the site.

K. **Restrooms.** If proposed, restrooms shall be connected to public utilities. Portable restrooms are not permitted.

28.32.130 Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices

Community care facilities, residential care facilities for the elderly, and hospices shall be developed, located, and operated in compliance with the following:

A. **Cooking Facilities.** Community care facilities, residential care facilities for the elderly, and hospices may contain modular cooking units and/or congregate dining facilities.

1. ***Modular Cooking Unit.*** The modular cooking unit shall contain no more than a two-burner stove, oven or microwave oven, single compartment sink, refrigerator, utensil drawer(s), and cabinet(s) in one detachable module. The modular cooking unit shall not be larger than 18 square feet. Dishwashers and garbage disposals shall not be allowed. The modular cooking unit shall not be located in a room separated from other living areas, but could be located in a small recessed opening off other living areas.

2. ***Congregate Dining Facility***. A congregate dining facility consisting of a room or rooms which contain suitable space for group dining to feed all the residents of the facility in one or two sittings, accessible to and for the primary use of the residents of a State licensed residential facility for the elderly or similar residential facility shall provide full meal service for the residents which shall include at least two meals per day for seven days per week.

3. ***Residential Unit***.

   a. In facilities that serve more than 12 individuals and include a congregate dining facility, living units may include modular cooking units without being counted as residential units.

   b. In facilities that serve more than 12 individuals, do not include a congregate dining facility, but do include kitchens in its living units, living units shall be counted as residential units.

B. **Recreational and Skilled Nursing Facilities.** Recreational facilities and skilled nursing facilities intended primarily for the residents may be allowed in connection with residential care facilities for the elderly, community care facilities or hospices serving more than 12 individuals provided that such uses are incidental and accessory thereto.

C. **Required Findings for Facilities in Residential Zones.** In approving a permit for community care facilities, residential care facilities for the elderly, and hospices serving seven or more individuals and located in a Residential Zone, the review authority shall make the following findings in addition to the findings required pursuant to Section TBD, Conditional Use Permits, or Section TBD, Performance Standards Permits, as applicable, and any other findings required by this Ordinance:

   1. The facility conforms to the extent feasible to the type, character and appearance of other residential units in the neighborhood in which it is located. This provision shall not restrict the installation of any special feature(s) necessary to serve residents with special needs (e.g., ramps, lifts, handrails).

   2. The intensity of use in terms of number of people, hours of major activities and other operational aspects of the proposed facility is compatible with any neighboring residential use.

28.32.140 Day Care Centers

Day Care Centers in Residential, O-R, and O-M zones are subject to the following standards:

A. **Location of Outdoor Activity Areas.** Outdoor activity areas shall be located in a manner that is compatible with the character of the surrounding area and that minimizes significant detrimental noise impacts to adjacent properties.

B. **Passenger Loading.** Facilities shall be provided for loading and unloading passengers, subject to the review and approval of the Planning Commission taking into consideration the recommendation of the Transportation Engineer.

28.32.150 Drive-Through Facility

New or expanded drive-through facilities are prohibited. Existing buildings or structures developed with a drive-through facility shall be a considered non-conforming use and are subject to standards and restrictions located in TBD, Non-Conforming Uses. Existing financial institution drive-through facilities may be replaced in kind with automated teller machines provided the number of drive-through lanes does not increase.

28.32.160 Emergency Shelter

Placeholder. *Currently Chapter 28.79 of the existing Zoning Ordinance. Substantive changes will not be made to these provisions. They will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

28.32.170 Garden Apartment Developments

Garden Apartment Developments in the R-2 Zone shall be located, developed, and used in compliance with the following.

A. **Purpose.** The purpose of this section is to provide greater flexibility in the development of residential properties in order to:

1. Provide greater amenities and open space.
2. Encourage creative approaches to the development of land and provide desirable spatial relationships between buildings and structures on the land than would be possible under strict adherence to development standards of the base zone.
3. Encourage the preservation and enhancement of natural beauty and the provision of landscaped open areas for visual and recreational enjoyment.

B. **Setbacks.**

1. ***Front Setback.*** There shall be a front setback of not less than 30 feet.
2. ***Interior Setback.*** There shall be interior setbacks of not less than 30 feet.

C. **Distance Between Buildings.** No main building shall be located closer to another main building less than one-half (1/2) the sum of the heights of both buildings, and in no case less than 15 feet.

D. **Lot Area Requirements.**

1. ***Required Site Area.*** Each garden apartment development shall be located on a site of not less than 25,000 square feet of net area.

2. ***Required Lot Area.*** There shall be a minimum of 3,000 square feet of lot area per dwelling unit.

E. **Units Per Building.** No building shall contain more than eight dwelling units.

F. **Required Findings.** In approving a Conditional Use Permit for a Garden Apartment Development, the Planning Commission shall make the following findings in addition to the findings required pursuant to Section TBD, Conditional Use Permits, and any other findings required by this Ordinance:

1. The design of the development provides for close visual and physical relationship between dwelling units.
2. Landscaped open areas dominate the site development and provide substantial usable areas for passive and/or active recreational use.
3. Public views of the site are provided a sense of landscaped, open areas. Parking areas and building masses do not dominate the public view of the site.

28.32.180 Home Occupation

A. **Purpose.** The purpose of this section is to:

1. Permit home occupations as an accessory use to a residence;
2. Allow residents to operate small businesses in their homes, under certain specified standards, conditions, and criteria;
3. Allow for "telecommuting" and reduced vehicle use;
4. Ensure that home occupations are compatible with, and do not have a adverse effect on adjacent and nearby residential properties and uses;
5. Ensure that public and private services, such as streets, sewers, or water or utility systems, are not burdened by the home occupation to the extent that usage exceeds that normally associated with residential use;
6. Allow cottage food operations consistent with State law (Sections 51035 et seq. of the Government Code and Sections 109947, 110050, 110460, 111955, 113789, 113851, 114021, 114023, 114390, 114405, and 114409, 113758, and 114088, and 114365 et seq. of the Health and Safety Code); and
7. Preserve the livability of residential areas and the general welfare of the community.

B. **Zoning Affidavit Required.** A Zoning Affidavit is required for each home occupation. A Zoning Affidavit to conduct a home occupation at a particular address is not transferable from one party to another, nor may the type of business be modified. A new Zoning Affidavit must be obtained for each new home occupation.

C. **Operational and Performance Standards.** Home occupations must be located and operated consistent with the following standards:

1. ***Residential Appearance.*** The residential appearance of the unit within which the home occupation is conducted shall be maintained, and no exterior indication of a home occupation is permitted.

2. ***Location.*** All home occupation activities shall be conducted entirely within the residential unit, or within a garage or accessory building that is reserved for, the residential unit. When conducted within a garage, the doors thereof shall be closed, and the area occupied shall not preclude the use of required parking spaces for parking.

3. ***Structural Alteration Limitation.*** ~~No dwelling shall be altered to create an entrance to a space devoted to a home occupation that is not from within the building, or to create features not customary in dwellings~~. A dwelling shall not be altered to create an exterior entrance to a space devoted to a home or to create features not customary in dwellings.

4. ***Employees.*** No employees or independent contractors other than residents of the dwelling shall be permitted to work at the location of a home occupation except that one full-time equivalent cottage food employee, may participate in a cottage food operation.

5. ***On-Site Client Contact.*** Limited customer or client visits are permitted up to two people at a time.

6. ***Direct Sales Prohibition.*** Home occupations involving the display or sale of products or merchandise are not permitted from the site except by mail, telephone, internet, or other mode of electronic communication or sales of cottage food products directly from a cottage food operation. A cottage food operation shall not have more than $50,000 in gross annual sales in each calendar year.

7. ***Storage Prohibition.*** On-premise commodity storage is prohibited.

8. ***Equipment.*** Home occupations shall not be permitted which involve mechanical or electrical equipment which is not customarily incidental to domestic use. Cottage food operations may employ kitchen equipment as needed to produce products for which the operation has received registration, provided that equipment would not change the residential character of the unit, result in safety hazards, or create smoke or steam noticeable at the lot line of an adjoining residential property. Venting of kitchen equipment shall not be directed toward neighboring residential uses.

9. ***Hazardous Materials.*** Activities conducted and equipment or materials used shall not change the fire safety or occupancy classifications of the premises, nor use utilities different from those normally provided for residential use. There shall be no storage or use of toxic or hazardous materials other than the types and quantities customarily found in connection with a dwelling unit.

10. ***Nuisances.*** A home occupation shall be conducted such that no offensive or objectionable noise, dust, vibration, smell, smoke, heat, humidity, glare,

Comment [m30]: WHITE: Revise to eliminate multiple negatives.

STAFF COMMENT: Revised.

Comment [m31]: STAFF COMMENT: Limitations on number of people visiting "at a time" or maximum number of visits per day presents enforcement challenges. However, some limit could be specified.

refuse, radiation, electrical disturbance, interference with the transmission of communications, interference with radio or television reception, or other hazard or nuisance is perceptible at or beyond any lot line of the unit or structure within which the home occupation is conducted, or outside the dwelling unit if conducted in other than a single-unit detached residence.

11. ***Traffic and Parking Generation.*** Home occupations shall not generate a volume of passenger or commercial traffic that is inconsistent with the normal level of traffic on the street on which the dwelling is located or which creates the need for additional parking spaces, or involve deliveries to or from the premises in excess of that which is customary for a dwelling unit.

12. ~~***Commercial Vehicles and Attachments.*** Home occupations involving more than two commercial vehicles parked on site shall not be permitted. The commercial vehicles are to be used and operated by the residents. No attachments of equipment or machinery used for business purposes shall be permitted either on the vehicle or on the site when the vehicles are not in use and such equipment or machinery is within view from the public right-of-way or neighboring properties. Storage of attachments of equipment and machinery are not permitted in areas visible from public rights-of-way or neighboring properties, unless part of an active approved construction project on the site.~~

13. ***Cottage Food Operation Registration.*** Cottage food operations shall be registered as "Class A" or "Class B" cottage food operations and shall meet the respective health and safety standards set forth in Section 114365 et seq. of the California Health and Safety Code.

D. **Prohibited Home Occupations.** The following specific businesses are not permitted as home occupations.

1. Adult entertainment facilities;
2. Animal care, sales, and services;
3. Barber shops and beauty parlors with more than one chair;
4. ~~Lodging~~ Hotels and Extended Stay Hotels;
5. Eating and drinking establishments;
6. Hospitals and clinics;
7. Retail sales; and
8. Any business which requires a City permit or license, except licenses issued for revenue purposes only.

Comment [m32]: LODGE: Concerned with commercial vehicles parked on residential properties.

STAFF COMMENT: Staff concurs.

Comment [b33]: NZO CMTE: Would find acceptable a one person operation.

STAFF: This will be addressed more clearly and regulated under performance standards to be developed.

Comment [m34]: NZO CMTE: "Lodging" is an out-dated term and how does this relate to vacation rentals?

STAFF COMMENT: Lodging / Hotel is a placeholder to be revised pending the outcome of the vacation rentals ordinance.

28.32.190 Horse Keeping

The keeping of horses and associated accessory buildings is allowed in any zone subject to the following standards. The keeping of animals other than horses are subject to Santa Barbara Municipal Code Chapter 6.08, Care and Keeping of Animals.

A. **Accessory Use.** Horse keeping shall be accessory to the residential use of the lot and may not be used for commercial purposes.

B. **Minimum Lot Area.** 20,000 square feet

C. **Allowed Number of Horses.** One per 10,000 square feet of lot area, maximum of five horses.

D. **Setbacks.** Horses, pens, stable, barns, corrals, or other facilities for the keeping of horses shall be located at least 35 feet from any dwelling unit or structure used for human habitation and located on an adjoining lot and at least 75 feet from the front property line and any public park, school, hospital, or similar institution.

28.32.200 Hotels and Extended Stay Hotels

Hotels and Extended Stay Hotels shall be located, developed, and used in compliance with the following standards:

A. ***All Zones.***

Units with Cooking Facilities. Units designed or constructed with cooking facilities are subject to the lot area per unit requirements of the RM-H Zone and applicable parking requirements for multiple units.

B. ***R-M Zone.*** Hotels and Extended Stay Hotels in the R-M Zone are limited to Bed and Breakfast Inns located in Structures of Merit or Landmarks pursuant to Chapter 22.22, Historic Structures, or in another structure on the same lot as a Structure of Merit or Landmark used as a Bed and Breakfast Inn, subject to the following standards.

1. The owner or manager of the Bed and Breakfast Inn shall maintain his or her primary residence on the property that contains the Bed and Breakfast Inn.
2. No meals shall be served to persons other than guests and residents of the Bed and Breakfast Inn.
3. No conference or meeting rooms/facilities shall be provided.
4. No outdoor swimming pool shall be provided; however, outdoor spas, hot tubs or similar facilities may be provided.
5. Other requirements imposed by the Planning Commission in order to ensure compatibility with the surrounding neighborhood.
6. Plans for new structures or alterations to existing structures shall be submitted to the Historic Landmarks Commission for review and action in accordance with the provisions of Chapter 22.22, Historic Structures.

C. ***RM-H Zone.*** Hotels and Extended Stay Hotels and related recreational, conference center and other auxiliary uses primarily for use by hotel guests are permitted uses subject to the following standards.

Comment [m35]: STAFF COMMENT: Moved up from RM-H Zone to clarify that hotel units with kitchen facilities are regulated under the RM-H Zone.

Comment [b36]: LODGE: Expressed concern on how parking for hotels is calculated by number of rooms only. E.g., El Encanto. Other uses open to the public and number of employees should also be considered.

STAFF COMMENT: Parking requirements for hotels will be addressed separately in Module 2, TBD – Parking Ordinance.

1. *Businesses and Restaurants.* Hotels and Extended Stay Hotels designed, constructed or used for either 24 or more dwelling units or 50 guest rooms or more may include a business conducted therein for the convenience of the occupants and their guests or a restaurant for use solely by the hotel occupants and their guests.

   a. The entrance to the business or restaurant shall be from the inside of the hotel.

   b. The floor area used for all the businesses and restaurants in the facility shall not exceed 30 percent of the total ground floor area of all the buildings comprising the hotel which are on a single lot or contiguous lots.

   c. No street frontage of any such building shall be used for the business or restaurant.

28.32.210 Interim Use

Comment [m37]: STAFF COMMENT: Temporary Uses (including Interim Use) will be addressed in Module #2: Development Standards and Module #3: Administrative Procedure.

A. Any interim use deemed appropriate by the Planning Commission in those areas identified by resolution of the City Council as impacted by governmental action may be allowed through Conditional Use Permit approval.

B. Interim uses and any authorization granted by the Conditional Use Permit shall be limited in duration as specified by the Planning Commission.

28.32.220 Large Family Day Care Homes

Large Family Day Care Homes in Residential Zones shall be located, developed, and operated in compliance with the following standards:

A. **Location.** Large Family Day Care Homes shall be located on a lot that is a minimum of 300 feet from a lot that contains another Large Family Day Care Home. The Staff Hearing Officer may waive the 300-foot spacing requirement if certain physical conditions exist and the waiver would not result in significant effects on the public peace, health, safety and comfort of the affected neighborhood. Examples of physical conditions that may warrant granting of a waiver include intervening topography that creates a barrier or separation between the facilities such as hillsides or ravines, the presence of major nonresidential uses or structures between facilities or the presence of a major roadway between the facilities.

B. **Outdoor Activities.** Outdoor activities shall be limited to the hours between 8:00 a.m. and 6:00 p.m.

C. **Loading and Unloading.** A plan and schedule for the pick-up and drop-off of children or clients shall be provided for approval by the Staff Hearing Officer. The plan shall demonstrate that off-street area or on-street area in front of the residence is available for passenger loading and unloading. The passenger loading and

unloading area shall be of adequate size and configuration and shall allow unrestricted access to neighboring properties.

D. **Parking.** One additional parking space for employee parking shall be provided unless the review authority finds that adequate on-street or off-street parking is available.

28.32.230 Live-Work Units

Joint living and working quarters (Live-Work Units) shall be located, developed, and operated in compliance with the following standards:

A. **Establishment.** Live-work units may be established through the conversion of existing buildings or by new construction, permitted or conditionally permitted as specified in Division II: Zone Regulations.

B. **Permitted Work Activity.** The work activity in a building where live-work units are allowed shall be any use permitted by right or use permit in the zoning district with the exception of industrial or manufacturing uses customarily allowed in the M-C or M-I zones.

C. **Floor Area.** At least 50 percent of the gross floor area of a live-work unit must be designated for work activities.

D. **Open Space.**

1. ***New Construction.*** Common or private on-site open space shall be provided for the use of residential occupants at a rate of 150 square feet per live-work unit. This space may be attached to individual units or located on the roof or adjoining the building in a rear yard. The open space shall be designed to limit its use for residential purposes only.

2. ***Conversions.*** Any existing on-site open space shall be retained for the use of the residential occupants of the live-work units. The open space shall be designed to limit its use for residential purposes only.

E. **Business License Required.** At least one occupant of each live-work unit shall maintain a current City of Santa Barbara business license for a business located in that unit.

F. **No Separate Sale or Rental of Portions of a Unit.** All areas of a live-work unit designated for work activity shall be rented or sold as work activity space for a person or persons living on the premises.

G. **Recorded Covenant.** Prior to issuance of a building permit, the property owner shall file with the County Recorder, upon approval by the City Attorney, a covenant containing a reference to the deed under which the property was acquired stating that conditions E and F will be met and any lack of compliance shall revoke the certificate of occupancy for the development.

28.32.240 Medical Cannabis Dispensaries

Placeholder. *Currently Chapter 28.80 of the existing Zoning Ordinance. Substantive changes will not be made to these provisions. They will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

28.32.250 Medical Equipment Supply Stores

Medical equipment supply stores with more than 3,000 square feet of floor area in the M-O Zone are subject to the following standards.

A. **Non-Medically Related Sales.** A portion of the space may be used for non-medically related sales and/or a percentage of dollar volume of business may be non-medically related sales, provided that said amount of non-medically related use is set forth in the Performance Standard Permit approval.

B. **Required Findings.** The review authority shall make the following finding in addition to the findings required pursuant to Section TBD, Performance Standards Permits, as applicable, and any other findings required by this Ordinance:

1. The use is supportive and directly related to the providing of medical and related services

28.32.260 Mobile Food Vendors

Mobile Food Vendors on private property shall be located and operated in compliance with the following standards:

A. Operations are limited to the sales of food items for immediate consumption.

B. Operations shall be conducted from a motor vehicle, or vehicle with a trailer consistent with State law and County Health Department approvals. Other types of food vending from a temporary structure such as a push cart, trailer, or kiosk are not allowed under this ordinance.

C. Mobile food vehicles used by vendors shall not:

1. Be left unattended at any time;
2. ~~Be parked or placed within 15 feet of any right-of-way.~~
3. Be permitted as a permanent or proprietary location on any property within the City;
4. Be left on-site when inactive or stored overnight;
5. ~~Displace any of the required parking~~ Up to three (3) required parking spaces on a lot may be displaced for use by a Mobile Food Vendor, subject to approval of a Temporary Use Permit.
6. ~~Be parked or placed within 25 feet of the entrance or exit to any building; and~~

Comment [m38]: STAFF COMMENT: Additional text added.

Comment [m39]: NZO CMTE: Remove specific setback distance requirement

DYK: not just eliminate it, but replace it with squishy language that says that the truck won't be parked in such a way as to block access to sidewalks etc.

Comment [m40]: NZO CMTE: Explore limited reduction of parking for Mobile Food Vendors.

Comment [m41]: NZO CMTE: Delete setback requirement.

7. ~~Operated within 600 feet of a school, unless hosted for special events.~~

D. Location and operation including customers, seating, and equipment, shall not obstruct the right-of-way, sight distances, or otherwise create hazards for vehicle or pedestrian traffic.

E. Sales of food items in glass containers is prohibited.

F. Mobile Food Vendors shall be responsible for keeping the area clean of any litter or debris.

G. No vendor shall ring bells, play chimes, play an amplified musical system, or make any other notice to attract attention to its business while operating within city limits.

H. A Zoning Affidavit or a Temporary Use Permit is required to operate within the City.

Comment [m42]: NZO CMTE: Do not support this restriction.

Comment [m43]: NZO CMTE: Explore limited reduction of parking for Mobile Food Vendors.

Comment [m44]: STAFF COMMENT: Added this section. Further discussion to come in Module #3, Administrative Procedure

28.32.270 Mobilehomes, Recreational Vehicles, and Modular Units, Individual Use

Placeholder. *Currently Section 28.15.030.G of the existing Zoning Ordinance. Substantive changes will not be made to these provisions. They will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

28.32.280 Mobilehome and Permanent Recreational Vehicle Parks

Placeholder. *Currently Sections 28.94.034, 28.94.040, and 28.94.045 of the existing Zoning Ordinance. Substantive changes will not be made to these provisions. They will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

28.32.290 Overnight Recreational Vehicle Parks

Placeholder. *Currently Sections 28.94.050, 28.94.055, and 28.94.060 of the existing Zoning Ordinance. Substantive changes will not be made to these provisions. They will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

28.32.300 Mobilehome and Permanent Recreational Vehicle Park Conversion Regulations

Placeholder. *Currently Chapter 28.78 of the existing Zoning Ordinance. Substantive changes will not be made to these provisions. They will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

28.32.310 Outdoor Tennis Clubs and Lawn Bowling Clubs

In approving a Conditional Use Permit for an outdoor tennis club or lawn bowling club, the Planning Commission shall make the following findings in addition to the findings required pursuant to Section TBD, Conditional Use Permits, and any other findings required by this Ordinance:

A. That the total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided.

B. That the prescribed hours and days of operation of the various facilities of the club are such that the character of the area is not altered or disturbed.

C. That the design and operation of outdoor lighting equipment will not be a nuisance to the use of property in the area.

D. That adequate access and off-street parking is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time.

E. That the appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area.

28.32.320 Public Works and Utilities

Public Works and Utilities shall be located, developed, and operated in compliance with the following standards:

A. **Small Additions to Existing Facilities.** Improvements and additions of 500 square feet or less to existing Public Works Facilities including, but not limited to, sewer lift stations, pump stations, water wells, pressure reducing stations, generator enclosures, minor improvements to existing water storage reservoirs and other miscellaneous structures incidental to or improving the existing use are allowed in all zones except P-R zones. Standard construction conditions may be imposed on the building permit as deemed appropriate by the Community Development Director.

B. **Limited Treatment and Distribution Facilities.** Public works treatment and distribution facilities that are greater than 500 square feet and no more than 1,000 square feet in R-M, R-MH, and P-R zones and less restrictive zones may be permitted pursuant to approval of a Performance Standards Permit and the following requirements.

1. Construction (including preparation for construction work) is prohibited Monday through Friday before 8:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays, and holidays observed by the City of Santa Barbara unless approved by the Chief Building Official and the applicant provides written notice to all property owners and residents within 300 feet of the project and the City Planning and Building Divisions at least 48 hours prior to commencement of any noise-generating construction activity.

2. The design and operation of non-emergency outdoor security lighting and equipment shall conform to the Outdoor Lighting Ordinance, SMC 22.75, and Section TBD, Performance Standards.

3. The project shall incorporate standard dust control measures to minimize air quality nuisances to surrounding properties.

4. ***Required Findings.*** Prior to approval, the review authority shall make the following findings in addition to the findings required pursuant to Section TBD, Performances Standards Permits, and any other findings required by this Ordinance:

   a. The setbacks of the proposed facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding residential properties is avoided.

   b. The operation of the proposed facility is such that the character of the area is not significantly altered or disturbed.

5. ***Parks and Recreation Commission Review.*** Public works treatment and distribution facilities that are greater than 500 square feet and no more than 1,000 square feet in the P-R Zone are also subject to Parks and Recreation Commission review pursuant to Section TBD, Parks and Recreation Commission Review.

C. **Rehabilitation of City Reservoirs and Basins.** Rehabilitation of existing water storage reservoirs or sludge basins in any zone, that are owned and operated by the City may be permitted pursuant to approval of a Performance Standards Permit and the following requirements.

1. Construction (including preparation for construction work) is prohibited Monday through Friday before 8:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara unless approved by the Chief Building Official and the applicant provides written notice to all property owners and residents within 300 feet of the project and the City Planning and Building Divisions at least 48 hours prior to commencement of any noise-generating construction activity.

2. The design and operation of non-emergency outdoor security lighting and equipment shall conform to the Outdoor Lighting Ordinance, SMC 22.75, and Section TBD, Performance Standards.

3. The project shall incorporate standard dust control measures to minimize air quality nuisances to surrounding properties.

D. **Other Public Works and Utilities Projects.** Other facilities and equipment, except offices, used by public utilities or quasi-public utilities to provide services to the general public are allowed in any zone subject to Conditional Use Permit approval.

28.32.330 Retail Sales, Neighborhood Market

Comment [m45]: NZO CMTE: Opposed to Neighborhood Markets in Single-Residential Unit zones based on insufficient density and that it would generate vehicle trips.

Neighborhood Markets shall be located, developed, and operated in compliance with the following standards:

A. **Size.** Neighborhood Markets are limited to 1,500 square feet.

B. **Location.** Neighborhood Markets shall be located on a corner lot.

C. **Distance.** Neighborhood Markets shall be located on a lot that is a minimum of 500 feet from a lot that contains another Neighborhood Market.

D. **Hours of Operation.** Hours of operation, including loading and unloading of merchandise, are limited to between 7:00 am and 9:00 pm.

E. **Food Preparation and Consumption**. Food may be prepared on the premises and food and beverages may be consumed on the premises as an ancillary use provided at least 50 percent of the interior floor area is devoted to retail sales.

F. ~~**Indoor and**~~ **Outdoor Seating.** ~~Indoor and/or outdoor~~ Outdoor seating for customers ~~shall not be~~ is allowed in the front setback, but not interior setbacks. Seating shall not obstruct the right-of-way, sight distances, or otherwise create hazards for vehicle or pedestrian traffic.

G. **Lighting.** Lighting shall comply with the Outdoor Lighting Ordinance, SMC 22.75.

H. **Bicycle Parking.** Bicycle parking shall be provided.

I. ~~**Alcohol Sales.** A Conditional Use Permit shall be required for all Neighborhood Markets selling alcoholic beverages.~~

J. **Maintenance.** Any outdoor dining area and the adjoining street, curb, gutter and sidewalk shall be maintained in a neat, clean and orderly condition at all times, regardless of the source of the refuse and litter.

Comment [b46]: NZO CMTE Differing opinions on whether to restrict to only corner lots. For PC discussion.

Comment [m47]: CAMPANELLA: Rather than specify 500' separation between locations, allow at any intersection? For PC discussion.

STAFF COMMENT: Some blocks are short, e.g. "half blocks" and without specifying a discrete distance separation, there could be a high concentration.

Comment [m48]: NZO CMTE: Supports both indoor & outdoor seating as well as limited deli and restaurant use.

STAFF COMMENT: Concern about parking impacts for restaurant uses.

Comment [m49]: NZO CMTE: Remove CUP requirement for alcohol sales.

Comment [m50]: STAFF COMMENT: Added this section.

28.32.340 Secondary Dwelling Units

Placeholder. *Currently Section 28.94.030.Z of the existing Zoning Ordinance. Substantive changes will not be made to these provisions. They will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

28.32.350 Telecommunications Facilities

Placeholder. *This section is being updated through a separate effort and will be incorporated into the Final Hearing Draft.*

28.32.360 Temporary Use

Comment [m51]: STAFF COMMENT: Temporary Uses (including Interim Use) will be addressed in Module #2: Development Standards and Module #3: Administrative Procedure.

28.32.370 Transitional and Supportive Housing

Transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zone.

Chapter 28.53 Use Classifications

28.53.010 Purpose and Applicability

Use classifications describe one or more uses of land having similar characteristics but do not list every use or activity that may appropriately be within the classification. The Planning Commission, upon request from the Community Development Director, shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this chapter. The Commission may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification.

28.53.020 Residential Use Classifications

A. **Residential Housing Types.**

1. ***Single-Unit Residential***. One residential unit located on a single lot. This classification includes individual mobilehomes and manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.
2. ***Duplex.*** A single building that contains two residential units.
3. ***Multi-Unit Residential.*** Three or more attached residential units on a site or lot. Types of multi-unit residential include townhouses and multi-story apartment buildings.

B. **Special Unit Types**

1. ***Accessory Dwelling Unit.*** An attached or detached residential unit that provides independent living facilities, located on a single lot with a primary, single-unit residence, and meeting the standards of Section TBD, Accessory Dwelling Units.
2. ***Additional Dwelling Unit.*** A detached residential unit that provides independent living facilities, located on a single lot with another single-unit residence, and meeting the standards of Section TBD, Additional Dwelling Unit.
3. ***Affordable Efficiency Dwelling Unit.*** Residential projects constructed or operated by a nonprofit or governmental agency providing housing as an "Affordable Housing Cost" to "Lower Income Households" (as those terms are defined in sections 50052.5 and 50079.5 of the state Health and Safety Code) that contain efficiency dwelling units (as defined in Section 310.7 of the California Building Code as adopted and amended by the City).
4. ***Caretaker Unit.*** A dwelling unit occupied by employees or caretakers of the primary use on the site.

Comment [m52]: NZO CMTE: Requested clarification on the different housing types.

STAFF COMMENT: Some housing types are uncommon and "special" subject to unique development standards. A "Special Unit Types" category has been incorporated.

5. ***Garden Apartment.*** A development consisting of multi-unit residential building(s), each containing between four and eight residential units, located on a single lot under one ownership.

6. ***Secondary Residential Unit.*** An attached residential unit that provides independent living facilities and located on a single lot with a primary, single-unit residence, and meeting the standards of Section TBD, Secondary Residential Unit.

C. **Community Care Facilities, Residential Care Facilities for the Elderly, and Hospices**

1. ***Community Care Facility.*** A State-licensed facility, place or building which 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, as further defined in Chapter 3 of Division 2 of the California Health and Safety Code.

2. ***Hospice.*** A State-licensed facility which provides 24-hour nursing and supportive care and other services in a home-like setting to persons who have a medical diagnosis of terminal illness.

3. ***Residential Care Facility for the Elderly.*** A housing arrangement where residents are 60 years of age or older and where varying levels of care and supervision are provided as agreed to at time of admission or as determined necessary at subsequent times of reappraisal. Persons under 60 years of age with compatible needs may be allowed to be admitted or retained in such a facility, not to exceed 25 percent of the residents, as further defined in Chapter 3.2 of Division 2 of the California Health and Safety Code.

D. **Family Day Care Home.** A State-licensed home which regularly provides care, protection, and supervision of children under 18 years of age in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, as further defined and permitted pursuant to the California Health and Safety Code and other applicable State Regulations. The term "Family Day Care Home" includes the terms "Large Family Day Care Home" and "Small Family Day Care Home" as such terms are defined in Sections 1597.465 and 1597.44 of the California Health and Safety Code.

1. ***Small.*** As defined in Section 1597.44 of the California Health and Safety Code.

2. ***Large.*** As defined in Section 1597.465 of the California Health and Safety Code.

E. **Group Residential.** Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes convents and monasteries, rooming and boarding houses, dormitories and other types of

organizational housing and residential hotels intended for long-term occupancy (30 days or more) but excludes Hotels and Extended Stay Hotels, and Community Care Facilities.

F. **Home Occupation.** A nonresidential use conducted on residential property by the inhabitants of the subject residence, which is incidental and secondary to the residential use of the dwelling.

G. **Mobilehome**. A structure designed for human habitation and for being moved on a street or highway under permit pursuant to Section 35790 of the California Vehicle Code. Mobilehome includes a manufactured home, as defined in Section 18007 of the California Health and Safety Code, and a mobilehome as defined in Section 18008 of the California Health and Safety Code, but does not include a recreational vehicle as defined in the Ordinance and Section 18010 of the California Health and Safety Code, or a commercial coach as defined in Section 18001.8 of the California Health and Safety Code.

H. **Mobilehome Park.** An area of land where two or more mobilehome spaces are rented, or held out for rent, to accommodate mobilehomes for more than 30 days.

I. **Supportive Housing.** As defined in Section 65582 of the Government Code.

J. **Transitional Housing.** As defined in Section 65582 of the Government Code.

28.53.030 Public and Semi-Public Use Classifications

A. **Cemetery.** Establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains, including mausoleums, burial places, and memorial gardens.

B. **Colleges and Trade Schools.** Public, non-profit, or private institutions of higher education providing curricula of a general, religious or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes junior colleges, business and computer schools, management training, technical and trade schools, but excludes personal instructional services such as music lessons.

C. **Community Assembly.** A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic and private auditoriums, union halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as day care centers and schools that are separately classified and regulated.

D. **Community Garden.** Use of land for and limited to the cultivation of herbs, fruits, flowers, or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing, and harvesting of any agricultural, floricultural, or horticultural commodity, by several individuals or households but not including on-site sales.

E. **Cultural Institutions.** Public or non-profit institutions engaged primarily in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, music, dance, and events; buildings of an educational, charitable or philanthropic nature; libraries; museums; historical sites; aquariums; and zoos and botanical gardens.

F. **Day Care Centers.** Establishments providing non-medical care for persons on a less than 24-hour basis other than Family Day Care. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of California.

G. **Emergency Shelter.** A temporary, short-term residence providing housing with minimal supportive services for homeless families or individual persons where occupancy is limited to six months or less, as defined in Section 50801 of the California Health and Safety Code. Minimal supportive services shall mean administrative offices, intake and waiting areas, kitchen and dining facilities, and laundry facilities as long as the facilities are directly related to the operation of the emergency shelter or for the exclusive use of the residents of the emergency shelter. Homeless shelters providing more than minimal supportive services or supportive services to persons other than the residents of the shelter are considered Social Service Facilities.

H. **Hospitals and Clinics.** State-licensed facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment, including substance-abuse programs as well as training, research, and administrative services for patients and employees. This classification excludes veterinaries and animal hospitals (see Animal Care, Sales, and Services).

1. ***Hospital.*** A facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

2. ***Clinic.*** A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis including emergency treatment, diagnostic services, administration, and related services to patients who are not lodged overnight. Services may be available without a prior appointment. This classification includes licensed facilities offering substance abuse treatment, blood banks and plasma centers, and emergency medical services offered exclusively on an out-patient basis. This classification does not include private medical and dental offices that typically require appointments and are usually smaller scale.

3. ***Birth Center.*** Facilities to assist in human births, but is not licensed as a hospital.

I. **Instructional Services.** Establishments that offer specialized programs in personal growth and development such as art, music, martial arts, vocal, fitness and dancing, cooking, language, or media arts instruction.

J. **Park and Recreation Facilities.** Parks, playgrounds, recreation facilities, trails, wildlife preserves, and related open spaces.

K. **Public Facilities.** Facilities owned or operated by a governmental agency providing services such as clerical or public contact offices, police and fire protection, and emergency medical services. This classification excludes corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment (see Public Works and Utilities).

L. **Recreational Vehicles**

1. ***Recreational Vehicle.*** A motor home, slide-in camper, travel trailer, or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy.

2. ***Camping Trailer.*** A vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the campsite and designed for human habitation for recreational or emergency occupancy.

3. ***Motor Home.*** A vehicular unit built on or permanently attached to a self-propelled motor vehicle chassis, chassis cab or van, which becomes an integral part of the completed vehicle, designed for human habitation for recreational or emergency occupancy.

4. ***Slide-In Camper.*** A portable unit, consisting of a roof, floor and sides, designed to be loaded onto and unloaded from the bed of a pickup truck, and designed for human habitation for recreational or emergency occupancy and shall include a truck camper.

5. ***Travel Trailer.*** A portable unit, mounted on wheels, of such a size and weight as not to require special highway movement permits when drawn by a motor vehicle and for human habitation for recreational or emergency occupancy.

M. **Recreational Vehicle Park.**

1. ***Overnight.*** Any area of land where two or more recreational vehicle spaces are rented, or held out for rent, to owners or users of recreational vehicles used for travel or recreational purposes for less than 30 days.

2. ***Permanent.*** An area of land where two or more recreational vehicle spaces are rented, or held out for rent, to accommodate recreational vehicles for residential purposes for 30 or more days.

N. **Schools.** Facilities for primary or secondary education giving general academic instruction equivalent to the standards prescribed by the State Board of Education;

or, a non-profit institution or center of advanced study and research in the field of learning equivalent to or higher than the level of standards prescribed by the State Board of Education; including public schools, charter schools, and private and parochial schools.

O. **Skilled Nursing Facility.** Establishments that provide 24-hour medical, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the State of California, including but not limited to, rest homes and convalescent hospitals, but not Residential Care, Hospitals, or Clinics.

P. **Social Service Facilities.** Any noncommercial facility, such as homeless shelters, domestic violence shelters and facilities providing social services such as job referral, housing placement and which may also provide meals, showers, clothing, groceries, and/or laundry facilities, typically for less than 30 days. Specialized programs and services related to the needs of the residents may also be provided.

28.53.040 Commercial Use Classifications

A. **Adult Entertainment Facilities.** As defined in Section TBD, Adult Entertainment Facilities.

B. **Agriculture.** The tilling of the soil, the raising of crops, horticulture and the harvesting, sorting, cleaning, packing and shipping of agricultural products produced on the premises preparatory to sale or shipment in their natural form including all activities or uses customarily incidental thereto, but not including a slaughter house, fertilizer works, commercial dairying, pasturage agriculture, commercial viticulture, commercial animal and poultry husbandry, retail sales, the commercial packing or processing of products not grown on the premises or operations for the reduction of animal matter or any other use which is similarly objectionable because of odor, smoke, dust, fumes, vibration or danger to life or property.

C. **Animal Care, Sales and Services.** Retail sales and services related to the boarding, grooming, and care of household pets including:

1. ***Animal Daycare.*** Facilities for providing non-medical care for four or more dogs, cats, or other household pets not owned by the pet day care owner or operator on a less than 24-hour basis.

2. ***Grooming and Pet Stores.*** Retail sales of animals and/or services, including grooming, for animals on a commercial basis. Grooming or selling of dogs, cats, and similar small animals. Typical uses include dog bathing and clipping salons, pet grooming shops, and pet stores and shops. This classification excludes dog walking and similar pet care services not carried out at a fixed location, and excludes pet supply stores that do not sell animals or provide on-site animal services.

3. ***Kennels.*** A commercial, non-profit, or governmental facility for keeping, boarding, training, breeding or maintaining four or more dogs, cats, or other household pets not owned by the kennel owner or operator. Typical uses

include pet clinics, animal hospitals for small animals, and animal shelters, but exclude pet shops and animal hospitals that provide 24-hour accommodation of animals receiving medical or grooming services.

4. ***Veterinary Services.*** Veterinary services for small animals. This classification allows 24-hour accommodation of animals receiving medical services but does not include kennels.

D. **Artist's Studio.** Work space for an artist or artisan including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft. This use may include incidental retail sales of items produced on the premises and does not include joint living and working units.

E. **Automated Teller Machine (ATM)**. An electronic device from which a person is able to withdraw cash, make a deposit, or undertake other financial transactions.

F. **Automobile/Vehicle Sales and Services.** Retail or wholesale businesses that sell, rent, and/or repair automobiles, boats, recreational vehicles, trucks, vans, trailers, and motorcycles including the following:

1. ***Automobile Rentals.*** Rental of automobiles. Typical uses include car rental agencies.

2. ***Automobile/Vehicle Sales and Leasing.*** Sale or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Typical uses include automobile dealers and recreational vehicle sales agencies. This classification does not include automobile brokerage and other establishments which solely provide services of arranging, negotiating, assisting, or effectuating the purchase of an automobile for others.

3. ***Service and Repair, Minor.*** The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, and quick-service oil, tune-up and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles; automotive body and fender work, vehicle painting or other operations that generate excessive noise, objectionable odors or hazardous materials, and towing services. It also excludes repair of heavy trucks, limousines or construction vehicles.

4. ***Service Station.*** Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services including mini-markets.

5. ***Washing.*** Washing, waxing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities.

G. **Banks and Financial Institutions.** Financial institutions providing retail banking services. This classification includes only those institutions serving walk-in customers or clients, including banks, savings and loan institutions, check-cashing services, and credit unions.

H. **Business Services.** Establishments providing goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, equipment rental and leasing, office security, custodial services, photo finishing, model building, taxi or delivery services with two or fewer fleet vehicles on-site.

I. **Commercial Entertainment and Recreation.** Provision of participant or spectator entertainment to the general public.

1. ***Cinema/Theaters.*** Facilities for indoor display of films, motion pictures, or dramatic, musical, or live performances. This classification may include incidental food and beverage services to patrons.

2. ***Large-scale.*** This classification includes large, generally outdoor facilities such as sports stadiums and arenas, amphitheaters, drive-in theaters, driving ranges, golf courses, ice or roller skating rinks, swimming or wave pools, miniature golf courses, archery, and riding stables. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

3. ***Small-scale.*** This classification includes small, generally indoor facilities such as billiard parlors, card rooms, health clubs, dance halls, amusement arcades, facilities for basketball, handball, racquetball, and tennis. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

J. **Drive-Through Facility**. A motor vehicle drive-through facility which is a commercial building or structure or portion thereof which is designed or used to provide goods or services to the occupants of motor vehicles. It includes, but is not limited to, banks and other financial institutions, fast food establishments, and film deposit/pick-up establishments, but shall not include drive-in movies, gasoline stations, or car-wash operations.

K. **Eating and Drinking Establishments.** Businesses primarily engaged in serving prepared food and/or beverages typically for on-site consumption.

1. ***Bars/Night Clubs/Lounges.*** Businesses serving beverages for consumption on the premises as a primary use and including on-sale service of alcohol including beer, wine, and mixed drinks.

2. ***Food and Beverage Tasting.*** Businesses serving samples of food or beverages; typically an ancillary use associated with a production facility such as wine or beer making, or retail sales.

3. ***Full Service***. Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may be provided.

4. ***Convenience.*** Establishments where food and beverages may be consumed on the premises, taken out, or delivered, but where no table service is provided. This classification includes cafes, cafeterias, coffee shops, fast-food restaurants, carryout sandwich shops, limited service pizza parlors and delivery shops, self-service restaurants, snack bars and takeout restaurants.

L. **Food Preparation.** Businesses engaged in the preparing and/or packaging of fresh food for either on-site or off-site consumption. With the exception of caterers or commercial kitchens, these businesses will have a storefront retail component, but will not include wholesale, distribution, processing, or industrial manufacturing of food products. Typical uses include catering kitchens, food commissary, commercial kitchen, retail bakeries less than 10 employees, delicatessens, meat or fish market, or confectionary shops. Specific uses listed in the Limited/Small Scale Food and Beverage Manufacturing are not considered Food Preparation.

M. **Funeral Parlors and Interment Services.** An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of the human remains and conducting memorial services. Typical uses include a crematory, columbarium, mausoleum, or mortuary.

N. **Hotels and Extended Stay Hotels.** Establishments providing overnight accommodations to transient patrons for payment. This classification includes establishments that offer accommodations for periods of less than 30 consecutive calendar days as well as extended stay hotels which provide overnight accommodations for periods of 30 or more consecutive calendar days. Establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general public. This use classification includes auto courts, bed and breakfast inns, hostels, inns, motels, motor lodges, timeshare projects, and tourist courts, but does not include rooming houses, boarding houses, or private residential clubs.

O. **Live-Work Unit.** A unit that combines a work space and residential occupancy occupied and used by a single household in structure that has been constructed for such use or converted from commercial use and structurally modified to accommodate residential occupancy and work activity in compliance with the California Building Code. The working space is reserved for one or more occupants of the unit.

P. **Maintenance and Repair Services.** Establishments engaged in the maintenance or repair of office machines, household appliances and equipment, furniture, and similar items. This classification excludes maintenance and repair of vehicles or boats (see Automotive/Vehicle Sales and Services) and personal apparel (see Personal Services).

Q. **Market Garden.** A site where food is grown to be sold. The food may be sold directly to consumers, restaurants, stores, or other buyers, or at Farmers Markets.

R. **Medical Cannabis Dispensaries.** As defined in Section TBD, Medical Cannabis Dispensaries.

S. **Mobile Food Vendors.** A self-contained truck that is readily movable without disassembling, and is used to sell or prepare and serve food.

T. **Nurseries and Garden Centers.** Establishments primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. Fertilizer and soil products are stored and sold in package form only. This classification includes wholesale and retail nurseries offering plants for sale.

U. **Offices.** Offices of firms or organizations providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, excluding banks and savings and loan associations (see Banks and Financial Institutions). This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings but excluding clinics or independent research laboratory facilities and hospitals (see Hospitals and Clinics).

1. ***Business and Professional.*** Offices of firms or organizations providing professional, executive, management, or administrative services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, legal offices and tax preparations offices.

2. ***Medical and Dental.*** Office use providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by doctors, dentists, medical and dental laboratories, and similar practitioners of medical and healing arts for humans licensed for such practice by the state of California. Incidental medical and/or dental research within the office is considered part of the office use, where it supports the on-site patient services.

V. **Outdoor Sales and Display.** The sales and display of merchandise outside an enclosed building as an extension of an indoor operation or establishment.

W. **Outdoor Seating.** Seating area located outdoors and designated for patrons of an on-site establishment that serves or sells food and/or beverages.

X. **Parking, Public or Private.** Surface lots and structures for use of occupants, employees, or patrons on the subject site or offering parking to the public with or without a fee when such use is not incidental to another on-site activity.

Y. **Personal Services.** Provision of recurrently needed services of a personal nature. This classification includes health spas, barber shops and beauty salons, seamstresses,

tailors, tattoo parlors, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, photocopying and photo finishing services, and travel agencies mainly intended for the consumer. This classification also includes massage establishments in which all persons engaged in the practice of massage are certified pursuant to the California Business and Professions Code Section 4612.

Z. **Retail Sales.**

1. ***Building Materials and Services***. Retail sales or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for personal use. This definition does not include Construction and Material Yards.

2. ***Food and Beverage Sales.*** Retail sales of food and beverages for off-site preparation and consumption. Typical uses include food markets, groceries, and liquor stores.

3. ***General Retail.*** The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes retail establishments; including department stores, clothing stores, furniture stores, pet supply stores, hardware stores, and businesses retailing the following types of goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs.

4. ***Neighborhood Market.*** Establishments primarily engaged in the provision of frequently or recurrently needed small personal items or services for residents within a reasonable walking distance. Typical uses include neighborhood grocery stores, and convenience markets.

28.53.050 Industrial Use Classifications

A. **Automobile and Vehicle Repair, Major.** Repair of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the incidental sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes auto repair shops, body and fender shops, transmission shops, wheel and brake shops, auto glass services, vehicle painting and tire sales and installation, but excludes vehicle dismantling or salvaging and tire retreading or recapping.

B. **Commercial Vehicle and Equipment Sales and Rental.** Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other equipment used for construction, moving, agricultural, or landscape activities. Includes large vehicle operation training facilities. Sales of new or used automobiles or trucks are excluded from this classification.

C. **Construction and Material Yards.** Storage of construction materials or equipment on a site other than a construction site.

D. **Custom Manufacturing.** Establishments primarily engaged in on-site production of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, candle making shops, woodworking, and custom leather working and jewelry manufacturers.

E. **Food and Beverage Manufacturing.** Establishments engaged in the production, processing, packaging or manufacturing of food or beverage products for offsite consumption.

1. ***Limited/Small Scale.*** A small scale food and beverage products manufacturing may include wholesale or retail sales. It is characterized by local or regional products, specialty or artisanal foods, in facilities less than 5,000 square feet. Examples include small coffee roasters, micro-breweries, micro-distilleries, wine manufacturing, meat or fish processing, wholesale or retail bakeries with more than 10 employees.

2. ***General /Large Scale.*** A large scale food and beverage products wholesale manufacturing and distribution is characterized by a national or international distribution network, and the production of mass-produced products in a facility over 5,000 square feet.

F. **Hazardous Waste Management Facility. *Placeholder.*** *Substantive changes will not be made to this definition. It will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

G. **Household Hazardous Waste Collection Facility. *Placeholder.*** *Substantive changes will not be made to this definition. It will be formatted for consistency with the NZO structure and incorporated into the Final Hearing Draft.*

H. **Industry, General.** Manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes operations such as agriculture processing, biomass energy conversion; food and beverage processing; production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; and automotive and heavy equipment manufacturing.

I. **Industry, Limited.** Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. This classification includes manufacturing finished parts or products primarily from previously prepared materials; commercial laundries and dry cleaning plants; mobile home manufacturing; monument works; printing, engraving and publishing; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services.

J. **Recycling Collection Facility.** A center for the acceptance, by donation, redemption, or purchase, of recyclable materials from the public where limited processing and storing of such items is conducted on-site.

K. **Research and Development.** A facility for scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and biotechnology components and products in advance of product manufacturing. Includes assembly of related products from parts produced off-site where the manufacturing activity is secondary to the research and development activities.

L. **Salvage and Wrecking.** Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange or sale of goods including, but not limited to, any used building materials, used containers or steel drums, used tires, and similar or related articles or property.

M. **Towing and Impound.** Establishments primarily engaged in towing motor vehicles, both local and long distance. These establishments may provide incidental services, such as vehicle storage and emergency road repair services. (For automobile/dismantling, see Salvage and Wrecking).

N. **Warehousing and Storage.** Storage and distribution facilities without sales to the public on-site or direct public access except for public storage in small individual space exclusively and directly accessible to a specific tenant.

1. ***Indoor Warehousing and Storage.*** Storage within an enclosed building of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials including but not limited to automobiles, feed, and lumber. Also includes cold storage, freight moving and storage, and warehouses. This classification excludes the storage of hazardous chemical, mineral, and explosive materials.

2. ***Outdoor Storage.*** Storage of commercial goods in open lots.

3. ***Personal Storage.*** Facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage. This use excludes workshops, hobby shops, manufacturing, or commercial activity.

O. **Wholesaling and Distribution**. Indoor storage and sale of goods to other firms for resale; storage of goods for transfer to retail outlets of the same firm; or storage and sale of materials and supplies used in production or operation, including janitorial

and restaurant supplies. Wholesalers are primarily engaged in business-to-business sales, but may sell to individual consumers through mail or internet orders. They normally operate from a warehouse or office having little or no display of merchandise, and are not designed to solicit walk-in traffic. This classification does not include wholesale sale of building materials (see Building Materials and Services).

28.53.060 Transportation, Communication, and Utilities Use Classifications

A. **Freight/Truck Terminals and Warehouses.** Facilities for freight, courier, and postal services by truck or rail. This classification does not include local messenger and local delivery services (see Light Fleet-Based Services).

B. **Light Fleet-Based Services.** Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 lbs. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses. This classification does not include towing operations (see Automobile/Vehicle Sales and Service, Towing and Impound) or taxi or delivery services with two or fewer fleet vehicles on-site (see Business Services).

C. **Telecommunication Facilities.** ***Placeholder.*** *This section is being updated through a separate effort and will be incorporated into the Final Hearing Draft.*

D. **Transportation Passenger Terminals.** Facilities for passenger transportation operations. This classification includes rail stations, bus terminals, and scenic and sightseeing facilities, but does not include terminals serving airports or heliports.

E. **Public Works and Utilities.** Generating plants, electric substations, solid waste collection, including transfer stations and materials recovery facilities, solid waste treatment and disposal, water or wastewater treatment plants, corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment, and similar facilities of public agencies or public utilities.

Use Correspondence Table

This following correspondence table relates proposed use classifications to existing use classifications. Proposed uses are presented, grouped according to use type and alphabetized, along with the existing uses to which they correspond.

CORRESPONDENCE BETWEEN PROPOSED USE GROUPS AND EXISTING USE LISTS	
Proposed Use Group	*Existing Use*
Residential Uses	
Community Care Facility, Residential Care for the Elderly, Hospice	Community care facilities, residential care facilities for the elderly and hospices
Family Day Care	
Large	State-licensed Large Family Day Care Home
Small	State-licensed Small Family Day Care Home
Group Residential	Boarding houses
	Convents and monasteries
Mobilehome	Mobilehome
Mobile Home Park	Mobilehome Park
Residential Housing Types	
Duplex	Two family dwellings
Multi-Unit Residential	Multiple-family dwellings
Single-Unit Dwelling	Single residential unit
Special Unit Types	
Garden Apartment	Bungalow Court
	Garden Apartment
Secondary Residential Unit	Second Dwelling Unit
Accessory Dwelling Unit	Accessory Dwelling Unit
Additional Dwelling Unit	Additional Dwelling Unit
Affordable Efficiency Dwelling Unit	Affordable Efficiency Dwelling Unit
Supportive Housing	Group Homes
Transitional Housing	Group Homes
Public and Semi-Public Uses	
Cemetery	None
Colleges and Trade Schools.	Trade schools
Community Assembly	Churches
	Wedding chapels
	Clubs or lodges

CORRESPONDENCE BETWEEN PROPOSED USE GROUPS AND EXISTING USE LISTS	
Proposed Use Group	*Existing Use*
Community Garden	Community Garden
Cultural Institution	Conservatory of music
Day Care Centers	Child care center
Emergency shelters	Emergency shelters
Hospitals and Clinics	
Hospitals	Hospitals
Clinics	None
Birth Centers	Birth Centers
Instructional Services	Dancing schools
	Music and vocal schools
	Art schools
Park and Recreation Facilities	Park and Recreation Facilities
Recreational Vehicle Park	Recreational Vehicle Park
Recreational Vehicles	Recreational Vehicles
Schools	Educational facilities
Skilled Nursing Facility	Skilled nursing facilities
Social Service Facilities	Homeless shelter
Commercial Uses	
Adult Entertainment Facilities	Adult Entertainment Facilities
Agriculture	Agriculture
Animal Care, Sales and Services	
Animal Daycare	None
Grooming and Pet Stores	Pet shops
Kennels	Dog kennel, boarding, breeding or training
Veterinary Services	Veterinary hospitals
Artists Studios	Arts-related uses
Automated Teller Machine	Automated Teller Machine
Automobile/Vehicle Sales and Service	Automobile body and fender works, painting and upholstery and automobile laundry
	Automobile super service station or automobile service station/mini-market, including automobile laundry or car wash and auto steam cleaning establishments, provided that all tire and tube repairing, battery, servicing and steam cleaning is conducted wholly within a building
Automobile/Vehicle Service and Repair, Minor	Automobile service station and accessory uses limited to incidental tire and tube repair, battery servicing, automobile lubrication, and other minor automobile service within the

CORRESPONDENCE BETWEEN PROPOSED USE GROUPS AND EXISTING USE LISTS	
Proposed Use Group	*Existing Use*
	building (excluding auto body repair)
Automobile/Vehicle Rentals	Automobile rental, restricted to passenger vehicles
Automobile/Vehicle Sales and Leasing.	Used car sales area
Service Station	Automobile service station or service station/mini-markets not exceeding more than 6 pumps and limited to incidental tire and tube repairing, battery servicing, automobile lubrication and other minor automotive service and repair
Washing	Car wash
	Car wash, auto polishing, auto steam cleaning establishment
Banks and Financial Institutions	Banks
Business Services	Blueprinting and photostating shop
	Contractor - no outside storage or storage of heavy equipment
	Printing, lithographing, or publishing establishments
Commercial Entertainment and Recreation	
Large-scale	Golf courses or driving ranges (excluding miniature golf)
Small-scale	Billiard parlors
	Billiard or pool hall or bowling alley
	Bowling alleys
	Health club, spa, gymnasium
	Outdoor tennis clubs and lawn bowling clubs
	Skating rinks
Cinema/Theater	Theaters or auditoriums
Drive-Through Facility	Drive-Through Facility
Eating and Drinking Establishments	Candy, ice cream, pastry shops
	Delicatessen and specialty food stores
	Meat markets or delicatessens
	Restaurants
	Restaurant, bar, tearoom, or café
Food Preparation	Bakery employing not more than 10 persons
	Bakery employing not more than 20 persons on premises
	Caterers
Funeral Parlors and Interment Services	Funeral parlors
Hotels and Extended Stay Hotels	Hotels
	Residential Hotel
	Hotels and related recreational, conference center and other

CORRESPONDENCE BETWEEN PROPOSED USE GROUPS AND EXISTING USE LISTS	
Proposed Use Group	*Existing Use*
	auxiliary uses primarily for use by hotel guests
Live-Work Unit	None
Maintenance and Repair Services	Household appliance stores and repair
	Plumbing shops
	Upholstery shop
Market Garden	None
Medical Cannabis Dispensaries	Medical Cannabis Dispensaries
Mobile Food Vendors	None
Nurseries and Garden Centers	Garden nurseries
Outdoor Sales and Display	None
Outdoor Seating	None
Offices	Offices: general, administrative, business, professional, and public
Business and Professional	Professional offices
Medical and Dental	Professional offices offering medical and related services
Parking, Public or Private	Automobile parking areas
	Driveways and parking for nonresidential uses in residential zones
	Public parking areas
	Public parking garages
Personal Services	Barber shops and beauty shops
	Bath, Turkish and the like
	Cleaning and pressing establishment
	Dry cleaning, pressing, and laundry agencies
	Interior decorating shops
	Photographic studio
	Self-service laundry or dry cleaning
Retail Sales	Department stores
	Retail, wholesale, or service store or businesses
Building Materials and Services	Building materials, new and used
	Lumber yard
Food and Beverage Sales	Confectionery stores
	Grocery, fruit, and vegetable stores
	Liquor stores

CORRESPONDENCE BETWEEN PROPOSED USE GROUPS AND EXISTING USE LISTS	
Proposed Use Group	*Existing Use*
General Retail	Antique shops
	Bookstores
	Clothing stores
	Drugstores
	Dry goods or notion stores
	Florist shops
	Gift shops
	Hardware stores
	Jewelry stores
	Medical equipment and supply stores
	Photographic shops
	Shoe stores or shoe repair shops
	Stationery stores
	Tailors, clothing, or wearing apparel shops
	Television, radio stores and repair
	Wig shops
Neighborhood Market	None
Industrial Uses	
Automobile and Vehicle Repair, Major	Automobile body shops
	Automobile paint shops
	Storage garages, including repairing and servicing
Commercial Vehicle and Equipment Sales and Rental	Contractor, farming equipment
	Trailer and equipment sales and rental - non-industrial use
	Trailer sales
	Agricultural equipment rental
	Equipment and trailer rental and storage
	Machinery, farm and repair
Construction and Materials Yard	Building contractor and material storage
Custom Manufacturing	Cabinet shop
	Dressmaking or millinery shops
Food and Beverage Manufacturing	Brewery
	Coffee roasting
	Food products manufacturing
Hazardous Waste Management Facility	Hazardous Waste Management Facility
Household hazardous waste collection facilities	Household hazardous waste collection facilities

CORRESPONDENCE BETWEEN PROPOSED USE GROUPS AND EXISTING USE LISTS	
Proposed Use Group	*Existing Use*
Industry	
General	Alcohol and alcoholic beverages manufacture
	Battery manufacturing and rebuilding
	Boat building and repairing machine shop
	Bottling plant
	Cannery (except fish and meat products)
	Canvas and canvas products manufacturing
	Cellophane products manufacturing
	Cement products manufacturing
	Cleaning and dyeing
	Clothing products manufacturing
	Cornice works
	Cosmetics manufacturing
	Creamery
	Dextrine manufacturing
	Drug manufacturing
	Fumigating contractor
	Insecticides manufacturing
	Machine shops
	Malt products manufacturing
	Medicine manufacturing
	Metal spinning
	Milk pasteurization
	Millinery manufacturing
	Novelty manufacturing
	Paper products manufacturing
	Perfume manufacturing
	Phonograph manufacturing
	Plastic products manufacturing
	Plating
	Plating works
	Rope plant
	Rubber products manufacturing
	Rug manufacturing
	Sandpaper manufacturing

CORRESPONDENCE BETWEEN PROPOSED USE GROUPS AND EXISTING USE LISTS	
Proposed Use Group	*Existing Use*
	Sea shell products manufacturing
	Sheet metal products
	Sheet metal shops
	Sign manufacturing
	Starch mixing and bottling
	Stone grinding, cutting and dressing
	Tire retreading
	Tool manufacturing (no drop hammer or punch presses)
	Toy manufacturing
	Venetian blind manufacturing
	Wood products manufacturing
Limited	Assembly plant
	Awning manufacturing
	Bag manufacturing
	Bakery goods manufacturing
	Bedspring manufacturing
	Bookbinding
	Brush manufacturing
	Candle manufacturing
	Candy manufacturing
	Cigar and cigarette manufacturing
	Cleaning and dyeing, wholesale
	Clock factory
	Cork products manufacturing
	Electrical appliance and equipment manufacturing
	Electronic instruments and devices manufacturing
	Electronics products manufacturing
	Feather products, manufacturing or renovation
	Felt products manufacturing
	Fiber products manufacturing
	Fixture manufacturing, gas, electric
	Furniture manufacturing
	Horn products manufacturing
	Ice manufacturing and storage
	Ink manufacturing

CORRESPONDENCE BETWEEN PROPOSED USE GROUPS AND EXISTING USE LISTS	
Proposed Use Group	*Existing Use*
	Iron works, ornamental (no casting)
	Knitting mill
	Leather products manufacturing (no tanning)
	Paint mixing (no boiling)
	Pottery and statuary manufacturing
	Pumping plant
	Refrigerated lockers
	Refrigerating plant
	Rug cleaning
	Taxidermists
Recycling Collection Facility	None
Research and Development	Laboratory for research, testing and experimental purposes
	Medical laboratories
	Research and development
Salvage and Wrecking	Automobile wrecking
Warehousing and Storage	
Indoor	Cold storage plant
	Cotton storage
	Produce warehouses
	Produce yard or terminal
	Store warehouses
Personal Storage	Furniture warehouse for storing personal household goods
Wholesaling and Distribution	Distribution plant
Transportation, Communication, and Utilities	
Freight/Truck Terminals and Warehouses	Draying and truck yard or terminal
Light Fleet-based Services	None
Telecommunication Facilities	Telecommunication Facilities
Transportation Passenger Terminals	None
Public Works and Utilities	Cesspool - pumping, draining, cleaning
	Electric distributing substation
	Electric utility warehouse and service yard or electric transmission substation
	Improvements and additions of 500 square feet or less to Public Works Facilities
	Public works treatment and distribution facilities between 500 and 1,000 square feet

CORRESPONDENCE BETWEEN PROPOSED USE GROUPS AND EXISTING USE LISTS	
Proposed Use Group	*Existing Use*
	Rehabilitation of existing water storage reservoirs or sludge basins that are owned and operated by the City
Other Applicable Types	
Horse Keeping	The keeping of horses
Home Occupation	Home occupation
Temporary Use	Establishments/enterprises involving large assemblages of people on more than 4 occasions per year

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Existing Neighborhood Markets in Residential Zones

Address	Name	Zone	Estimated Size
416 E Micheltorena	Riviera Market	R-3	1,400 s.f.
235 W Micheltorena	La Bamba Market	R-4	600 s.f.
601 W Mission	Mission Liquor and Deli	R-3	1,700 s.f.
1700 San Andres	Fernando's Market	R-3	1,500 s.f.
601 W De La Guerra	Guadalajara Market	R-3	800 s.f.
415 W Anapamu	Davis Market	R-4	1,184 s.f.
701 Bath	Little Corner Store	R-4	960 s.f.
1121 E Montecito	Pennywise Market	R-2	800 s.f.
1235 Olive	Victoria Market	R-3	1,600 s.f.
735 W Micheltorena	Westside Market	R-2	1,570 s.f.
1104 Cacique	Arts Market	R-3	780 s.f.
		Average Size	**1,172 s.f.**

Exh. B

EXHIBIT B

Existing Neighborhood Markets in Non-Residential Zones

Address	Name	Zone
410 Salinas	Mi Fiesta Market	C-P
1236 Santa Barbara Street	Presidio Market and Deli	C-2
135 E. Carrillo Street	The 805 Deli	C-2
415 E. De la Guerra Street	Italian Grocery	C-2
512 Laguna Street	Laguna Street Deli	C-M
728 E. Haley Street	Mi Fiesta Market	C-2
501 Anacapa Street	Macs Grog and Groc	C-M
435 De la Vina Street	Brownies Market and Deli	C-2
437 State Street	Mini Mart Liquor and Groceries	C-M
626 W. Carrillo Street	Carrillo Market and Deli	C-P

Exh. C

EXHIBIT C

City of Santa Barbara
Planning Division

JOINT COMMITTEE MEETING
Staff Notes

May 11, 2015
(Revised June 11, 2015)

CALL TO ORDER

Beatriz Gularte called the meeting to order at 10:02 a.m.

ROLL CALL

Bendy White, City Council
Cathy Murillo, City Council
John Campanella, Planning Commission
Mike Jordan, Planning Commission
Sheila Lodge, Planning Commission

STAFF PRESENT

Danny Kato, Senior Planner II
Bea Gularte, Senior Planner II
Marck Aguilar, Project Planner
Brenda Beltz, Associate Planner
Scott Vincent, Assistant City Attorney III
Martha Miller, Dyett & Bhatia
Jeannie Mangone, Dyett & Bhatia

GENERAL BUSINESS

Bea Gularte introduced Jeannie Mangone to the Committee as a new addition from Dyett & Bhatia, and Marck Aguilar as the new lead for the New Zoning Ordinance (NZO) effort. Bea mentioned that topics concerning the uses may need further discussion, including the uses that were new, revised or received many public inquiries. In order to adhere to the two year timeline, she requested feedback from the Committee about items on the New Zoning Ordinance that may need more development and should be pulled from the process for a later date.

Martha Miller, from Dyett & Bhatia, presented the preliminary draft of the New Zoning Ordinance, Module 1: Use Regulations. She mentioned that after feedback was received and the community workshop had occurred, the next two modules covering development standards and administrative procedures would begin.

Module 1: Use Regulations (dated May 4, 2015)
Focused on four sections:

EXHIBIT D

1. Zone District Purpose Statements and Use Regulations for each zone district
2. Standards for Specific Uses and activities that apply to multiple districts
3. Use Classifications, or definitions
4. Use Correspondence Table which is organized to relate proposed classifications to existing uses

The first effort to enhance the Zoning Ordinance was to refine the zone names to provide context for the character of each zone. Including updated purpose statements for each zone district provided a link between the General Plan's policies and the regulations. It was a way of showing how each zone is intended to be used and how it fits in with the land use policy.

The use classifications were developed to group and define uses by common characteristics and functions. As new uses are established, they can be identified and placed in use groups. A table was created with use classifications for each district to identify an allowable use, including the requirement of a Performance Standard Permit (PSP) or a Conditional Use Permit (CUP). The table provides a cross-reference where there are additional regulations in the Zoning Ordinance and allows for comparison between zones and their specific uses.

M-1 Zone

Up for discussion were the uses in the M-1 zone. The General Plan contains policies and implementation strategies that encourage the preservation of light manufacturing. About 41% of the M-1 Zone is comprised of industrial and car service uses. During the 2013 Zoning Map Amendment, the M-1 zone was reduced along the edges. Those parcels that were split zoned with C-2 or C-M were kept in the C-2 or C-M zones. The General Plan anticipates some of those parcels will be turned over for priority housing. Eliminating presently allowed uses will result in creation of non-conforming uses.

- Commissioner Lodge acknowledged the lack of land available within the M-1 zone and felt strongly that there should not be any more retail or office spaces added to the zone.
- Commissioner Campanella questioned whether there are existing industrial car service uses that would not be allowed today under the existing zoning , noise or pollution regulations. Staff responded that that analysis has not been undertaken, and that the M-1 Zone is very permissive and that the ordinance permits those uses provide that they are not obnoxious or offensive. Commissioner Campanella also noted that commercial and residential zones border the M-1 and questioned whether there might be a need for a buffer. This might generate concern by businesses and residential uses along the M-1 edges that might be affected by industrial uses. Ms. Miller noted that this is a current situation, that there are performance standards and state and federal regulations that apply to those uses. Commissioner Campanella suggested disclosures be provided to potential owners to help resolve uncertainties. Ms. Miller acknowledged that now is the opportunity to review the allowed uses in the M-1 and consider compatibility, and if the goal is to further protect the industrial zone, then the allowed uses should be further limited. Commissioner Campanella mentioned using the bordering parcels of the M-1 zone as commercial uses to help create a buffer between the industrial and non-industrial or mixed uses.

- Commissioner Jordan anticipates an increase in pressure as the M-1 zone border becomes mixed use and people start living there. There will be increased desire for non-industrial services, somewhat of a contradiction.
- Councilmember White acknowledged that if office uses were continued, the expectation would be for an office atmosphere with limited noise but, there might be an adjacent noise-generating industrial use. He envisioned mixed use along transportation corridors with residential on upper floors. Office in the M-1 is his biggest concern. Councilmember Murillo supports protecting the M-1 and noted that there is a general tolerance amongst existing owners/users for the range of uses in the industrial zone and it is important to protect what is in place now because the City is not creating any more industrial zone area.
- Councilmember White inquired how City jurisdiction parcels at and around the airport might be utilized. Staff responded that that is not being considered as they fall within Title 29, Airport Zoning, and is not included in the NZO effort.
- Ms. Miller asked the Committee to review the M-I zoning uses and forward to staff their recommendations for uses to be removed/added.

Neighborhood Markets

Neighborhood Markets would be a new allowed use serving residential zones. The markets that are present in residential zones are considered non-conforming and as such, improvements are limited. Markets would be required to obtain a Conditional Use Permit (CUP) in single-unit residential zones or a Performance Standard Permit (PSP) in other residential zones subject to standards. Markets would be restricted to 1,500 square feet maximum, located on a corner lot, maintain a certain distance from an existing market to reduce concentration of retail, have limited hours of operation, have no outside seating, comply with outdoor lighting ordinance, etc. Alcohol sales would require a CUP for alcohol sales in residential zones. The intent is that neighborhood markets would be small and not require parking.

- Commissioner Lodge opposed having neighborhood markets in single-family residential zones and questioned their success/profitability in low density areas where it would be anticipated that they would generate additional vehicle trips. In addition, she did not think that they should be located in a mid-block parcel.
- Commissioner Jordan suggested that in order to be viable, neighborhood markets may need the ability to sell alcohol and requiring a Conditional Use Permit (CUP) for alcohol sales would be a difficult and unlikely path to approval. Ms. Miller noted that in other jurisdictions, CUPs are often employed for alcohol sales and through that process, market operators convey that in order to provide other items, alcohol sales are needed.
- Both Councilmember Murillo and Councilmember White noted that they were not opposed to outdoor seating.
- Commissioner Campanella was concerned that requiring a market to obtain a Conditional Use Permit (CUP) would deter the creation of new markets, especially in single-family zones.
- Councilmember Murillo noted that at least two markets operate mid-block:, De la Vina/Anapamu Streets and another on Micheltorena Street. Also recognized that markets

are responsive to their customer's desires and a market's inventory should not be regulated by the City.

- Commissioner Campanella affirmed that not requiring parking would also limit the impacts to adjacent parcels since a driveway to the back would not be needed. Staff stated that Americans with Disabilities Act parking might not be required since that is triggered when there is an overall parking requirement.
- Generally, the Committee concurred that neighborhood markets should be not be allowed in single family zones.

Home Occupation

Discussion of the standards and allowable uses. The Module included operational, independent performance standards concerning maintenance of the residence, business within the residence, disallowance of outside employees, limitations on customer visitations. It is intended to help preserve the residential character of the area while allowing business opportunities.

- Councilmember Murillo asked about home occupation complaints. Danny Kato responded that complaints are limited but, usually related to a high number of visitors/customers or delivery trucks (e.g. UPS or FedEx). verified the complaints as foot traffic relative to home occupations like barbershops or music lessons in addition to an overabundance of mail trucks.
- Commissioner Lodge expressed concern about the language allowing two commercial vehicles to be parked at the residence, feeling it would contribute to a more commercial use than residential. She felt it necessary to place restrictions on foot traffic to protect the residential quality of life. Commissioner Jordan observed that certain working class neighborhoods would not be affected by home occupations so restrictions would be excessive.
- Commissioner Jordan questioned how the term "lodging" is being applied. Danny Kato stated that it was intended as a placeholder for vacation rentals, not for long-term rental of rooms. The term "lodging" relates to hotel use and will be addressed the the Vacation Rentals ordinance effort. When complete, that will be rolled back into the NZO effort.
- Councilmember White was unclear about common home employment such as a bookkeeper, and whether that would be permitted. Staff responded that a bookkeeper or other personal assistant-type service would not be considered a home occupation if the service provider comes to the client's home. Rather, if the person living in the home is a bookkeeper and clients visit, that would be categorized as a home occupation.
- Councilmember White questioned that if barbershops with more than one chair are prohibited, does that mean barber services with only one chair are permitted? Staff responded that barber shops and hair solons are prohibited, but that staff did not see a problem with a single person cutting hair as a home occupation. The Committee agreed that one person cutting hair would be an acceptable home occupation. Limits on number of visitors at a time or per day would be an enforcement challenge. Commissioner Jordan indicated that impact, parking and otherwise, from home occupation visitors/clients may be less than expected during the day since most people would be out of their homes at work.

Mobile Food Vendors

Mobile food vendors are categorized as peddlers, and are prohibited under the City's current ordinance; however, they are allowed on the public right-of-way by the California Vehicle Code (CVC). This is proposed as a new allowed use on *private* property. The standards include limiting food sales for immediate consumption; allowing only a vehicle as defined by the CVC, not a push cart; food trucks cannot be left unattended; no parking at least 15 feet near a right-of-way to allow for customer queuing; they must be permitted on a specific location;, they may not displace parking, and they must operate at least 600 feet from a school unless posted for a special event.

- Commissioner Campanella asked whether these standards parallel those for food trucks on public streets. Ms. Miller replied that the public street requirements are less defined. Campanella: Why would there be a difference? Staff responded that food trucks are not presently allowed on private property.
- Commissioner Jordan asked if the food trucks presently operating on private property are in conflict with current ordinance. Staff affirmed. For street right-of-way however, State regulations and local jurisdiction regulations are applicable. Mr. Vincent noted that mobile vending in the right of way will be reviewed by the Planning Commission and Council in the near future. He asked the committee to consider mobile food trucks from standpoint of what is desirable for zoning or compatibility. The Health Dept. will continue to regulate.
- Commissioner White questioned the need for distance requirements from the right of way, if mobile vendors can already sell in the right of way. Staff replied that this would apply to private property sites with the intent of reducing the likelihood of customers or the vehicle/operation blocking the sidewalk.
- Commissioner Jordan expressed support for the uses but, expressed reservations for vendors that would remain for some extended time. The proposed standards seem onerous for a single truck that stops for a limited time. Ms. Miller responded that this could be addressed in Temporary Uses whereby mobile vendors parked for a lengthier duration or higher frequency are subject to higher standards.
- Councilmember Murillo has observed that at some locations in town when businesses close, the property owner has allowed a mobile food vendor on the site. Some work shifts start late and the mobile food vendor fills a need. Staff replied that under the proposed standards, a mobile food vendor on site after hours when the business is closed would not be considered to occupy required parking because none is needed when the primary business is closed. Staff added that the concern about loss of required parking during operating hours of the brick and mortar business is that there is a loss of parking as well as a newly created demand for parking stemming from the mobile food vendor.
- Councilmember Murillo does not support the 600-foot distance from schools.
- Commissioner Jordan suggested that staff research and provide some examples of mobile food vendor operations.

Temporary Uses

The municipal code is rather limited in the manner that it addresses temporary uses, as to where appropriate. There is language pertaining to holiday sales and large assemblages of people (e.g. Farmer's Markets) more than four times per year in a commercial zone require a CUP. Standards and processes are unclear. There can be other temporary uses that may not necessitate a CUP such as garage sales, Girl Scout cookie sales, grand opening events. Other uses that might necessitate a Temporary Use Permit might include seasonal sales or multi-day events. Others that are larger or more frequent might be considered through a CUP process.

Initially, staff was envisioning requests for "tent sales" and more recently the Tesla temporary "popup" showroom that would be installed at Carrillo/Chapala Streets (former Greyhound Bus Station) for 30-days made it more evident that a clearer process, and varying analysis would better serve the community. Other temporary events include festivals such as "Octoberfest." Another example has been allowing a local nightclub to utilize their entire parking lot for an event if they supply replacement parking nearby.

- Commissioner Lodge noted that displacement of parking is permitted if located elsewhere but, standards relating to maximum distance aware are absent. Staff noted that for permanent off-site parking, standards apply. Will consider some flexible approach for temporary uses.
- Commissioner Campanella noted that successful temporary events are indicative of community support and efforts should be made to accommodate. Commissioner Jordan concurred and expects more temporary events downtown overtime as conversion to mixed use proceeds.
- The City Attorney recommended that the language be crafted in a manner that does not identify a specific number of events that does not require a permit as that makes enforcement a challenge. Provide a path to get a permit for a certain number of events per year as this will allow for tracking and subsequent permit. Identify size/area, amount of parking affected, etc.

Automobile Service Stations

The current Zoning Ordinance contains numerous and redundant regulations in the Ordinance and requires a CUP for most zones. Attempted to combine all existing regulations, which varied on minor items, into a single approach. A CUP is presently required for service stations in the C-P and C-2 zones, and it might be more appropriate to consider through a Performance Standard Permit (PSP) instead. Automobile Service Stations are subject to a significant number of standards and the CUP process may have little additional effect. A recent example is of a gas station looking to add a mini-mart where mini-marts are already allowed. However, as an automobile service station use, it would be required to obtain a CUP for the addition. This would still be reviewed by the Staff Hearing Officer and public notices issued.

- Commissioners Campanella and Lodge expressed concern about the locations of driveways to corners. Staff responded that the Transportation Division would continue to review proposals.
- The Joint Committee was generally supportive of PSPs rather than CUPs for automobile service stations in the C-N, Commercial Neighborhood Zone (currently C-P) and C-G, Commercial General Zone (currently C-2).

Community and Market Gardens

General Plan encourages development of Community and Market Gardens. The difference in definitions is that Market Gardens allow for on-site sales whereas Community Gardens do not allow on-site sales. Community gardens would be allowed in all zones subject to specific standards, require a management plan and identification of a garden manager, hours of operation, limits on equipment, and limited in size so as to remain appropriate to community. Are these allowances and standards appropriate?

Sales of produce restricted to Market Gardens which would be allowed in commercial, manufacturing zones and also in office zones with a PSP.

- Commissioner Lodge asked about the basis for the 25,000 square foot limit. Ms. Miller replied that the number could vary and that the intent was to apply some upper limit.
- Commissioner Lodge inquired about the sizes of existing community gardens..
- Councilmember Murillo asked if there are any existing Market Gardens in the community. Staff replied that agricultural uses are allowed in all zones.
- Commissioner Jordan suggested augmenting the standards for the operational plan to address odors, pest control, herbicides and similar. What would be the trigger
- Commissioner Lodge suggested that perhaps there should be a requirement that gardens be organic. Ms. Miller observed that home gardens are permissible now with no restrictions on gardening methods. Perhaps a size limitation would inherently address those concerns. These would be "backyard gardens" for people who do not have a garden.
- Committee did not support size limitation.

Other Concerns

- Commissioner Campanella inquired about the nature of Garden Apartments. Staff explained the limitations of Garden Apartments to the R-2 Zone.
- Councilmember White (via Councilmember Murillo) questioned the 3-bedroom limit for Accessory Dwelling Units [28.32.040.B.1].
- Commissioner Campanella inquired whether the duplex-only development is required in the R-2, Two-Unit Residential Zone. Staff explained that in the R-2 zone right now, any

combination of either single-unit residences or two-unit (duplex) residences are allowed in the R-2 zone and that is not proposed to change. Clarification may be helpful.

- Commissioner Lodge inquired about Accessory Buildings on the R-2 lot. Staff explained that Accessory Dwelling Units in the R-2 lot are a special circumstance based on lot square footage, required to be attached, and also have specific parking requirements.
- Councilmember Murillo on behalf of Councilmember White posed a question about the three bedroom limitation for Accessory Dwelling Units [28.32.040.B.1] on page 29. Further, there should be allowances for the owner to decide how to configure the space. Staff responded that that is a change from the existing ordinance. It was crafted in that manner to address parking demand. Parking requirement was reduced to three spaces based on the square footage limitation.
- Commissioner Lodge asked for clarification of Footnote #2 in Table 28.05.020 (page 17) that relates to high fire hazards and landmark districts. Staff clarified that the footnote relates to mobile homes. Acknowledged that the phrasing is awkward and could be improved.

Public Comment

No public speakers.

Next Steps

Planning Commission review of the draft Module #1: Use Regulations by the Planning Commission on June 25, 2015 at 3:00 p.m. in the David Gebhard Public Meeting Room at 630 Garden Street

Additional comments from the Joint Committee Members to be forwarded to staff in the next two weeks.

11:55 a.m. – Meeting ended.

C-M and M-1 - Existing Land Uses

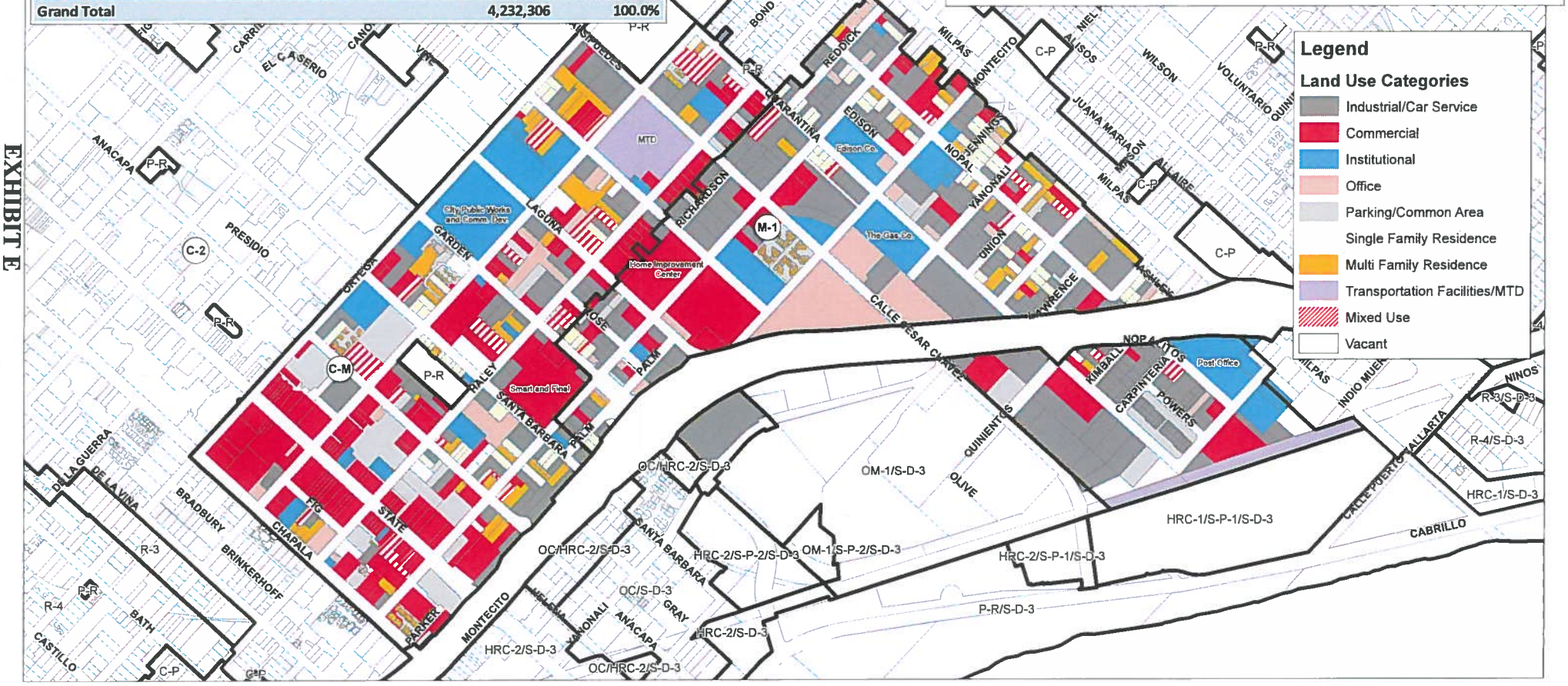
EXHIBIT E

C-M Zone

Land Use	Sum of Area in Square Feet	% of Total Area
Commercial	1,403,103	33.2%
Industrial/Car Service	770,201	18.2%
Institutional	547,408	12.9%
Parking Lot/Common Area	445,898	10.5%
Mixed Use	267,498	6.3%
Multi Family Residential	255,475	6.0%
Transportation Facilities	189,526	4.5%
Single Family Residence	133,841	3.2%
Office	127,817	3.0%
Vacant (non Open-Space) or Vacant Building	68,651	1.6%
Lodging	22,888	0.5%
Grand Total	4,232,306	100.0%

M-1 Zone

Land Use	Sum of Area in square feet	% of Total Area
Industrial/Car Service	2,036,898	41.7%
Commercial	890,253	18.2%
Institutional	501,670	10.3%
Office	475,897	9.7%
Parking/Common Area	268,249	5.5%
Single Family Residence	260,283	5.3%
Multi Family Residential	185,833	3.8%
Transportation Facilities/Railroad Land	134,563	2.8%
Mixed Use with Residential	77,135	1.6%
Vacant	59,526	1.2%
Grand Total	4,890,305	100.0%



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Date: 6/11/2015 Author: AJN