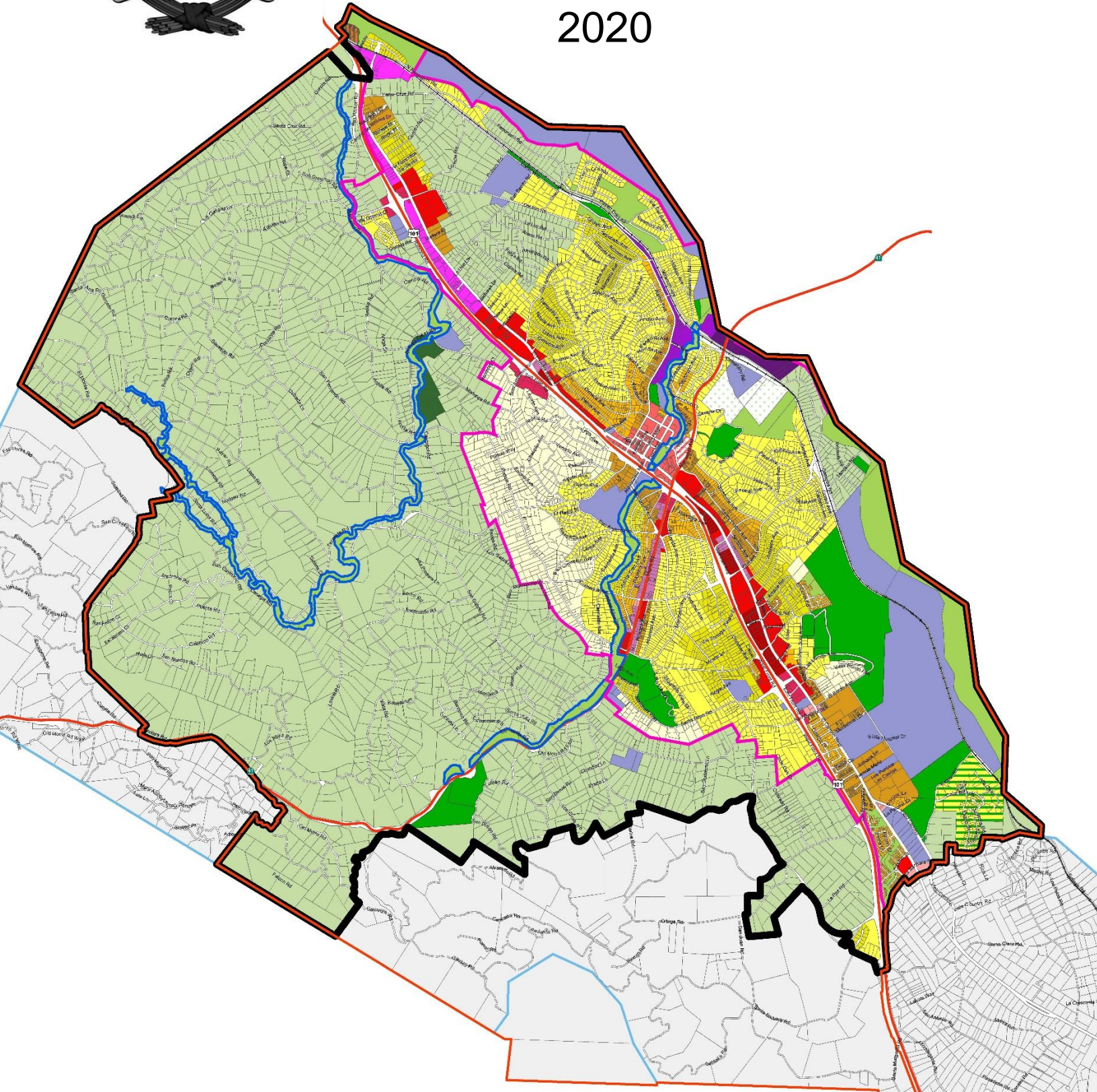




City of Atascadero Zoning Handbook

2020







Mission Statement:

The City of Atascadero is committed to building community by fostering an outstanding quality of life with excellent public service, stewardship of the environment, preservation of our heritage and promotion of economic prosperity.

The Zoning Handbook is a compilation of the most commonly used Municipal Code sections pertaining to land development in the City of Atascadero. The code sections in the handbook are reformatted from the City's official Municipal Code. Some sections of Title 9 are not included and may be found in the Municipal Code. Please see the Citywide Municipal Code for code sections relating to the following: Lot Merger, Native Trees, Condominium Development, Reasonable Accommodation, Noise, Signs, Special Uses, and Adult Oriented Businesses. If at any time you have any questions in regards to development, standards, planning, zoning, or any other question you may have, please feel free to contact our staff members at (805) 461-5035, or stop by our Historic City Hall, located at 6500 Palma Avenue, 1st floor. The full Municipal Code is [available online](#).

- The Community Development Department of the City of Atascadero

Dedicated to Atascadero's character and safety by helping people plan and build quality projects

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Chapter 1: Administration & Permit Types

Introduction

Zoning allows the City of Atascadero to manage the development of land and property within City limits and permit projects according to the City's zoning code (Title 9) based on the goals and policies of the City's General Plan Policies and goals. This handbook serves a tool for land development and can be used to navigate the City's Municipal Code, available online.

1.1 Title & Purpose (AMC 9-1.101)

This title is known as the Zoning Regulations of the City of Atascadero, Title 9 of the Atascadero Municipal Code. These regulations are established and adopted to protect and promote the public health, safety and welfare and provide a regulatory structure which:

- a) Provides for the development of land uses in a manner that encourages and supports the goals and policies of the General Plan; and
- b) Minimizes adverse effects on the public resulting from the inappropriate creation, location, use or design of building sites, structures, or other land uses by providing appropriate standards for development; and
- c) Protects and enhances the unique and significant natural, historic, cultural and scenic resources within the City; and
- d) Assists the public in identifying and understanding regulations affecting the development and use of the land.

1.2 Applicability of the Zoning Regulations (AMC 9-1.104)

1.2.1 Proposed Uses

The provisions of this title apply to all lots, buildings, structures and uses of land created, established, constructed or altered subsequent to the adoption of this title, unless specifically exempted by this section.

1.2.2 Existing Uses

The provisions of this title are not retroactive in their effect on a use of land lawfully established before the effective date of this title, unless an alteration, expansion or modification to an existing use is proposed which requires approval pursuant to this title. A use lawfully established before the effective date of this title shall become a nonconforming use subject to all applicable provisions of Chapter 9-7 [of the Atascadero Municipal Code] unless the use is determined to be in compliance with all applicable provisions of this title.

1.2.3 Completion Of Approved Uses

Nothing in this title shall require any change in the plans, construction or approved use of a building or structure for which a permit has been issued or a zoning approval has been granted before the effective date of this title, as follows:

Building Permits

Site work has progressed beyond grading and completion of structural foundations within one hundred eighty (180) days after building permit issuance;

Zoning Approvals

Projects authorized through the approval of departmental reviews, conditional use permits, precise plans, variances, and development plans shall apply for construction permits within two (2) years of the effective date of the approval of a conditional use permit, precise plan, variance, development plan, unless an extension of time granted such entitlements has been approved as provided under Section 9-2.117 [of the Atascadero Municipal Code]. Any project that was approved for phased construction may continue under the approved phasing schedule.

1.2.4 Non-existing Use

A use of land not completed as provided in Completion Of Approved Uses described above in this section as of the effective date of the ordinance codified in this title shall be prohibited unless the use is determined to be in compliance with all applicable provisions of this title.

1.3 Compliance with Uses Set Forth In Zoning Districts Required (AMC 9-1.105)

No new building or use of land shall be established and no application for such use or other permit required by this title shall be accepted for processing unless the proposed use is allowed in the zoning district where the proposed activity is to be located, except where otherwise provided by Chapter 9-7 [of the Atascadero Municipal Code].

1.4 Compliance with Standards Required (AMC 9-1.106)

No use of land or buildings shall be established and no application for a use of land or buildings shall be approved unless the proposed land use or building satisfy all applicable standards of this title, except where otherwise provided by Chapter 9-7 [of the Atascadero Municipal Code]. No such application shall be approved where an existing land use or building is being maintained in violation of any applicable provision of this title, except where the purpose of the application is to correct the violation.

1.5 Fees Required (AMC 9-1.107)

Any application filed with the Community Development Department shall be accompanied by the required filing fee at the time of submittal. The required filing fee shall be determined by resolution of the City Council.

1.6 Administration of the Zoning Regulations (AMC 9-1.108)

This title shall be administered by the Community Development Director. The responsibilities of the Community Development Director under this title include the following functions, which may be carried out by such other persons as he or she may designate:

1.6.1 Application Processing

Receive and review all applications for projects; certify that applications submitted have been properly completed; establish permanent files; conduct site and project analyses; make environmental determinations; provide public notices; meet with applicants; collect fees; prepare

reports; process appeals; present appropriate staff reports to the Planning Commission, City Council, and City Manager; and

1.6.2 Coordination

Refer and coordinate matters related to the administration of this title with other agencies and City departments; and

1.6.3 Amendment

Pursuant to Section 9-1.114 [of the Atascadero Municipal Code], petition the Planning Commission or City Council to initiate amendment of this title when such amendment would better implement the General Plan and increase its effectiveness and/or improve or clarify the procedures or content of this title; and

1.6.4 Enforcement

Enforce and secure compliance with the provisions of this title pursuant to Chapter 9-8 [of the Atascadero Municipal Code].

1.7 Approved Plans (AMC 9-2.111)

A land use or development project authorized through a zoning approval shall be developed or established only as shown on the project plans approved as part of the application. Deviation of the project design or construction from the approved plans may occur only as follows:

- a) Except as provided by subsection (b) of this section, a feature of the use or project which is subject to the standards of Chapters 9-4 and 9-6 may be modified provided that the change requested is in conformity with the standards of this title. Such change shall be requested in writing with appropriate supporting materials and explanation of the reasons for the request. The Planning Director may approve a requested change upon verification of its conformity with this title, provided that such approval shall not modify the effective date of the approval (Section 9-2.112).
- b) In the case of a project feature which is subject to conditions of approval of a conditional use permit, or was a specific consideration in the approval of a conditional use permit, a new conditional use permit approval shall be obtained.

1.8 Permit Time Limits (AMC 9-2.112)

An approved plot plan is valid for the time limits established by Title 8 [Building Code] governing building permits. An approved precise plan or conditional use permit, when not part of a planned development with an approved corresponding tentative map, is valid for twenty-four (24) months after its effective date, unless otherwise provided by adopted conditions. At the end of the twenty-four (24) months the approval shall expire and become null and void unless:

- a) Building permits have been applied for and have not expired;
- b) The project is completed (Section 9-2.114);
- c) An extension has been granted (Section 9-2.117); or
- d) A building moratorium is imposed on the project site.

If a conditional use permit has been approved as part of a planned development with a corresponding tentative map, the life of the conditional use permit shall run with the map and shall only expire if the map expires. Time extensions for the map shall also extend the time of the corresponding conditional use permit. Conditional use permits which correspond with a tentative map shall remain active and shall not expire once the map is recorded. This provision shall apply retroactively and, as a result, any conditional use permit which expired prior to the effective date of the ordinance codified in this section, but which was approved as part of a planned development with a corresponding tentative map that is still active, shall no longer be considered expired but shall instead be deemed active and subject to expiration only if and when the corresponding map expires without having been recorded.

Nothing in this title shall be construed as affecting any time limits established by Title 8 of [the Atascadero Municipal Code] regarding work authorized by a building permit or other construction permit issued pursuant to Title 8, or time limits relating to the expiration of such permit.

1.9 Extension of Entitlement (AMC 9-2.117)

1.9.1 Initial Extension

The Community Development Director may grant a one (1) year extension to the time limit for any entitlement (Section 9-2.112). Such extension shall be requested in writing on or before the date of expiration of the entitlement. The Community Development Director shall grant an extension only after finding that:

- a) There have been no changes to the provisions of the General Plan or zoning regulations applicable to the project since the approval of the entitlement; and
- b) There have been no changes in the character of the site or its surroundings which affect how the standards of the General Plan or zoning regulations apply to the project.
- c) Disapproval of a requested extension by the Community Development Director may be appealed to the Planning Commission as set forth in Planning Department Actions in Section 9-1.111 [of the Atascadero Municipal Code].

1.9.2 Continuing Extensions

The Planning Commission may grant additional extensions after an initial extension, provided that each such extension shall not exceed one (1) year. Continuing extension may be granted when the applicant has filed a written request with the Community Development Department on or before the date of expiration of the initial extension, and provided that the Planning Commission makes the following findings:

- a) That substantial site work could not be completed as set forth in Section 9-2.113 because of circumstances beyond the control of the applicant; and
- b) The findings specified in Initial Extension from Section 9-2.117 [of the Atascadero Municipal Code].

1.10 Lapse of Entitlement (AMC 9-2.118)

In the event that any of the circumstances listed in this section occur, an entitlement shall be deemed to have lapsed. No use of land or structure, the entitlement for which has lapsed pursuant to this section, shall be reactivated, reestablished, or used unless a new entitlement is first obtained.

1.10.1 Completed Projects

When a project has been completed or an authorized use not involving construction has been established (Section 9-2.114), the entitlement which authorized the project shall remain valid and in force, including any conditions of approval adopted in connection therewith, unless:

- a) An approved use or structure authorized through plot plan approval is removed from the site, and the site remains vacant for a period exceeding six (6) consecutive months, in which case the plot plan approval shall lapse;
- b) The circumstance described below in Condition Declared Void of this section occurs, in which case conditional use permit approval shall lapse;
- c) A use or structure authorized through precise plan or conditional use permit

approval remains vacant and unused for its authorized purpose, or is abandoned or discontinued for a period greater than twenty-four (24) consecutive months; or

- d) The entitlement is revoked in accordance with Section 9-8.105.

1.10.2 Condition Declared Void

The conditional use permit shall cease to be valid in the event that a judgment of a court of competent jurisdiction declares one (1) or more of the conditions of a conditional use permit approval to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one (1) or more of such conditions.

1.11 Permit Types (AMC 9-1.112 / 9-2 / Title 11)

The following are the types of entitlement permits that are utilized within the City of Atascadero. Some uses or developments require entitlements, while others do not and their level of complexity varies. All entitlements require fees and various required drawings and other items required. Please contact the Community Development Department for assistance in the type of application required and information needed to process and complete an application.

Table 1.1 Permit Types

Entitlement Type	When Required	Approval Type	Municipal Code Reference
Zoning Clearance	Business License Application	Community Development Staff	AMC 9-2.106
Plot Plan	Allowed use in use tables, but required by Municipal Code or Community Development Staff	Community Development Staff	AMC 9-2.108
Precise Plan	Allowed use, however project requires additional environmental review per CEQA	Community Development Director or Designee	AMC 9-2.109
Administrative Use Permit	As listed in allowed use tables & Municipal Code	Community Development Director or Designee	AMC 9-1.112
Design Review	Allow new multi-family, planned developments, and commercial developments	Design Review Committee	AMC 9-2.107
Conditional Use Permit	As listed in allowed use tables & Municipal Code	Planning Commission	AMC 9-2.110
Variance	If a proposed project cannot meet development standards	Planning Commission	AMC 9-1.113
Planned Development / Specific Plan	Where development standards or processing procedures differ from those established by the underlying zoning district	City Council	AMC 9-3.643

Chapter 2: Zoning and Land Use

2.1 Zoning Districts Established (9-3.102)

The following zoning districts are established:

Agricultural and residential zoning districts:

- Agriculture—A;
- Residential Suburban—RS;
- Residential Single-Family—RSF;
- Limited Single-Family Residential—LSF;
- Residential Multiple-Family—RMF.

Nonresidential zoning districts:

- Commercial Neighborhood—CN;
- Commercial Professional—CP;
- Commercial Retail—CR;
- Commercial Service—CS;
- Commercial Tourist—CT;
- Commercial Park—CPK;
- Downtown Commercial—DC;
- Downtown Office—DO;
- Industrial Park—IP;
- Industrial—I.

Public zoning districts:

- Recreation—L;
- Special Recreation—LS;
- Public—P;
- Open Space—OS.

2.2 Land Use Definitions

Purpose (AMC 9-3.501)

This section contains descriptions of the types of land uses which can be established in the various zones. The uses described here are allowed in the various zoning districts established. The description of land uses are intended only to list the various land uses included under each general heading and do not explain what permit requirements or performance standards may be applicable to a given use. If a use here within is not defined in this section, or in other provisions of the City of Atascadero Municipal Code, the Community Development Director shall determine the correct definition.

Definitions (AMC 9-3.520)

As used in Title 9, the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise.

Definitions “A”

Accessory Storage: The indoor or outdoor storage of various materials on the same site as a principal building or land use which is other than storage, which supports the activities or conduct of the principal use. Outdoor accessory storage is limited to 10 percent of the floor area of the principal building in accordance 9-6.103.

Adult-Oriented Business: Any business defined by Chapter 19 of Title 9 in the Atascadero Municipal Code, or subsequent code section, as an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, massage parlor (excluding State-licensed massage therapy), sexual encounter establishment, or nude model studio is an adult oriented business.

Age Restricted Housing: Residential multifamily or single-family units that restrict occupancy based on age. This use typically consists of senior housing which restricts age for fifty-five (55) and older.

Agricultural Accessory Uses: Includes any use that is customarily part of an agricultural including structures that are designed to house farm implements, hay, grain, poultry, livestock, or other horticulture products, including non-commercial greenhouse that are incidental and secondary to a residential use. This does not include garages, workshops, or other similar residential accessory structures.

Agriculture Employee Housing: Includes single-family dwellings, or other lodging accommodations provided as a part of farming operations, as regulated under the California Health and Safety Code, employees on land owned by the owner of the building site on which the lodging is located.

Agricultural Produce Stands: Open structures for the retail sale of agricultural products (except hay, grain and feed sales which are included under "Farm Equipment and Supplies") which are grown on the site in residential or agriculture zones. This does not include Farmer's Markets or "seasonal sales located in non-residential zoning districts, defined under "temporary sales".

Amusement Services: Establishments providing indoor amusement, entertainment, or personal enrichment services on payment of a fee or admission charge, such as: arcades and coin-operated amusements; dance halls, and ballrooms which are principal uses rather than being subordinate to an eating or drinking place; health and exercise facilities including yoga, dance, martial arts and similar small studios that do not include courts or similar facilities; and music and arts and crafts instruction. Athletic facilities with basketball, racquetball or similar indoor participation sports are classified as "indoor recreation services." Card rooms, billiard and pool halls as a primary use are classified as "personal services- restricted."

Animal Hospitals: Establishments primarily engaged in performing services for animals, including veterinary services and animal hospitals. Does not include kennels, which are listed as a separate category.

Artisan Foods and Products: An establishment that specializes in artisan food production, art glass, ceramics, jewelry, paintings, sculpture, and other handcrafted items, where the facility includes a retail component.

Auto Dealers (New & Used) & Supplies: Retail and wholesale trade establishments selling new and used automobiles, including, but not limited to, light trucks (US DOT Class 1, 2, and 3), boats (FBSA Class A and Class 1 boats (under twenty-six (26) feet in length)), recreational vehicles, recreational/utility trailers, motorcycles and mopeds. Also includes establishments selling new parts and accessories within a building for the above. Does not include establishments dealing exclusively in used parts. Includes automobile repair shops only when maintained by establishment engaged in the sale of vehicles on the same site. Does not include "service stations," which are separately defined.

Auto Repair & Services: Service establishments primarily engaged in the repair, alteration, painting, washing or waxing of automobiles, and lube services. May also include rental of cars, trucks or trailers; leasing of cars and trucks. Does not include repair shops which are subordinate to and maintained by a vehicle dealership.

Automated Teller Machine (ATM): Computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institutions personnel. The machines may be located at or within banks, or in other locations.

Definitions "B"

Bar/Tavern: Establishments where alcoholic beverages are sold for on-site consumption, which is not part of a larger restaurant. Includes bars, taverns, pubs, night clubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. Does not include adult entertainment businesses or uses defined under microbreweries or tasting rooms.

Bed & Breakfast: Transient lodging establishments primarily engaged in providing overnight or otherwise temporary lodging for the general public. Such establishments provide limited meal service, generally breakfast, for lodgers.

Broadcasting Studios: Commercial and public communications uses including radio, television broadcasting and receiving stations and studios with facilities entirely within buildings. Does not include antennas and towers, which are defined under “telecommunications facilities”.

Brewery – Production: An establishment which produces ales, beers, meads, hard ciders, and/or similar beverages on-site. Production breweries are classified as a use which requires a Class 01 type licensure from Alcohol Beverage Control (ABC). Breweries may also serve beverages on-site, and sell beverages for off-site consumption in keeping with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF).

Building Materials & Hardware: Retail trade establishments primarily engaged in the sale of lumber and other building materials, including paint, wallpaper, glass, hardware, nursery stock, lawn and garden supplies. Includes all such stores selling to the general public, even if sales to contractors account for a larger proportion of total sales. Establishments primarily selling plumbing, heating, and air conditioning equipment and electrical supplies are classified in “Wholesaling and Distribution Centers.”

Business Support Services: An establishment or business located entirely within a building that is open to customer visitation and with limited or no storage, which provides services to other business including but not limited to:

- Blueprinting and reprographics, copying and quick printing services;
- Computer related services repair and rental;
- Private mail and mailbox service not affiliated with federal mailing agency;

- Co- working spaces, incubator- type services that provide office- type working spaces for a fee.

Definitions “C”

Caretaker Residence/Employee Unit: A permanent residence that is secondary or accessory to the primary use of the property, and used for housing a caretaker employed on the site of any nonresidential use where a caretaker is needed for security purposes or to provide twenty-four (24) hour care or monitoring of plants, animals, equipment, or other conditions on the site. Does not include housing for caretaker-type employees in the Agriculture Zone which is defined as “Agriculture Employee Housing.”

Cemeteries: Interment establishments engaged in subdividing property into cemetery lots and offering burial plots or air space for sale. Includes animal cemeteries and cemetery, mausoleum and columbarium operations. Excludes funeral parlor and related facilities which are listed under “Mortuary Services.”

Churches & Related Activities: Religious organization facilities operated for worship or for promotion of religious activities, including churches and religious Sunday-type schools. Other establishments maintained by religious organizations, such as educational institutions, hospitals and other operations that may be considered commercial in nature if not run by the religious organization (such as a recreational camp) are classified according to their respective activities.

Collection Stations: Facilities for the temporary accumulation and storage of recyclable discarded materials, which are subsequently transported to recycling centers or solid waste disposal sites for further processing. Does not include automobile wrecking yards or any recycling processing facilities, which are listed under “Recycling and Scrap.” Does not include temporary storage of toxic, mutagenic or radioactive waste materials.

Contract Construction Services (Indoor). Office uses with or without indoor storage facilities operated by, or on behalf of, a building contractor,

exterminator, janitorial service or similar. Can include the indoor storage of materials used for repair and maintenance of contractor's own equipment; and for uses by the contractor. All uses must be located within an approved, permitted building. Outdoor storage of construction related vehicles, fleet, or accessory storage (other than an approved parking lot for employees or fleet vehicles) is limited to 10 percent of the floor area of the fully enclosed building utilized for the business.

Contract Construction Services

(Outdoor). Office uses with outdoor facilities operated by, or on behalf of, a building contractor, exterminator, janitorial service, or similar. Outdoor uses may include storage of large equipment, vehicles, and/or other materials commonly used in the individual contractor's type of business and can include the storage of materials used for repair and maintenance of contractor's own equipment and may include accessory buildings or structures for uses by the contractor. An on-site office building is required. All applicable development standards listed in the code as well as standards for outdoor storage uses must be met.

Definitions "D"

Data & Computer Services / Center: A use where the majority of the space is occupied by computers and/or related equipment and where information is processed, transferred, and/or stored (also commonly referred to as "server farms". Data and computer service / centers may contain data technology centers, internet service providers (ISPs), network operation centers, web hosting facilities and other similar establishments primarily engaged in providing direct access through telecommunication networks to computer-held information.

Day Care: Facilities that provide non-medical care and supervision of individuals for periods of less than twenty-four (24) hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services or successor agency. Day care uses include the following:

Child Care Center: Child day care facilities designed and approved to accommodate fifteen (15) or more children. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.

Large Family Day Care Home: As provided by Health and Safety Code Section 1596.78 or successor provision, a home that regularly provides care, protection, and supervision for seven (7) to twelve (12) children, including up to two (2) children under the age of ten (10) years who reside in the home, for periods of less than twenty-four (24) hours per day, while the parents or guardians are away.

Small Family Day Care Home: As provided by Health and Safety Code Section 1596.78 or successor provision, a home that provides family day care for six (6) or fewer children, including two (2) children under the age of ten (10) years who reside in the home.

Adult Day Care Facility: A day care facility providing care and supervision for adult clients.

Drive-Through Sales or Services: A facility where food or other products may be purchased or where services may be obtained by motorists without leaving their vehicles. Examples of drive-through sales facilities include fast-food restaurants, drive-through coffee, photo-stores, pharmacies, etc. Examples of drive-through service facilities include drive-through bank teller windows, automated teller machines (ATM), dry cleaners / laundromats, etc. but do not include service stations or other vehicle services, which are separately defined.

Definitions "E"

Eating & Drinking Places: Restaurants and other establishments selling prepared foods and drinks for consumption on the premises, as well as facilities for dancing and other entertainment which

Chapter 2

are secondary and subordinate to the principal use of the establishment as an eating and drinking place. Also includes lunch counters and refreshment stands selling prepared goods and drinks for immediate consumption. Restaurants, lunch counters, and drinking places operated as subordinate service facilities within other establishments are not included here unless they are operated as leased departments by outside operators. Does not include establishments with drive-through facilities or uses defined under adult oriented business.

EV Charging Site: Electric Vehicle (EV) charging site includes level one, level two, and level three charging sites that are an accessory use to a primary use, such as a parking lot, building, or multi-family residence. These charging sites are incidental uses and may or may not charge a fee for use. Does not include stand alone EV charging station as defined in "Service Stations".

Definitions "F"

Farm Animal Raising: The keeping, feeding or grazing of animals as an avocation, hobby, or school project, subordinate to the principal residential use of a property, includes species commonly considered as farm animals as well as exotic species, but does not include household pets. This includes the raising or feeding of beef cattle, sheep and goats by grazing or pasturing. Does not include uses defined as "Livestock Specialties."

Farmers Market: The temporary and intermittent use of a public or private property for the outdoor sales of food and farm produce in compliance with California Food and Agriculture Code Section 1392 et. seq., and artesian products or similar farmers markets products that include multiple sales vendors.

Financial Services & Banks: Service establishments primarily engaged in the field of finance, including: banks and trust companies; credit agencies other than banks; brokers and dealers in securities and commodity contracts; security and commodity exchanges; holding (but

Zoning and Land Use not predominantly operating) companies; and other investment companies.

Flag Lot. A lot which lies substantially behind another lot and is served by an accessway or access easement.

Fuel Dealers: Retail trade establishments primarily engaged in the sale to consumers of liquefied petroleum gas (LPG), propane, bottled or other fuels in bulk. Does not include accessory uses as part of a service station.

Definitions "G"

General Retail: Stores and shops selling either many lines of merchandise, or specialized type of merchandise, where the retail sales are conducted primarily within a building. Examples include but not limited to:

- Antique stores; second hand stores, jewelry stores, hobby materials, specialty stores;
- Art galleries, art supplies, collectibles, hobby materials;
- Bicycles, toys, games, sporting goods and equipment;
- Department stores, drug stores, pharmacies, supermarkets, groceries stores, specialty food markets, membership warehouse clubs;
- Florists, house plant stores (indoor sales), small house wares;
- Home Furniture stores, consumer electronic / audio visual goods, bookstores, home and/or office appliance stores (excludes wholesale sales not open to the general public)
- New clothing, shoes, and accessory retail stores;
- Stationary, dry goods, fabric stores and sewing supplies, and variety stores;
- Stand-alone convenience markets (excludes fuel sales), warehouse retail stores, building supply hardware stores where outdoor sales are limited to under 10,000 sf.

Pawn shops and retail stores that sell smoking, tobacco and vaping products as the primary use are included in “retail sales- restricted.”

Government Offices & Facilities: Administrative, clerical, or public contact and/or service offices of recognized local, state, or federal agencies. Includes post offices, City Hall, municipal corporation yards, etc.

Definitions “H”

Health Care Services: Service establishments primarily engaged in furnishing medical, mental health, surgical and other personal health services including: medical, dental and psychiatric offices (mental health) related services, including various types of counseling practiced by licensed individuals other than medical doctors or psychiatrists.; medical and dental laboratories; outpatient care facilities; and allied health services. Associations or groups primarily engaged in providing medical or other health services to members are included. Also includes hospitals and similar establishments primarily engaged in providing diagnostic services, extensive medical treatment including surgical and other hospital services; such establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. Nursing homes and similar long-term personal care facilities are classified in “Residential Care.”

Home Occupations: The gainful employment of the occupant of a dwelling, with such employment activity being subordinate to the residential use of the property.

Horticultural Specialties: Businesses engaged in the production of ornamental plants, tree farms, and other products, grown under cover or outdoors. Also includes establishments engaged in the sale or on-site production of such product.

Hotels, Motels: Commercial transient lodging establishments, including hotels, motor hotels, motels, tourist courts or cabins, primarily engaged in providing overnight or otherwise temporary lodging, with or without meals, for the general public. Such establishments shall not provide

kitchen facilities in more than twenty-five percent (25%) of the units.

Definitions “I”

Indoor Recreation Services: Facilities for various indoor sports and recreation, including: bowling alleys; ice skating and roller skating; gymnasiums, health and athletic clubs; tennis, handball, racquetball and similar indoor sports; shooting and archery ranges; recreation and community centers. Smaller fitness studios without courts are classified as “amusement services.”

Definitions “J”

Definitions “K”

Kennels: A lot, building, structure, enclosure or premises where four (4) or more dogs or cats (four (4) months of age or older) are kept or maintained, including the keeping of such animals for sale, for commercial breeding or for lodging and care. Does not include dogs and cats kept for noncommercial purposes.

Definitions “L”

Large Scale Ag Manufacturing: The large scale processing of agriculture products subsequent to their harvest, with the intent of preparing them for market or further processing including: alfalfa cubing; hay baling and cubing; corn shelling; drying of corn, rice, hay, fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packaging of fruits and vegetables; tree nut hulling and shelling; cotton ginning; and wineries in excess of 1,000 square feet in total use area. This does not include the growing, harvesting, and production of medical marijuana, or legally approve uses of marijuana by either the State of California or Federal Government.

Laundries & Dry Cleaning Plants: Service establishments primarily engaged in high volume laundry and garment services, including: power laundries (family and commercial); garment pressing and dry cleaning; linen supply; diaper service; industrial laundries; carpet and upholstery cleaners. Does not include coin-operated laundries or dry cleaning pickup stores without dry cleaning

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equipment, which are classified in “Personal Services.”

Laundromat/ Coin- Operated Laundry. Facilities providing washing and drying machines for use by customers for a fee as a primary use. Dry cleaning pick-up stores are classified as “personal services.”

Libraries, Museums: Permanent public or quasi-public facilities generally of a noncommercial nature such as libraries, museums, art exhibitions, planetariums, aquariums, botanical gardens, arboretums and zoos. Also includes historic sites and exhibits.

Livestock Specialties: Agricultural establishments primarily engaged in commercial livestock keeping or feeding as a principal land use which, because of operational characteristics, may generate dust, odors or visual impacts which could have an adverse effect upon adjacent properties. Such uses include dairies, chicken, turkey and other poultry farms; animal specialties (such as rabbit farms and other fur-bearing animals); other specialties such as bee farms, aviaries, worm farms, etc.

Live/Work Units: An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multifamily, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

- Complete kitchen space and sanitary facilities in compliance with the Building Code; and
- Working space reserved for and regularly used by one or more occupants of the unit.
- Working space include uses that are either permitted within the zoning district.

Definitions “M”

Manufacturing, Repair, & Processing – Low Intensity: A facility or business that engages in the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing process and the materials used are unlikely to cause significant impacts to the existing

Zoning and Land Use surrounding neighborhood or businesses in a indoor setting. Example of manufacturing and processing uses that are considered low intensity include the following but are not limited to:

- Artisan manufacturing and production where no retail component exists;
- Production, assembly, and/or repair where no raw materials are manufactured;
- Production and assembly of precision electronics and scientific instruments, including on-site offices;
- Producing or processing of foods and beverages for human consumption where no retail component exists and does not include noxious odors or excessive noise and no slaughter occurs on-site;
- Small scale manufacturing where assembling and/or manufacturing is completed by hand or precision tools;
- Small product manufacturing not classified in another major manufacturing group.

Manufacturing, Repair, & Processing – High Intensity: A facility or establishment that accommodates manufacturing process that involve and/or produce building materials, fabricated metal products, machinery, and other similar manufacturing uses, where the intensity or scale of operations is determined to be greater than those classified under “manufacturing & processing – low intensity”, but where impacts to surrounding neighborhoods, businesses, and the community may cause a significant impact. Uses may have an indoor setting, however uses may also be conducted outdoors. Examples of manufacturing and processing uses that are considered high-intensity include the following but are not limited to:

- Machinery manufacturing that makes or process raw materials into products;
- Metal fabrication and welding shops engaged in the production and/or assembly of metal, and other similar metal shops;
- Manufacturing that cuts, shapes, and/or finishes building materials used in home or non-residential construction;

Chapter 2

- Chemical product manufacturing that produces or uses basic chemicals and other establishments creating products predominantly by chemical processes;
- Product manufacturing that produces bulk concrete, asphalt, and other paving materials;
- Paving and roof materials manufacturing of various common paving and petroleum-based roofing materials including bulk asphalt, paving blocks made of asphalt, creosote wood, and various compositions of asphalt and tar;
- Plastics, other synthetics and rubber manufacturing;
- Primary metal industries engaged in smelting, refining of ferrous and non-ferrous metals;
- Other similar heavy intensive uses.

Medical Extended Care Services: Residential facilities providing nursing and health-related care as a primary use with in-patient beds. Examples of these uses include: board and care homes; convalescent and rest homes; extended care facilities; and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under “Residential Care.”

Medical Marijuana: See Section 9-6.186.

Medical Research: Establishment related to medical and/or dental research, testing and analysis, including but not limited to trial and clinical research. Biomedical and pharmaceutical research and development facilities are not included in this definition. Medical Research does not include the storage or use of quantities of hazardous materials nor any toxic gas. Additionally, Medical Research may include storage and use of etiological (biological) agents up to and including Risk Group 2 or Bio Safety Level 2 (Center for Disease Control). Typically uses are a part of a campus like setting such as a business park or stand-alone building.

Membership Organizations: Organizations operating on a membership basis for the promotion of the interests of the members, including: business

Zoning and Land Use

associations; professional membership organizations; labor unions and similar labor organizations; civic, social and fraternal organizations (not lodging); political organizations and other membership organizations.

Mobile home Park: Any site that is planned and improved to accommodate two (2) or more mobile homes used for residential purposes, or on which two (2) or more mobile homes, as the term “mobile home” is defined in California Civil Code Section 798.3 or successor provision of the California Mobile home Residency Law, for non-transient use, are rented, leased, or held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

Micro-Brewery/Brewpub: An establishment that produces ales, beers, meads, hard ciders / and or similar beverages to serve on-site. Sale of beverages for off-site consumption is also permitted consistent with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF). Food service for on-site consumption is allowed as an ancillary use. Brewpubs and microbreweries are considered small operations consistent with ABC license type 23, 40, or 42 or State similar licensures.

Mini-Storage: Buildings containing individual storage areas rented or leased to the general public. Does not include warehousing or exterior storage facilities.

Mobile eating & drinking vendors: Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk, on which food is displayed, prepared, or processed for the purpose of selling food or drinks to a consumer.

Mobile home / Manufactured home: A modular structure that is transportable in one or more sections, that is certified under the Nation Manufactured Housing Construction and Safety Standards Act of 1974, is tied down to either a permanent foundation with wheels removed and

skirted. A mobile home on a permanent foundation is considered a single-family dwelling.

Mortuary Services: Establishments with facilities for the preparation of the dead for burial, cremation and for the holding of funeral observances and services. Accessory facilities may include a cemetery, columbarium or mausoleum. Includes: funeral homes and parlors, mortuaries and related facilities.

Multiple-Family Dwelling: Two (2) or more dwelling units located on a single lot, each occupied by a single housekeeping unit; includes buildings or groups of buildings designated as apartments, duplexes, triplexes and condominiums, but not including motels, hotels, dormitories, or RV parks as herein defined. Also includes transitional housing, supportive housing and single room occupancy housing where people live as independently as possible with the assistance of social services tailored to each person's needs as defined in Section 9-9.102 of the Zoning Ordinance. This does not include secondary units in single family zoning districts.

Definitions "N"

Definitions "O"

Offices: Establishments engaged in performing a service in a professional office including: engineering, architectural and surveying services; real estate agencies; noncommercial educational, scientific and research organizations; accounting, auditing, and bookkeeping services; authors, writers, artists, etc.; advertising agencies; photography studios and small commercial art studios; employment agencies and stenographic services; reporting services; data processing and computer services; management, public relations, and consulting services; detective agencies and other similar professional services; attorneys; and counseling services provided by individuals other than licensed psychiatrists, which are included under "Health Care Services."

Organization Houses: Residential lodging houses operated by membership organizations for the benefit of their constituents and not open to the

general public. Also includes fraternity and sorority residential houses and religious residential retreats.

Outdoor Recreation Services: Facilities for various outdoor sports and recreation, including: amusement and kiddie parks; golf courses, golf driving ranges and miniature golf courses; skateboard parks; go-cart and miniature auto race tracks; tennis courts, swim and tennis clubs and facilities; play lots, playgrounds and athletic fields; recreation and community centers.

Definitions "P"

Parking Lot: An open area, excluding a street or other public right-of-way, for the exclusive use of parking as a primary use for automobiles and available to either to the public or patrons of adjacent buildings or structures. Parking lots can either be free for use, or may charge a fee for compensation. Long-term parking and storage of inoperable vehicles is classified in "vehicle and equipment storage."

Personal Cannabis Cultivation. As defined by Chapter 9-17.

Parks & Playgrounds: A public outdoor recreational facility that may provide a variety of recreational activities including playground equipment, open space areas for passive recreation including hiking and biking trails, zoos, picnicking, and sport and active recreation facilities dedicated for use to the public.

Personal Services: Service establishments primarily engaged in providing non-medical services as a primary use and may include accessory retail sales of products related to the services provided. These uses include the following: beauty shops (includes permanent makeup when less than ten percent (10%) of overall sales), barber shops, day spas and massage therapy where each massage therapist is certified/licensed by a State-recognized organization, shoe repair shops, dry cleaning pickup stores, clothing rental, tailors, tanning salons, pet grooming services, nail salons, and other similar uses. **Personal Services—Restricted:** Service establishments that may have

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a blighting and/or deteriorating effect upon the surrounding area which may need to be dispersed in order to minimize their adverse impact. Examples of these uses include, but are not limited to, the following: check cashing and/or payday/same day loans; fortunetellers, psychics; palm, tarot and card readers; card rooms, billiard and pool halls as a primary use; tattoo and body piercing services; and hot tubs and saunas that are not an accessory to a permitted use.

Printing & Publishing: An establishment engaged in printing letter press, lithography gravure, screen offset or electrostatic copying and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving, and electrotyping. The use also includes establishments that publish newspapers, books, and periodicals; establishments manufacturing business forms and binding devices. "Quick printing" services are included in the definition "Business Support Services".

Public Assembly & Entertainment: Facilities for public assembly and group entertainment such as: public and semi-public auditoriums; exhibition and convention halls; civic theaters and meeting halls; motion picture theaters; legitimate theater facilities for live theatrical presentations or concerts by bands and orchestras; amphitheaters; meeting halls for rent and similar public assembly uses.

Definitions "Q"

Definitions "R"

Recreational Vehicle Parks: Transient lodging establishments primarily engaged in renting, leasing or otherwise providing overnight or short-term sites for trailers, campers, or tents, with or without individual utility hookups, but with other facilities such as public restrooms. Does not include incidental camping areas, which are included under "Rural Sports and Group Facilities."

Recycling & Scrap: Establishments primarily engaged in assembling, breaking up, sorting, temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for

Zoning and Land Use scrap. Does not include waste disposal sites, which are separately defined. Does not include temporary storage of toxic or radioactive waste materials.

Recycling Centers: An establishment, which is larger than a "collection station," that serves as a community-wide center for the collection and/or processing of recyclable materials such as glass, paper, plastic, aluminum and metal cans.

Research & Development: Research and development offices, devoted to scientific and engineering research and the design, development and testing of new technology and products; usually includes laboratory space or small-scale manufacturing operations.

Residential Accessory Uses: Includes any use that is customarily part of a residence and is clearly incidental and secondary to a residence and does not change the character of the residential use. Residential accessory uses include the storage of vehicles and other personal property and accessory structures including garages, studios and workshops.

Residential Care: A single-family or multiple-family dwelling unit that is licensed or supervised by a Federal, State, or local health/welfare agency that provides non-medical care of unrelated persons who are in need of personal service, supervision, or assistance essential for sustaining activities of daily living or for the protection of the individual. Use includes the following: children's homes; halfway houses; rehabilitation centers; self-help group homes.

Residential Care Facility for the Elderly (RCFE): A housing arrangement chosen voluntarily by the residents or the residents' guardians, conservators or other responsible person(s) where the following occurs: where seventy-five (75) percent of the residents are at least sixty-two (62) years of age, or, if younger, have needs compatible with other residents; and where varying levels of care and supervision are provided, as agreed to at the time of admission or as determined necessary. RCFE uses may include basic services and community space. RCFE uses include the following:

Assisted Living Facility: A residential building or buildings that also provide housing, personal and health care, as permitted by the Department of Social Services, designed to respond to the daily, individual needs of the residents. Assisted living facilities may include kitchenettes (small refrigerator, sink and/or microwave oven) within individual rooms. Assisted living facilities are required to be licensed by the California Department of Social Services, and do not include Medical Extended Care Services.

Independent Living Center/Senior Apartment: Independent living centers and senior apartments are multi-family residential projects reserved for senior citizens, where common facilities may be provided (for example, recreation areas), but where each dwelling unit has individual living, sleeping, bathing, and kitchen facilities.

Independent Living Center/Senior Apartment: Independent living centers and senior apartments are multi-family residential projects reserved for senior citizens, where common facilities may be provided (for example, recreation areas), but where each dwelling unit has individual living, sleeping, bathing, and kitchen facilities.

Retirement Hotel: Establishments primarily engaged in providing lodging facilities limited to the aged where no medical care is provided. Such establishments may provide housekeeping and meals to the residents

Resource Extraction: Uses primarily engaged in resource extraction, including but not limited to mining, developing mines or exploring for metallic minerals (ores), coal and nonmetallic minerals), or surface mines extracting crushed and broken stone, dimension stone or sand and gravel.”

Retail Sales- Restricted. Stores and shops selling products that may have a blighting and/or

deteriorating effect upon the surrounding area and may need to be dispersed in order to minimize their adverse impact. Examples of these uses include, but are not limited to, the following: selling smoking, tobacco and vaping products as a primary use; and pawn shops, to which the business of pawn brokering, or the business of lending money upon personal property, pawns, or pledges is done.

Rural Sports & Group Facilities: Establishments supporting special group activities such as: archery, pistol, rifle, and skeet clubs and facilities; dude ranches; health resorts including outdoor hot spring, spa or hot tub facilities; hunting and fishing clubs; recreational camps; group or organized camps; incidental, seasonal camping areas without facilities; equestrian facilities, including riding academies, schools, stables and exhibition facilities.

Definitions “S”

Sales Lots: Sales lots consist of any outdoor sales area for permanent display of motorized farm equipment, boats (FBSA Class 3 and 4 boats (over twenty-six (26) feet in length)), heavy commercial trucks (US DOT Class 4 through 8), mobilehomes, construction equipment, or other heavy equipment; outdoor equipment rental yards.

Schools—Business & Vocational: Business and secretarial schools; vocational schools offering specialized trade and commercial courses; specialized non-degree granting schools, such as: music schools; dramatic schools; language schools; driver education schools; ballet and other dance studios; and establishments furnishing educational courses by mail.

Schools: An institution or establishment that provides a program of instruction and teaching services. Includes: preschools, elementary and secondary schools serving grades K through 12 (or portions thereof); junior colleges, colleges and universities; and similar education institutions. Does not include Sunday schools which are permitted under “Churches and Related Facilities.”

Secondary Residential Unit: Second residential units are defined as residential occupancy

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constructions (R) with a kitchen and full bathroom that is accessory to the primary unit and intended for permanent occupancy by a second housekeeping unit.

Service Stations: Retail trade establishments primarily engaged in the sale of gasoline, which may also provide lubrication, oil change and tune-up services incidental to gasoline sales. May also include a towing service but does not include storage of wrecked or abandoned vehicles. Does not include uses defined as auto repair and service, or vehicle equipment storage.

Single-Family Dwelling: An attached or detached building not to contain more than one (1) kitchen wherein the occupants of the dwelling unit are living and functioning together as a single housekeeping unit, meaning that they have established ties and familiarity with each other, jointly use common areas, interact with each other, membership in the single housekeeping unit is fairly stable as opposed to transient, and members have some control over who becomes a member of the single housekeeping unit. Also includes factory-built, manufactured housing units and mobile homes constructed in compliance with Title 25 of the California Health and Safety Code, or successor provision as defined in Section 9-9.102 of the Zoning Ordinance; transitional housing and supportive housing serving six (6) or fewer persons as defined in Section 9-9.102 of the Zoning Ordinance.

Single Room Occupancy Unit (SRO): A structure that provides separate, single room, residential living units with no on-premises residential medical care. Units within the structure may have individual bathroom facilities, shared bath or toilet facilities for the residents, or any combination thereof. SRO may include structures commonly called rooming houses or boarding houses. SRO facilities shall not be age restricted. Age restricted SRO facilities shall be considered a residential care facility for the elderly (RCFE).

Small Scale Ag Processing: The small scale processing of agriculture products grown or produced on-site, bottling, canning, or storage of

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agriculture products grown and processed on-site, where the processing or storage shall not exceed 1,000 square feet (sf) in total use areas. This does not include tasting rooms.

Social & Service Organizations: Public or quasi-public establishments providing social services and rehabilitation services to such as counseling centers, welfare offices, job counseling and training centers, or vocational rehabilitation agencies, persons with social or personal problems requiring special services and to the handicapped and the disadvantaged. Also included are organizations soliciting funds to be used directly for these related services. Also includes establishments engaged in community improvement and neighborhood development. Does not include child day care services which are classified under "Schools."

Sports Assembly: Facilities for spectator-oriented specialized group sports assembly that includes: stadiums and coliseums; arenas and field houses; race tracks (auto and animals); motorcycle racing and drag strips; and other sports that are considered commercial.

Storage, Recycling & Dismantling of Vehicles & Material: Establishments primarily engaged in the storage, assembling, dismantling, sorting, and distribution of materials, equipment and vehicles. This use may be located either outdoors or indoors and includes, but is not limited to, auto wrecking yards, vehicle storage areas, vehicle impound lots, recyclable/waste material storage and transfer facilities. This does not include waste disposal sites, which are separately defined, or temporary storage of toxic or radioactive waste materials.

Definitions "T"

Tasting Room: Establishment that allows for beer, wine, or spirit tasting on-site with off-site sales directly to the public. Tasting rooms must meet the requirements of the Alcoholic Beverage Control (ABC) license type (Type 02, Type 23, Type 40, Type 42 or Type 74 license, or similar). Tasting rooms may operate within a large scale brewing, winery, or distillery facility as an ancillary.

Telecommunication Facility: Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, cellular data network, and wireless communication towers (cellular phones), including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph, and cable television transmission facilities utilizing hard-wired or direct cable connections. Does not include data processing centers.

Temporary Dwelling: Includes the temporary use of a mobile home or recreational vehicle as a dwelling unit, following the issuance of a building permit for a permanent residence while the permanent residence is under construction.

Temporary Events: Any use of a structure or land for an event for a limited period of time where the site is not to be permanently altered by grading or construction of accessory facilities. Events include: art shows; rodeos; religious revivals; tent camps; outdoor festivals and concerts.

Temporary Offices: The utilization of a mobilehome or recreational vehicle as a temporary office during the period of a construction of a permanent office facility on the same site.

Temporary or Seasonal Retail Sales: Retail trade establishments primarily engaged in the sale of Christmas trees or other seasonal items; or semiannual sales of art or handcrafted items in conjunction with community festivals or art shows. Does not include Farmers Markets or Agricultural Roadside Stands.

Transitional Housing: Buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months (Health and Safety Code Section 50675.2(h)). This definition excludes housing for halfway houses intended for occupancy

by parolees or convicted persons, children's homes, halfway houses, rehabilitation centers, and self-help group homes.

Definitions "U"

Utility Facilities: A fixed-base structure or facility serving as a junction point for transferring electric utility services from one transmission voltage to another or to local distribution and service voltages, and similar facilities for water supply, natural gas distribution, wastewater pump station, fiber optics junction box, or other similar facilities that are not exempted from land use permit requirements by California Government Code section 53091 or successor code.

Utility Infrastructure: Pipelines for water, natural gas, sewage collection and disposal; and facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also include telephone, cable television, and other communications transmission facilities utilizing direct physical conduits. Does not include offices or service center as defined under "offices" or distribution substations ("Utility Facilities").

Definitions "V"

Vehicle and Equipment Storage

(Indoor). Service establishments primarily engaged in the business of storing cars, buses and other motor vehicles; recreational vehicles (such as campers, motor homes, boats); construction equipment; and farm equipment. Does not include wrecking yards, which are classified in "recycling and scrap." All uses of the site must be located within an approved, permitted building and outdoor storage shall be limited to 10 percent of the floor area of the building utilized for the business.

Vehicle and Equipment Storage

(Outdoor). Service establishments primarily engaged in the business of storing cars, buses and other motor vehicles; recreational vehicles (such as campers, motor homes, boats); construction equipment; and farm equipment. Does not include wrecking yards, which are classified in "recycling and scrap." Storage of oversized commercial vehicles is also subject to section 9-6.103.

Vehicle & Freight Terminals: Transportation establishments furnishing services incidental to transportation, including: freight forwarding services; transportation arrangement services; parking, crating, inspection and weighing services; freight terminal facilities; joint terminal and service facilities; trucking facilities, including transfer and storage; public warehousing and storage. Includes both railroad transportation and motor freight transportation.

Definitions “W”

Warehousing: Uses engaged in storage of manufactured products, supplies, and equipment excluding bulk storage of materials that are flammable or explosive or that present hazards, or conditions commonly recognizable as offensive. Does not include personal storage as defined as “mini-storage”.

Wholesaling & Distribution Centers: Establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies.. Also includes storage,

Zoning and Land Use processing, packaging, and shipping facilities for mail order and e-commerce retail establishments.

Winery – Boutique: Winery or distillery production for no more than 3,000 cases of wine per year. Uses include fruit processing, fermentation pressing, barrel and bottle storage, bottling, wine tasting, and direct retail sale of wine. Does not include winery production in residential zones, which is defined as Small Scale Agriculture.

Winery – Production: Winery or distillery production of more than 3,001 cases of wine per year. Uses include fruit processing, fermentation pressing, barrel and bottle storage, bottling, wine tasting, and direct retail sale of wine. This also includes uses that produce 3,001 cases of beverages or less, but do not meet the requirements for “winery – boutique”, “winery – production”, or “brewery – production”.

Definitions “X”

Definitions “W”

Definitions “Z”

2.3 Allowable Land Use and Permit Requirements

Table 2.1 Residential and Commercial Land Use Table

Allowed Land Uses & Permit Requirements	A Allowed Use, Zoning Clearance Required CUP Conditional Use Permit Required AUP Administrative Use Permit Required <input type="checkbox"/> Not Permitted															
	Use	Permitted Uses By Zones														Special Use Regulation
		Residential					Non-Residential									
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I	
Accessory Storage	A						A ⁴	CUP	A ⁴	CUP	CUP			A ⁴	A ⁴	9-6.103
Adult Day Care Facility						A	A	A					CUP			
Adult Oriented Business								A	A					A	A	9-16
Age Restricted Housing												CUP				
Agricultural Accessory Uses	A	A	A													9-6.109
Agricultural Employee Housing	A															9-6.107
Agricultural Produce Stands	A	A	A	AUP	AUP	A	A			A	A					9-6.117
Amusement Services							A	A	A		A	A			A	
Animal Hospitals							CUP ₇	CUP	A		CUP					9-6.110
Artisan Foods and Products								A	A		A	A ⁵		A	A	
ATM						A	A	A	A	A	A	A	A	A	A	
Auto Dealers (New & Used) & Supplies								CUP	CUP	CUP	CUP	CUP				9.6.163
Auto Repair and Services								CUP	A	A	CUP			A	A	9-6.168
Bar/Tavern								CUP		CUP	CUP	A				
Bed and Breakfast		CUP	CUP	CUP	CUP			CUP	CUP	CUP	CUP					
Brewery – Production									CUP		CUP			A	A	
Broadcast Studios								A	A							
Building Materials and Hardware w/ outdoor sales or storage area 10,000 sf or greater							CUP	CUP	CUP		CUP			CUP	CUP	9-6.165
Building Materials and Hardware w/ outdoor sales or storage area less than 10,000 sf							A	A	A		A			A	A	9-6.165
Business Support Services							A	A	A		A	A	A	A	A	

Use	Permitted Uses By Zones															Special Use Regulation	
	Residential					Non-Residential											
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I		
Allowed Land Uses & Permit Requirements	A Allowed Use, Zoning Clearance Required CUP Conditional Use Permit Required AUP Administrative Use Permit Required <input type="checkbox"/> Not Permitted																
Care Taker's Residence / Employee Unit							CUP	CUP	CUP								9-6.184
Childcare Center						A	A	A					CUP				9-6.125
Churches & Related Activities		CUP	CUP	CUP	CUP		CUP	CUP									9-6.121
Collection Stations						A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴			A ⁴	A ⁴		9-6.130
Contact Construction Services (Indoor)									A		A			A	A		
Contact Construction Services (Outdoor)									CUP					CUP	CUP		
Data and Computer Services Center							AUP		AUP		CUP			A	A		
Day Care - Large Family Day Care / Child Care Center		CUP	CUP	CUP	CUP												9-6.125
Day Care - Small Family Day Care Home		A	A	A	A												9-6.125
Drive-Through Sales or Services						CUP	CUP	CUP	CUP	CUP	CUP						9-4.122
Eating & Drinking Places						A	A	A	A	A	A	A	A	A	A		
Farm Animal Raising	A	A	A		AUP												9-6.112
Farm Equipment and Supplies w/ outdoor storage or sales area 10,000 sf or greater								CUP	CUP		CUP			CUP	CUP		
Farm Equipment and Supplies w/ outdoor storage or sales area less than 10,000 sf								A	A		A			A	A		
Farmer's Market						CUP	CUP	CUP		CUP	CUP	A	A				
Financial Services & Banks						A	A	A	A	A	A	CUP	A				
Fuel Dealer									A ⁴		CUP			A ⁴	A ⁴		9-6.129
General Retail						A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴	A ⁴					

Use	Permitted Uses By Zones																Special Use Regulation
	Residential					Non-Residential											
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I		
Allowed Land Uses & Permit Requirements	A Allowed Use, Zoning Clearance Required CUP Conditional Use Permit Required AUP Administrative Use Permit Required <input type="checkbox"/> Not Permitted																
General Retail greater than 50,000 sf						CUP	CUP	CUP	CUP	CUP	CUP	CUP					
Government Offices & Facilities						A	A	A	A	A	A	CUP ₉	A	A	A		
Health Care Services							A	A	A	CUP	A	CUP ₉	A				
Horticultural Specialties w/ outdoor storage or sales area 10,000 sf or greater							CUP	CUP	CUP	CUP	CUP			CUP	CUP	9-6.116	
Horticultural Specialties w/ outdoor sales or storage area less than 10,000 sf	A	A					A	A	A	A	A					9-6.116	
Hotels, Motels							CUP	A	A	A		CUP					
Indoor Recreation Services							CUP	CUP	CUP	A	A	CUP		CUP	CUP		
Kennels		CUP	CUP					CUP	A							9-6.111	
Large Family Day Care							CUP ₈	CUP ₈								9-6.125	
Large Scale Ag Manufacturing	A	CUP							CUP					CUP	A	9-6.103	
Laundries & Dry Cleaning Plants									A		A			A	A		
Laundromat/ Coin- Operated Laundry						CUP	CUP	CUP	CUP	CUP	CUP			A	A		
Libraries, Museums							A	A	A	A		A	A				
Live/Work Unit												A ¹					
Livestock Specialties	A	CUP														9-6.115	
Manufactured Home / Mobile Home	A	A	A	A	A											9-6.143	
Manufacturing & Processing - Low Intensity							CUP	CUP	A		A			A	A		
Manufacturing & Processing – High Intensity ⁴									CUP		CUP			AUP	AUP		
Medical Extended Care Services: 7 Residents or More		CUP	CUP	CUP	CUP			CUP								9-6.134	
Medical Extended Care Services: 6		A	A	A	CUP	CUP	CUP	CUP	CUP	CUP	CUP					9-6.134	

Use	Permitted Uses By Zones																Special Use Regulation
	Residential					Non-Residential											
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I		
Residents or Less																	
Medical Research							CUP		A		A		CUP	A	A		
Membership Organizations								A	A		CUP	CUP					
Microbrewery - Brewpub						A	CUP	A	A	A	A	A	A	A	A		
Mini-Storage									CUP		CUP			A	A		
Mobile eating and drinking vendors ⁷						A	A	A	A		A	A		A	A		
Mobile Home Parks		CUP	CUP	CUP	CUP												
Mortuary Services								A	A								
Multi-family Dwellings					A	CUP ²	CUP ₂	CUP ₂	CUP ₂			A ¹	A ¹				
Offices						A	A	A	A	A	A	CUP ₉	A				
Organizational Houses		CUP	CUP	CUP	CUP												
Outdoor Recreation Services								CUP	CUP	A							
Parking Lots						AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP		
Parks & Playgrounds		AUP	AUP	AUP	AUP							A	A				
Personal Cannabis Cultivation	A	A	A	A	A												
Personal Service Restricted									A	CUP	CUP						
Personal Services						A	A	A	A	A	CUP	A					
Pipelines Utility Infrastructure	CUP	CUP	CUP	CUP	CUP												
Printing & Publishing							CUP	CUP			A ⁴			A ⁴	A ⁴		
Public Assembly & Entertainment								CUP	CUP	A	CUP	CUP					
RCFE – Assisted Living						A		A	A								
RCFE – Assisted Living, seven (7) clients or more		CUP	CUP	CUP	CUP												
RCFE – Assisted Living, six (6) clients or less		A	A	A	A												
RCFE – Independent living / Senior					CUP	CUP		CUP	CUP								

Use	Permitted Uses By Zones																Special Use Regulation
	Residential					Non-Residential											
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I		
Allowed Land Uses & Permit Requirements	A Allowed Use, Zoning Clearance Required CUP Conditional Use Permit Required AUP Administrative Use Permit Required <input type="checkbox"/> Not Permitted																
Apartments																	
RCFE – Retirement Hotel					CUP	CUP		CUP	CUP								9-6.135
Recreational Vehicle Parks										A							9-6.180
Recycling & Scrap														CUP	CUP		9-6.131
Recycling Centers														CUP	CUP		9-6.132
Research & Development							CUP		A		A	CUP	A	A	A		
Residential Accessory Uses		A	A	A	A												9-6.106
Residential Care: 6 Residents or Less		A	A	A	A							A ²	A ²				9-6.135
Residential Care: 7 Residents or More		CUP	CUP	CUP	CUP												9-6.135
Resource Extraction	CUP	CUP															6-6.147 - 9-6.61
Retail Sales-Restricted									A	CUP	CUP						
Rural Sports and Group Facilities																	9-6.124
Sales Lots										CUP	CUP			CUP	CUP		9-6.139
Schools		CUP	CUP	CUP	CUP			A	A	A			CUP	CUP			9-6.125
Schools - Business & Vocational		CUP	CUP	CUP	CUP			A	A	A		A	CUP	CUP	CUP	CUP	9-6.125
Secondary Residential Units		A	A	A	A												9.5
Service Stations						CUP		CUP	CUP	CUP							9-6.164
Single Family Dwelling		A	A	A	A												9-6.143, 9-6.184
Single-family dwelling												A ¹	A ¹				
Single-Room Occupancy Units								CUP									9-6.184
Small Family Daycare								A ⁸	A ⁸	A ⁸		A ⁸	A ⁸				
Small Scale AG Processing	A	A	A	AUP	AUP												
Social & Service Organizations								A	A	A							
Sports Assembly								CUP	CUP	A							

Use	Permitted Uses By Zones																Special Use Regulation
	Residential					Non-Residential											
	A	RS	RSF	LSF	RMF	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I		
Storage, Recycling and Dismantling of Vehicles and Material									CUP					A	A	9-6.131	
Tasting Room						A	CUP	A	A	A	A	A	A	A	A		
Telecommunication Facility						CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		
Temporary Dwelling		A	A	A	A											9-6.175	
Temporary Events	A	A	A	A	A	A/ CUP ³	CUP	A/ CUP ₃	A/ CUP ₃	A/ CUP ₃	A/ CUP ₃	A/ CUP ₃	A/ CUP ₃	A	A	9-6.177	
Temporary Offices							A	A	A							9-6.176	
Temporary or Seasonal Sales						A	A	A	A	A	A	A		A	A	9-6.174	
Transit Stations								CUP	CUP	A	CUP	CUP	CUP	CUP	CUP		
Utility Facilities							CUP		CUP	CUP	CUP	CUP	CUP	CUP	CUP		
Utility Infrastructure						A	A	CUP	A	A	A	CUP	CUP	A	A		
Utility Transmission Facilities	A	A	A	A	A												
Vehicle & Equipment Storage (Indoor) ⁴								A			CUP			A ⁴	A ^C	9-6.183	
Vehicle & Equipment Storage (Outdoor) ⁴								CUP ₄						CUP ₄	CUP ₄		
Vehicle & Freight Terminals									CUP					CUP	CUP		
Warehousing									CUP		CUP			A	A		
Wholesaling & Distribution Center ⁴							AUP	AUP	A ⁴		A ⁴			A ⁴	A ⁴		
Winery - Boutique								A ⁴	A ⁴	A ⁴	A ⁴	A ⁴		A ⁴	A ⁴		
Winery – Production									CUP		CUP			A ⁴	A ⁴		
Wireless Communication Facilities	CUP	CUP	CUP	CUP	CUP												

Notes:	
1	Residential uses allowed only on second and third floor. If a project is required to provide a unit in compliance with the Americans with Disabilities Act, the handicapped accessible unit may be located on a first floor. A first floor unit shall be located in a non-storefront location within a tenant space.
2	Multi-family dwellings permitted when located on the second floor or above, or within an existing residential structure of historical significance.

3	Temporary events requiring more than 3 days for onsite setup or 3 days for teardown require the approval of a conditional use permit (Section 9-2.110).
4	Outdoor commercial and industrial sales and storage developments (as defined by Section 9-9.102) of 10,000 square feet or more require the approval of a conditional use permit (Section 9-2.110), even if such a development is listed as an allowable use in a particular zoning district.
5	Handcrafted and artesian food production shall be ancillary to the retail component.
6	Mobile food vending permitted on private property with owner's permission and City review of parking and access on-site. Mobile food trucks used as part of an event may be permitted in the right-of-way with the issuance of an Event Permit.
7	When no overnight stays of animals are included.
8	Permitted when in association with conforming and legal non-conforming residences.
9	<p>Allowed above ground floor. Conditional Use Permit required on ground floor on East Mall, West Mall, and Traffic Way west of Palma and on El Camino Real north of Atascadero Creek subject to the following findings:</p> <ul style="list-style-type: none"> a. The location and setting of the existing building is not ideal for pedestrian uses such as restaurants, retail or related uses. b. The existing building and site improvements are designed exclusively for office uses and could not accommodate other uses. c. The proposed new office use will be a significant contribution to economic development by providing new jobs, pedestrian traffic, and active uses in the downtown d. The proposed new office will meet parking, accessibility, and property development standards and will not result in new surface parking adjacent to Atascadero Creek, East Mall or West Mall. e. The proposed new office building will provide a storefront and other architectural features that complement the pedestrian scale and retail environment desired within the downtown.
Zoning District Abbreviations	<p>A – Agriculture; CN – Commercial Neighborhood; CP – Commercial Professional; CR – Commercial Retail; CS – Commercial Service ; CT – Commercial Tourist; CPK – Commercial Park; DC – Downtown Commercial; DO – Downtown Office; IP – Industrial Park ; I – Industrial; LSF – Limited Single-Family Residential; RMF – Residential Multifamily; RS – Residential Suburban; RSF – Residential Single-Family Residential</p>

Figure 3-1



Table 2.2 Public Zones Land Use Table

Allowed Land Uses & Permit Requirements Public Zones	A Allowed Use, Zoning Clearance Required CUP Conditional Use Permit Required AUP Administrative Use Permit Required □ Not Permitted				
	Permitted Uses By Zones				Special Use Regulation(s)
	L	LS	P	OS	
Accessory Storage	A	A			9-6.103
Adult Day Care Facility			CUP		
Agricultural Accessory Uses		A			
Amusement Services	A	CUP			
Animal Hospitals			CUP		
ATM			A		
Bed and Breakfast	A	A			
Broadcaster Studios			A		
Caretaker's Residence / Employee Unit	CUP				9-6.184
Cemeteries	CUP	CUP	CUP		
Childcare Center			CUP		9-6.125
Churches & Related Activities			CUP		9-6.121
Collection Stations	A	A	A		9-6.130
Day Care					
Eating & Drinking Places	CUP	CUP			
Farm Animal Raising		A			9-6.112
Farmers Market	A	A	A		
General Retail	A	CUP			
Government Offices & Facilities			A		
Health Care Services			CUP		
Home Occupation		A			
Horticultural Specialties		CUP			
Hotels, Motels		CUP			
Indoor Recreation Services	CUP	CUP	A		
Libraries, Museums	A	A	A		
Medical Extended Care Services: 6 Residents or Less			CUP		9-6.134
Medical Extended Care Services: 7 Residents or More			CUP		9-6.134
Membership Organizations	A		CUP		
Mini-Storage			CUP		
Mortuary Services			CUP		
Outdoor Recreation Services	A	CUP	A		9-6.123
Parking Lots			A		
Parks & Playgrounds	A	A	A	A	
Public Assembly & Entertainment	CUP		A		
Recreational Vehicle Parks	CUP	CUP	CUP		9-6.180
Residential Accessory Uses		A			9-6.106

Allowed Land Uses & Permit Requirements Public Zones	A Allowed Use, Zoning Clearance Required CUP Conditional Use Permit Required AUP Administrative Use Permit Required <input type="checkbox"/> Not Permitted					
	Use	Permitted Uses By Zones				Special Use Regulation(s)
		L	LS	P	OS	
Residential Care: 6 Residents or Less			CUP		9-6.125	
Residential Care: 7 Residents or More			CUP		9-6.125	
Rural Sports & Group Facilities	A	CUP			9-6.124	
Schools			A		9-6.125	
Schools-Business & Vocational	A		CUP		9-6.125	
Single-Family Dwelling		A	CUP			
Social & Service Organizations			CUP			
Sports Assembly	CUP					
Telecommunication Facilities	CUP	CUP	CUP			
Temporary Dwelling		A			9-6.176	
Temporary Events	A	A	A		9-6.177	
Temporary Offices			A			
Temporary or Seasonal Retail Sales	A	A	A		9-6.174	
Transit Stations	CUP		CUP			
Utility Facilities	A	A	A	CUP		
Utility Infrastructure	CUP	CUP	CUP	CUP		
Notes: Zoning Districts Abbreviations L – Recreation; LS-Special Recreation; P-Public ; OS – Open Space						

Chapter 3: Agricultural and Residential Development

3.1 Zoning Districts Established (AMC 9-3.102)

The following zoning districts are established:

- a) Agriculture--A;
- b) Residential Suburban--RS;
- c) Residential Single Family--RSF
- d) Limited Single Family Residential--LSF;
- e) Residential Multi Family--RMF

3.2 Agriculture & Residential Zoning Districts (AMC Chapter 3, Article 2)

The purposes of the individual agriculture and residential zoning districts and the manner in which they are applied are as follows:

A (Agriculture) Zoning District

This zone is established to protect, preserve and encourage agriculture on suitable land. The Agriculture Zone is intended to support and encourage the continuation of the Agricultural Preserve Program and the maintenance of productive open space.

RS (Residential Suburban) Zoning District

This zone is established to provide for large lot residential uses in areas outside the urban services line or in other areas where large lots are desirable to protect land uses and buildings subject to inundation, steep slopes or other hazards.

RSF (Residential Zoning Family) Zoning District

This zone is established to provide for single-family residential areas within the urban services line.

LSF (Limited Single Family) Zoning District

This zone is established to provide for single-family residential areas within the urban services line where the raising of farm animals would not be allowable.

RMF (Residential Multi-Family) Zoning District

This zone is established to provide for apartment, condominium, townhouse development, and other small lot residential products, where higher density residential development is desired within the urban services line.

3.2.1 Minimum Lot Size Lot Sizes (AMC9-3.240)

New subdivisions and the densities of agriculture and residential development shall comply with the requirement for lot sizes in Sections 9-3.241 through 9-3.245.

Table 3.1 Minimum Lot Sizes for Residential Zoning Districts

Zoning District	Minimum Lot Size
Residential Single-Family X (RSF-X)	1/2 acre net area
Residential Single-Family Y (RSF-Y)	1 acre gross area
Residential Single-Family Z (RSF-Z)	1 1/2 to 2 1/2 acres gross based on performance standards set forth in AMC 9-3.243
Limited Single-Family X (LSF-X)	1/2 acre net area
Limited Single-Family Y (LSF-Y)	1 acre, when sewers are available. 1 1/2 acres, when sewers are not available
Limited Single-Family Z (LSF-Z)	1 1/2 to 2 1/2 acres based on performance standards set forth in AMC 9-3.244
Residential Suburban (RS)	Between 2 1/2 and 10 acres depending on conformance standards established in AMC 9-3.242

**3.2.2 Agriculture and Residential Zoning Districts Density
Density (AMC 9-3.250)**

New residential subdivisions and the density of residential development shall comply with the requirements of Sections 9-3.251 through 9-3.259.

Table 3.2 Density – Agriculture and Single-Family Residential Zones

Zoning District	Density Allowed
Agriculture	
Residential Single-Family X (RSF-X)	1/2 acre net area
Residential Single-Family Y (RSF-Y)	1 acre gross area
Residential Single-Family Z (RSF-Z)	1 1/2 to 2 1/2 acres gross based on performance standards set forth in AMC 9-3.243
Limited Single-Family X (LSF-X)	1/2 acre net area
Limited Single-Family Y (LSF-Y)	1 acre, when sewers are available. 1 1/2 acres, when sewers are not available
Limited Single-Family Z (LSF-Z)	1 1/2 to 2 1/2 acres based on performance standards set forth in AMC 9-3.244
Residential Suburban (RS)	Between 2 1/2 and 10 acres depending on conformance standards established in AMC 9-3.242

3.2.3 Property Development Standards (AMC 9-3.260)

New land uses, structures, and alterations to existing land uses and structures shall be designed, constructed and established in compliance with the Sections 9-3.261 through 9-2.269, in addition to applicable standards (e.g., landscaping, parking, fencing, etc.) in Chapter 9-4 of this title.

3.2.4 Property Development Standards – RMF (9-3.262)

In addition to the standards specified in Chapter 4 of this title, General Site Design and Development Standards, the following development standards shall apply to mobile home and multiple-family residential projects:

- a) **Percent Coverage.** The maximum percent of a lot that may be covered by structures (excluding decks less than thirty (30) inches from the ground) shall be forty percent (40%) for low density multiple-family projects and fifty percent (50%) for high density multiple-family projects.
- b) **Enclosed Storage.** Each dwelling unit shall be provided a minimum of one hundred (100) cubic feet of enclosed storage space,

- exclusive of closets, which may be located in either a principal or accessory building.
- c) **Outdoor Recreation Areas.** For developments of four (4) to seven (7) dwelling units, outdoor recreational open space shall be provided at a ratio of three hundred (300) square feet per unit. This open space may be provided either as: (1) a private amenity designed for exclusive use of a dwelling unit; or (2) as common open space provided that no individual open space is less than one thousand (1,000) square feet. For developments of eight (8) or more dwelling units, outdoor recreational open space shall be provided at a ratio of three hundred (300) square feet per unit. This common open space may be provided in more than one (1) location provided that no individual open space area is less than one thousand (1,000) square feet.
- d) **Screening Wall.** A solid wall or fence not less than six (6) feet in height shall be placed and maintained on interior lot lines abutting property zoned for single-family residential use.
- e) **Covered Parking.** One (1) covered parking space (carport or garage) shall be required

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per dwelling unit of the total off-street parking required by Section 9-4.118.

- f) Laundry Facilities. Laundry facilities shall be provided in the form of either: (1) laundry hook-ups within each individual dwelling unit; or (2) a shared laundry facility equipped with washers and dryers.
- g) Appearance Review. All projects shall be consistent with the multifamily design and landscape requirements of the Appearance Review Manual.
- h) Maintenance Requirement. A maintenance agreement for all landscaping, building exteriors, accessory structures, parking areas and other common facilities shall be approved by the Community Development Director and City Attorney prior to final occupancy.
- i) RMF-24 properties identified in Appendix 1, Table V-45 (Vacant Residential Parcels RMF-20), of the General Plan Housing Element shall be permitted "by right" and will not be subject to conditional use permit or specific plan. Proposed planned development projects or other relief from property development standards on these parcels shall be subject to discretionary review per the requirements of the Municipal Code.

3.3 Residential Setbacks

3.3.1 Exceptions to Setback Standards (9-4.104)

The minimum setback requirements of this title apply to all uses except the following (see also Section 9-4.110 of this chapter):

- a) Uncovered decks, terraces, steps, earthworks and other similar landscaping or design elements placed directly on finished grade that do not exceed an average height of thirty (30) inches above the surrounding finished grade, provided that no such wood structure shall extend closer than eighteen (18) inches to a property line.

3.3.2 Use of Setbacks (9-4.105)

Required setback areas are to be landscaped when required by Section 9-4.125 and shall be

Agricultural and Residential Development unobstructed by any building or structure. The use of setbacks for vehicle parking is subject to Section 9-4.116.

3.3.1 Front Setbacks (9-4.106)

The front setback is measured at right angles from the nearest point on the front property line to the building line. All structures are to be set back a minimum of twenty-five (25) feet from the nearest point on the front property line, except where this section establishes other requirements. Front setback landscaping and fencing standards are in Sections 9-4.125(a) and 9-4.128 of this chapter, respectively.

- a) A, RS, RSF, and LSF Zones. All residential uses shall have a minimum front setback of twenty-five (25) feet, except as follows:

Shallow Lots

The front setback shall be a minimum of twenty (20) feet for any lot less than ninety (90) feet deep.

Flag Lots and Lots without Street Frontage

Determination of that portion of the site to constitute the required front yard within the flag shall be at the discretion of the applicant. The front setback of the flag of the lot shall be a minimum of ten (10) feet. The front setback within the accessway shall be as in subsection (a) of this section.

Sloping Lot Adjustment

Where the elevation of the natural grade on a lot at a point fifty (50) feet from the centerline of the adjacent street right-of-way is seven (7) feet above or below the elevation of the centerline, a private garage may be located, at the discretion of the applicant, as close as five (5) feet to the street property line, subject to the approval of an administrative use permit (Section 9-1.112 of this title), provided that portions of the dwelling other than the garage shall be established at the setback otherwise required.

Variable Setback Block

Where a residential block is partially developed with single-family dwellings having less than the

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required front setbacks and no uniform front setback is established, the front setback may be adjusted by approval of an administrative use permit (Section 9-1.112 of this title) at the option of the applicant, as follows:

Prerequisites for Adjustment

Adjustment may be granted only when twenty-five percent (25%) of the lots on the block with the same frontage are developed and the entire block is within a single zone.

Allowed Adjustment

The normally required minimum front setback is to be reduced to the average of the front setbacks of the existing dwellings, which include attached garages but not detached garages, to a minimum of ten (10) feet.

The Design Review Committee (DRC) may grant an exemption to the front setback requirement based on neighborhood compatibility for structures that meet the following criteria:

- a) Structures are no greater than ten (10) feet in height;
- b) Structures do not exceed front yard coverage of more than fifty percent (50%);
- c) Structures do not impair sight distances for vehicular traffic as reviewed by the City Engineer.

RMF Zone and Residential Uses in Commercial and Industrial Zones

All residential units shall have a minimum setback of fifteen (15) feet. All garages shall have a minimum front setback of twenty (20) feet.

3.3.2 Side Setbacks (9-4.107)

The side setback is measured at right angles to the side property line to form a setback line parallel to the side property line, which extends between the front and rear setback areas. The minimum side setback is to be as follows:

A, RS, RSF, LSF and RMF Zones and Residential Uses in Commercial and Industrial Zones. All residential uses except for second story dwellings over commercial and industrial uses shall have a

Agricultural and Residential Development minimum side setback of five (5) feet, except as follows:

Corner Lots

The side setback on the street side of a corner lot is to be a minimum of ten (10) feet.

A Corner Lot Adjacent to a Key Lot

A side setback equal to one-half (1/2) the depth of the required front setback of the key lot shall be provided, except that:

- i. Where the corner lot is less than fifty (50) feet in width, the setback is to be a minimum of ten (10) feet;
- ii. Where an alley is between the corner lot and a key lot, the setback on the street side of the corner lot is to be five (5) feet.

Accessory Buildings

A side yard may be used for an accessory building no greater than twelve (12) feet in height, provided that it is not used for human habitation or the keeping of animals and is either:

- i. Located no closer than three (3) feet to any property line;
- ii. Located on the rear half of the lot; or
- iii. Established on the property line as a common wall structure pursuant to subsection (a)(4) of this section, or as a zero lot line structure, provided that all applicable Uniform Building Code requirements are satisfied for a property line wall.

Common Wall Development

Any two (2) dwelling units, and/or their accessory garages, may be constructed on adjoining lots without setbacks between them provided that:

- i. The setback has been eliminated through subdivision map or conditional use permit approval;
- ii. A common wall or party wall agreement, deed restriction or other enforceable restriction has been recorded;

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- iii. The side setbacks opposite the common wall property line are not less than two (2) times the minimum width required by this section; and
- iv. Common wall construction is in compliance with the Uniform Building Code.

Zero Lot Line Development

A group of dwelling units on adjoining lots may be established so that all units abut one (1) side property line, provided that:

- i. The setback has been eliminated for an entire block through subdivision map or conditional use permit approval;
- ii. The modified setback requirements for the block are recorded as part of a land division map, deed restriction, or other enforceable restriction;
- iii. The side setback shall not be eliminated or reduced on the street side of a corner lot; and
- iv. Side setbacks opposite the zero setback property line are not less than twice the minimum required by this section.

Access Easements

All access easements shall have a minimum setback of five (5) feet, measured from the edge of the easement.

3.3.3 Rear Setbacks (9-4.108)

The rear setback is measured at right angles to the rear property line to form a setback line parallel to the rear property line.

A, RS, RSF, LSF, and RMF Zones and Permitted Ground Floor Residential Uses in Commercial and Industrial Zones. All residential uses except for second story dwellings over commercial and industrial uses shall have a minimum rear setback of ten (10) feet, except as follows:

Accessory Buildings

A rear setback except for the portion of the rear yard adjacent to the street of a corner lot adjacent to a key lot, may be used for an accessory building no greater than twelve (12) feet in height, provided the accessory building is not used for human habitation or the keeping of animals, and is not

Agricultural and Residential Development closer than three feet to a side or rear property line or alley.

3.3.4 Interior Setbacks and Open Areas (AMC 9-4.109)

Non-Habitable Structures

Minimum (5) foot setback required for enclosed structures. No minimum setback for open-sided structures.

Habitable Structures

Minimum (5) foot setback required.

Exemptions

The following structures are exempt from the provisions outlined in this section:

1. Decks;
2. Patio covers and landscape structures;
3. Structures under one hundred twenty (120) square feet when exempt from a building permit based on the adopted Building Code and consistent with the standards set forth in Section 9-6.106(b)(3);
4. Similar accessory structures as determined by the Community Development Director.

3.3.5 Projections into Required Setbacks (9-4.110)

The setback requirements of this title are modified as follows:

Uncovered Decks

When constructed higher than thirty (30) inches above the surrounding finish grade, a wood deck may extend into required setbacks as follows (decks less than thirty (30) inches high are exempt from these requirements—See Section 9-4.104(c)):

Front Setback. A deck is not to be located therein.

Side Setback. As determined by the Uniform Building Code.

Rear Setback. A deck may occupy up to thirty percent (30%) of a required rear setback, but is to extend no closer than three (3) feet to the rear property line.

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Fire Escapes

A ladder or stairs designed to be used exclusively as an upper floor fire escape may project into a required setback only as provided by the Uniform Building Code.

Roof and Wall Features

Cantilevered and projecting architectural features including chimneys, bay windows, balconies, cornices, eaves, rain gutter, signs (where allowed), display windows, and solar collectors may project into a required setback only as allowed by the Uniform Building Code.

Porches

Front Porch. A covered front porch may project up to six (6) feet into a required front setback, provided that the floor level of the porch is to be no higher than the ground level of the building. An unenclosed front porch is not limited on its projection, provided it is one hundred (100) square feet or less in area.

Side Porch. A porch and/or outside stairway may be located in a required side setback provided the porch is not roofed or enclosed below the steps and does not extend into the side setback more than allowed by the Uniform Building Code.

Rear Porch. A porch in the required rear setback is subject to the same limitations as a deck, pursuant to subsection (a)(3) of this section.

Flag Lots

Six (6) foot fences shall be allowed within the front yard setback area, but in no case shall a six (6) foot fence be allowed within an area connecting the required front yard setback areas for any adjoining lots. Trash enclosures may encroach into the front

Agricultural and Residential Development yard setback area but shall maintain a five (5) foot setback from adjoining property lines and shall not be located within the access strip.

3.4 Driveway Standards For Single-Family Residential Uses (AMC 9-4.123)

Driveways for single-family residences shall be improved as follows in order to make adequate provision for access including that necessary for emergency vehicles:

Surfacing

Private driveways with an average slope of twelve (12) percent or more shall be surfaced with asphalt, concrete or chip seal while private driveways with an average slope of less than twelve (12) percent shall be provided with an all-weather surface. No driveway shall be allowed to exceed an average slope of twenty (20) percent unless adjusted (Section 9-1.112) upon a determination that no other feasible alternative is available. Plan and profile drawings may be required by the Community Development Director in order to determine the average slope.

Width

Private driveways shall have a minimum width of twelve (12) feet.

Vertical Clearance

Private driveways shall have a vertical clearance of fourteen (14) feet.

Chapter 4 Non-Residential Development

4.1 Zoning Districts Established (AMC 9-3.102)

The following zoning districts are established:

Non-Residential zoning districts:

- a) Commercial Neighborhood—CN;
- b) Commercial Professional—CP;
- c) Commercial Retail—CR;
- d) Commercial Service—CS;
- e) Commercial Tourist—CT;
- f) Commercial Park—CPK;
- g) Downtown Commercial – DC;
- h) Downtown Office – DO;
 - 1) Industrial Park—IP;
 - 2) Industrial—I;
- i) Recreation—L;
- j) Special Recreation—LS;
- k) Public—P;
- l) Open Space – OS.

4.2 Non-Residential Zoning Districts (AMC Chapter 3, Article 3)

The purposes of the individual non-residential zoning districts and the manner in which they are applied are as follows:

CN (Commercial Neighborhood) Zoning District

This zone is established to provide for small scale retail shopping and personal service facilities at the neighborhood level. The Commercial Neighborhood Zone is situated and designed to serve the limited shopping and service needs of the immediately surrounding residential area.

CP (Commercial Profession) Zoning District

This zone is established to provide for offices and limited retail shopping and personal service facilities along arterials and major collectors. The Commercial Professional Zone is situated to serve streets with higher traffic volumes while also serving to provide a compatible transition between such streets and adjacent single family residential areas.

CR (Commercial Retail) Zoning District

This zone is established to provide for a wide range of commercial uses to accommodate most of the retail and service needs of the residents of the City and surrounding areas.

CS (Commercial Service) Zoning District

This zone is established to provide for light manufacturing and large lot service commercial needs of the residents of the City and surrounding areas.

CT (Commercial Tourist) Zoning District

This zone is established to provide for limited commercial uses intended primarily to serve the public traveling along Highway 101.

CPK (Commercial Park) Zoning District

This zone is established to provide for large lot commercial and light manufacturing uses. It is intended that special attention be given to providing for comprehensive development plans to achieve appropriate functional relationships between various uses and preclude “piecemeal” development of existing larger lots.

DC (Downtown Commercial) Zoning District

The Downtown Commercial (DC) Zoning District is intended to enhance the economic viability and pedestrian-oriented character of the downtown by encouraging a wide range of retail shops, including artisan craft sales and production; Restaurants, entertainment facilities, lodging, and non-automotive services (banks, health care, etc.); First floor office uses are allowed with storefront and signage appearance review and approval of the Design Review Committee (DRC); however, office uses are encouraged to locate on upper floors leaving prime first floor spaces available for retail and restaurant spaces; and Residential uses on upper floors.

DO (Downtown Office) Zoning District

The Downtown Office (DO) Zoning District is intended to apply to properties that border the DC District, where a wide variety of professional and other office uses will encourage a weekday pedestrian flow that can take advantage of the

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restaurant and shopping opportunities in the overall
downtown area.

IP (Industrial Park) Zoning District

This zone is established to provide for the light manufacturing and large lot service commercial needs of the residents of the City and surrounding areas.

I (Industrial) Zoning District

This zone is established to provide suitable locations for heavy manufacturing and industrial uses within the City.

L (Recreation) Zoning District

This zone is established to provide suitable locations and standards for the development of recreational facilities accommodating the needs of the general public.

LS (Special Recreation) Zoning District

This zone is established to provide suitable locations and standards for the development of recreational facilities on land in private ownership. This zone also provides for residential and agricultural uses where intensive recreational activity may not be appropriate.

P (Public) Zoning District

This zone is established to provide suitable locations and standards for the maintenance and development of public and quasi-public facilities and services.

OS (Open Space) Zoning District

This zone is established to cover areas with environmentally sensitive natural or cultural resources and generally is intended to remain free of structures but may be developed with low intensity recreational improvements, where appropriate.

4.3 Non-Residential Setbacks

4.3.1 Front Setbacks (9-4.106)

CN, CP, CR, CS, CT, CPK, IP and I Zones

No front setbacks are required. Ground floor residential uses are subject to the setback requirements of subsection (a) of this section.

Non-Residential Development

Adjacent to Residential Zone

Where a commercial or industrial zone has a front setback, including a double frontage setback, on a street where more than fifty percent (50%) of the lots in the same block are zoned for residential use, the front setback shall be twenty-five (25) feet, except that a one-story building or parking may encroach into one-half (1/2) the required front setback depth.

L, LS and P Zone

A minimum ten (10) foot front setback is required, provided that residential uses are subject to the setback requirements of subsection (a) of this section.

Flag Lots

Any accessway adjacent to a public street shall be subject to the front setback requirements of subsections (a), (b), (c), and (d) of this section. Determination of that portion of the site to constitute the required front yard within the flag shall be at the discretion of the applicant. The front setback of the flag of the lot shall be subject to the side setback requirements of Section 9-4.107 of this chapter.

Double Frontage Lots

Selecting the Setback Location

Where double frontage setback locations are not specified by subdivision requirements or other applicable regulations, the applicant may select the front setback street unless fifty percent (50%) of the lots on a double frontage block are developed with the same front yard orientation. In that case, all remaining lots are to orient their front setbacks with the majority.

Double Frontage Setback Requirements

A full-front setback is to be provided adjacent to one frontage, and a setback of one-half (1/2) the required front setback depth adjacent to the other frontage.

Establishment of Front Setback on Zoning Map

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The Planning Commission may establish greater front setbacks than those required in this section by delineating the setback on the zoning map. Procedures specified by Section 9-1.115 of this title shall be followed in establishing such setbacks.

4.3.2 Side Setbacks (9-4.107)

CN, CP, CR, CS, CT, CPK, IP, I and P Zones

No side setbacks are required. Ground floor residential uses are subject to the setback requirements of subsection (a) of this section.

L and LS Zones

A minimum five (5) foot side setback is required.

4.3.3 Rear Setbacks (9-4.108)

CN, CP, CR, CS, CT, CPK, IP and I Zones

No rear setback is required in commercial or industrial zones, except as follows:

Non-Residential Development

Adjacent to an Alley

The rear setback shall be a minimum of five (5) feet, except where the alley provides vehicular access to the interior of the building, in which case the setback shall be ten (10) feet.

Adjacent to Residential Use Zone

Where the rear property line abuts a residential zone or use, no rear setback is required for buildings or portions of buildings which do not exceed twelve (12) feet in height within ten (10) feet of the rear property line. The rear setback shall be a minimum of ten (10) feet for buildings or portions of buildings which exceed twelve (12) feet in height.

L, LS and P Zones

A minimum of ten (10) foot rear setback is required.

4.3 Non-Residential Zone Specific Development Standards

Table 4.1: Zone Specific Development Standards For CN, CP, CR, CPK, CS, CT, I, IP, L, LS, OS, & P Zoning Districts

Zoning District	Minimum Lot Size	Parking	Freeway Setbacks	Utilities	Other	Section
CN Zone	N/A	N/A	N/A	N/A	Multi-Family Dwelling permitted on second floor with minor CUP.	AMC 9-3.341
CP Zone	N/A	N/A	N/A	N/A	N/A	AMC 9-3.342
CS Zone						AMC 9-3.344
CT Zone						AMC 9-3.345
IP Zone						AMC 9-3.348
I Zone						AMC 9-3.349
OS Zone						AMC 9-3.444
L Zone						AMC 9-3.441
CR Zone	N/A	Landscaped screening required along ECR / freeways to a minimum of 30 inches in height	10 feet minimum from freeway	Under-ground	N/A	AMC 9-3.343
CPK Zone	2 acres, PC approval for smaller lot sizes	Landscaped screening required along ECR / freeways to a minimum of 30 inches in height	10 feet minimum from freeway	Under-ground	N/A	AMC 9-3.346
LS Zone	SFR: 1 acre with sewer / 1 ½ acre without	N/A	N/A	N/A	N/A	AMC 9-3.442
P Zone	SFR: 2 ½ acre	N/A	N/A	N/A	N/A	AMC 9-3.443

Table 4.2: Zone Specific Development Standards For DC & DO Zoning Districts

Development Feature	Requirement by Zoning District	
	DC	DO
	Downtown Commercial	Downtown Office
Minimum lot size	No minimum	
Setbacks	<i>Minimum and maximum setbacks required. See Section 9-4.103 for setback requirement, allowed projections into setbacks, and exceptions to setbacks.</i>	
Front	None allowed, except for building insets designed to accommodate outdoor eating and seating areas, and except for East Mall between El Camino Real and Palma Avenue, where a minimum of twenty (20) feet is required.	As required by Section 9-4.106 when adjacent to a residential zone, none required otherwise.
Sides (each)	None required	
Rear	None required	
Creek	To be determined through Design Review	
Height limit	Forty-five (45) feet not to exceed three (3) stories; eighteen (18) feet on the west side of El Camino Real between Atascadero Creek and the lot line common to Lots 19 and 20, Block H-B, Atascadero Colony Map.	Thirty-five (35) feet
Landscaping	As required by Sections 9-4.124 et seq. (Landscaping, screening and fencing)	
Off-street parking	None required, except as required by Section 9-4.114 for hotels, motels, and residential uses, office, government offices and facilities, and health care services on the ground floor, and for all development east of Atascadero Creek.	As required by Sections 9-4.114 et seq.
Signs	Refer to Chapter 9-15	
Density	Twenty (20) dwelling units/acre maximum	Twenty (20) dwelling units/acre maximum
Fire Backflow Devices	<ul style="list-style-type: none"> a) Fire backflow devices: Fire backflow devices are required to be integrated into the site or building design, and are prohibited in any public right-of-way, and must be accessible to Fire Department and Water Company personnel at all times. b) Fire Department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7 of the California Fire Code. 	

Chapter 5: General Site Design Standards

5.1 Parking & Loading (AMC 9-4.114)

Parking and loading standards are intended to: minimize street congestion and traffic hazards; provide safe and convenient access to businesses, public services, and places of public assembly; and to make the appearance of parking areas more compatible with surrounding land uses. Parking and loading standards are in the following sections:

5.1.1 Off-Street Parking Required (AMC 9-4.115)

All uses requiring an entitlement shall be provided off-street parking as set forth in this section, except parking lots in the following situations:

Compact Car Spaces

Lots with twenty (20) or more spaces may substitute compact car spaces for up to twenty percent (20%) of the total number of spaces. Compact car spaces shall be a minimum of eight (8) by fourteen (14) feet in size. Compact spaces shall be designated by painting the word “compact” or similar, on the surface of the space.

Motorcycle Parking

Lots with twenty (20) or more spaces may replace regular spaces with motorcycle spaces at a ratio of one (1) motorcycle space for each twenty (20) spaces. Motorcycle spaces shall be a minimum size of three (3) by six (6) feet. Motorcycle spaces shall be designated by painting the word “motorcycle,” or similar, on the surface of the space.

Bicycle Spaces

Lots with twenty (20) or more spaces may substitute a bicycle rack providing space for at least five (5) bicycles at a ratio of one (1) bicycle rack for each twenty (20) spaces. It is recommended that all shopping centers provide some bicycle spaces in the project.

Parking District

Parking requirements may be modified within a parking district where the district provides adequate parking within the limits of the district and the

parking requirements of a new use are accommodated by the parking district.

Shared On-Site Parking Adjustment

Where two (2) or more nonresidential uses are on a single site, the number of parking spaces may be reduced through adjustment (Section 9-1.112) at a rate of five percent (5%) for each separate use, up to a maximum of twenty percent (20%); as long as the total number of spaces is not less than required for the use requiring the largest number of spaces.

Shared Peak-Hour Parking

In addition to the reduction of required parking allowed by subsection Shared On-Site Parking Adjustment of this section, where two (2) or more uses have distinct and differing peak traffic usage periods (for example, a theater and a bank), the required number of parking spaces may be reduced through conditional use permit approval, provided that the parking lots of each use are located within three hundred (300) feet of each other (as measured along the most direct pedestrian path). The amount of reduction may be up to seventy-five percent (75%) of the amount of spaces required for the most intensive of the two (2) or more uses sharing the parking.

On-Street Parking Adjustment

Where a proposed driveway from a street to a new parking area would eliminate on-street parking spaces equal to or greater in number than the off-street spaces required, the requirement for off-street spaces may be eliminated through adjustment (Section 9-1.112 of this title) where the access or proposed building cannot reasonably be redesigned to avoid a net loss of parking.

Planning Commission Modification

The parking standards of this title may be modified through conditional use permit approval based upon specific findings of fact that the characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces, type of design, or improvements required by this title and that reduced parking will be adequate to accommodate on the site all parking needs generated by the use.

5.1.2 Location Of Parking On A Site (AMC 9-4.116)

Required parking spaces may be located as needed on a proposed site, subject to the design and construction standards of Sections 9-4.117 and 9-4.119 of this chapter and the following:

Use Of Front Setback

Required parking spaces are not to be located within the required front setback.

Use Of Side And Rear Setbacks

Side and rear setbacks may be used for vehicle parking except on the street side of a corner lot and except where landscaping is required by Section 9-4.125 of this chapter.

5.1.3 Parking Design Standards (AMC 9-4.117)

All off-street parking areas shall be designed and improved as set forth in this section.

Parking Space & Aisle Dimensions

All off-street automobile parking spaces are to be a minimum of nine (9) by eighteen (18) feet in size, except for compact car spaces, handicapped spaces, motorcycle spaces, and bicycle spaces (Section 9-4.115). Parking lot aisles shall be as follows:

Angle Parking

The aisle dimensions for angle parking are to be based upon the angle and width of the parking space as set forth in the following chart. The use of a wider parking space enables reducing the aisle width, as shown.

Figure 5.1: Angle Parking Illustration

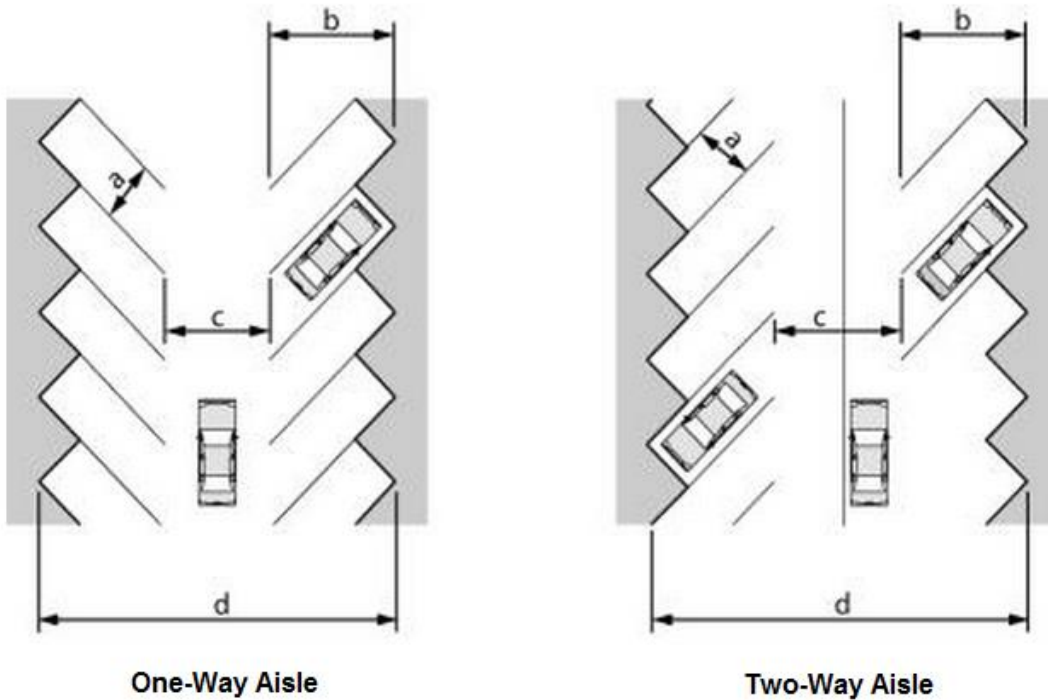


Table 5.1: Parking Space Dimensions Based On Angle

Angle	Space Width (a)	Space to Curb (b)	Aisle ¹ (c)	Tier ² Width (d)
90 degree	8' — 0" ³	14' — 0"	20' — 0"	52' — 0"
	9' — 0"	18' — 0"	24' — 0"	60' — 0"
	10' — 0"	18' — 0"	22' — 0"	58' — 0"
60 degree	8' — 0" ³	16' — 0"	14' — 0"	48' — 0"
	9' — 0"	20' — 0"	18' — 0"	58' — 0"
	10' — 0"	20' — 8"	16' — 0"	57' — 4"
45 degree	8' — 0" ³	15' — 6"	12' — 0"	43' — 0"
	9' — 0"	19' — 0"	16' — 0"	54' — 0"
	10' — 0"	20' — 0"	14' — 0"	54' — 0"

1. Aisle widths for forty-five (45) degree and sixty (60) degree spaces are one-way only.
2. Tier means two (2) rows of parking spaces, plus an aisle.
3. Compact car spaces only, see Section 9-4.115(a) of this chapter.

Parallel Parking

Space dimensions are to be nine (9) by twenty-two (22) feet. Aisle dimensions for parallel parking are to be twelve (12) feet for one-way aisles, and twenty-four (24) feet for two-way aisles.

Access Drive Location

A driveway from a street to a parking area with four (4) or more spaces is to be located and designed as follows:

Distance From Street Corner

Parking area driveways are to be located a minimum of fifty (50) feet from the nearest street intersection, as measured from the centerline of the driveway to the nearest travel lane of the intersecting street.

Number Of Driveways

Entrance and exit driveways crossing the street property line of a single site are to be limited to two (2) along the frontage of any single street except properties in excess of five hundred (500) feet of frontage may have one additional drive for each two hundred fifty (250) feet. Driveways on the same property are to be separated by a minimum of fifteen (15) feet.

Driveway Design

Driveways shall be designed to provide for entrance and exit in a forward direction and to avoid backing directly into public streets.

Drop-Off Points Required

Parking areas for public assembly facilities shall include a designated on-site location for dropping off passengers at an entrance to the facility in advance of parking the vehicle. Drop-off points are to be provided for: hotels and motels; schools with fifty (50) or more students; churches with a capacity of one hundred (100) or more; restaurants with a capacity of fifty (50) or more customers; public transportation terminals; places of public assembly; public buildings; and offices larger than five thousand (5000) square feet.

Tandem Parking

Each space in a parking lot, area or garage is to be individually accessible, except that automobiles may be parked in tandem in the following situations:

- a) In a parking area serving a single-family dwelling or individual mobile home where the tandem parking is not more than two (2) cars in depth; provided that both spaces are

for the same dwelling, and are not located in a required front setback.

- b) In a public garage or public parking area where all parking is performed by attendants at all times, or for public assembly facilities and temporary events where user arrivals and departures are simultaneous and where parking is attendant-directed.
- c) For all-day employee parking lots restricted to employee use, provided that required aisle widths are maintained, and no more than fifty (50) percent of the employee spaces are designed for tandem use.

5.1.4 Required Number Of Parking Spaces (AMC 9-4.118)

All land uses requiring approval under this title shall provide off-street parking spaces as specified in subsections Company Vehicles and Parking Requirements By Land Uses of this section:

Use of Charts

The charts in subsection Parking Requirements By Land Uses of this section determine the number of parking spaces required for each use of land, as follows:

Uses Not Listed

For uses not specifically listed in this subsection that do not have parking requirements set by Chapter 9-6, the same parking and loading space is required as for the most similar use of equivalent intensity; except where a use not listed requires conditional use permit approval, in which case the amount of parking and loading space required shall be as determined by the Planning Commission.

Parking & Loading Intensity

Parking lot and loading bay intensity describes the rate of vehicle turnover in parking and loading areas. Turnover factors are assigned to each use by the charts in subsection Parking Requirements By Land Uses of this section. High intensity areas have rapid turnover; medium intensity areas are those where vehicles are parked from two (2) to four (4) hours; low intensity areas have minimum turnover and few repeat users, such as long-term and employee parking lots. Loading bay intensity is used in Section 9-4.121.

Mixed Use Sites

Where a site contains more than one principal land use (such as a shopping center), the amount of parking required shall be the total of that required for each individual use, except as otherwise provided by Section 9-4.115.

Mixed Function Buildings

Where a building occupied by a single use contains several functions, such as sales, office and storage areas, parking shall be as required for the principal use for the gross floor area (total area of all internal functions); except that when storage areas are larger than two thousand (2000) square feet, the parking requirement is to be determined separately for those areas, as specified for warehousing.

Assigned Parking

For projects where a parking reduction is granted, assigned parking spaces are prohibited.

Terms Used in Charts

Active Use Area

All developed areas of a site and buildings except storage, parking and landscaping.

Floor Area

Gross floor area within buildings.

Site Area

Gross site area.

Use Area

All developed areas of a site and buildings, except parking and landscaping.

Number Of Spaces

Where Section 9-4.118 (c) sets parking requirements based on building area (square footage), site or use area, the number of spaces is to be as set forth for each footage increment specified or fraction thereof.

Company Vehicles

Commercial or industrial uses shall provide one parking space for each company vehicle which is parked on the site during normal business hours. Such space may be located within a building.

5.1.5 Parking Requirements By Land Uses

Agricultural Uses

Table 5.2: Parking Requirements For Agricultural Uses

Types of Use	Parking Spaces Required
Ag processing: packing and processing	1 per 1,000 square feet of use area
Wineries	1 per 1,000 square feet of active use area and 1 per 3,000 square feet of storage, and 1 per 100 square feet of tasting room
Animal husbandry, farm equipment, and supplies	1 per 500 square feet of floor area, and 1 per 1,000 square feet of outdoor use
Exceptions: Improved off-street parking and loading spaces are not required for an agricultural use, as long as sufficient usable area is provided to meet the parking needs of all employees, visitors and loading activities entirely on the site of the use.	

Communication Uses

Table 5.3: Parking Requirements For Communication Uses

Types of Use	Parking Spaces Required
Broadcasting studios	1 per 500 square feet of floor area
Transmission facilities	Not required to have identified spaces, as long as sufficient usable area is provided to meet the parking needs of all employees entirely on the site of the use

Cultural, Educational, & Recreation Uses

Table 5.4: Parking Requirements For Cultural, Educational, & Recreation Uses

Types of Use	Parking Spaces Required
Active Recreation Facilities:	
Amusement parks/fairgrounds	1 per 75 square feet of use area
Arcades (games) and billiards	1 per 100 square feet of floor area
Bowling alleys	4 per lane
Dance Clubs	1 per 25 square feet of dance floor
Dance studios	1 per 200 square feet of floor area
Golf studios	5 per hole plus any required for clubhouse uses
Golf driving ranges (separate from golf courses)	2 per tee
Miniature golf	2 per hole
Skateboard parks	1 per 500 square feet of use area
Skating rinks	1 per 400 square feet of use area
Swimming pools (public or member)	1 per 100 square feet of pool area, and 1 per 300 square feet of deck area
Tennis courts, racquetball	2 per court
Libraries	1 per 500 square feet
Public Assembly:	
Exhibit facilities (including museums)	1 per 150 square feet of exhibit floor
Seated spectator facilities (including a church, theater, other auditoriums and meeting halls, sports assembly)	1 per 4 fixed seats, or 1 per 40 square feet of spectator area if seats not fixed
Schools:	
Preschools, day care	For facilities with six (6) or less children, no requirement other than that normally required for a residence; for facilities with seven (7) to twelve (12) children, an off-street drop-off area is to be provided with the capability to accommodate at least two (2) cars, in addition to the parking normally required for the residence; to be established

	through conditional use permit approval for facilities with more than ten (10) children.
Elementary and high school	Off-street parking is to be provided at a ratio of two (2) spaces for each classroom, and one space for one hundred (100) square feet of administrative or clerical office space. Except that where Section 9-4.114 would require more spaces for an on-site auditorium, stadium, gymnasium or other public or sports assembly facility, the larger number of spaces is to be provided.
Business and vocational	Off-street parking is to be provided at a ratio of one space per seat in the largest classroom or instructional area, in addition to spaces required for any proposed auditorium by Section 9-4.114.
College and University	As determined by Planning Commission

Manufacturing & Processing Uses

Table 5.5: Parking Requirements For Manufacturing And Processing Uses

Types of Use	Parking Spaces Required
Indoor active use	1 per five hundred (500) square feet
Indoor Storage area	1 per one thousand (1000) square feet
Outdoor active use	1 per two thousand (2000) square feet
Outdoor storage area	1 per five thousand (5000) square feet

Residential Uses

Table 5.6: Parking Requirements For Residential Uses

Types of Use	Parking Spaces Required	
Single-family dwellings (including mobile homes)	2 per dwelling, except 1 per dwelling is required where the site is less than 4,000 square feet in area	
Multifamily dwellings (including condominiums and other attached ownership dwellings)	Residential Parking	1 bedroom unit: 1.5 spaces 2 bedroom unit: 2.0 spaces each additional bedroom: 0.5 space
	Guest Parking	1 space per 5 units, or fraction thereof
Group quarters (including boarding houses, rooming houses, dormitories, and organizational houses)	1 per bed, plus	
	1 per eight beds	

Resource Uses

Table 5.7: Parking Requirements For Resource Uses

Types of Use	Parking Spaces Required
Extraction Uses	No improved parking is required, provided that sufficient usable area is available to accommodate all employee and visitor vehicles entirely on the site.

Parking required for a retail use shall be a minimum of two (2) spaces for each use or separate tenancy, except where more spaces are required as follows:

Table 5.8: Parking Requirements For Retail Trade Uses

Types of Use	Parking Spaces Required
Auto and vehicle dealers	1 per 400 square feet of showroom, 2 per service bay, 1 per 3,000 square feet of outdoor use area
Building materials and hardware, nurseries	1 per 500 square feet of floor space, 1 per 3,000 square feet of outdoor use area
Eating and Drinking Places:	
Restaurants and bars (on-site consumption. With dancing facilities, are also to meet dance club parking requirements)	
Customer Spaces:	1 per patron table 1 per 2 counter stools, plus
Employee Spaces:	1 per 6 tables, 1 per 100 square feet of kitchen
Fast food (includes drive-ins. If patron tables provided, use must also meet restaurant customer space requirement)	1 per 25 square feet of kitchen
Food and beverage retail sales	1 per 200 square feet of floor area, 1 per check stand
Furniture, home furnishings and equipment	1 per 500 square feet of sales area, 1 per 1,000 square feet of storage area
General merchandise stores	1 per 300 square feet of sales area, 1 per 600 square feet of storage area
Mail order and vending	1 per 1,000 square feet of use area

Service Uses

Table 5.9: Parking Requirements For Service Uses

Types of Uses	Parking Spaces Required
Auto repair and service	4 per service bay, 1 per 1,000 square feet of outdoor active use area
Equipment rental	1 per 500 square feet of floor area, 1 per 2,000 square feet of outdoor use area
Copying and reproduction	1 per 400 square feet of floor area
Contract construction services	1 per 500 square feet of floor area
Correctional institutions	As determined by Planning Commission
Financial services service desk	5 per teller window, 3 per
Health care	1 space per 200 square feet of floor area
Hospitals	1 per bed, 1 per office space
Laundries and Dry Cleaning:	
Plants	1 per 1,000 square feet of floor area, plus 2 per office space
Pick-ups	2 per check stand
Offices:	
Accounting, advertising, agencies, architecture, government, insurance law offices, real estate	1 per 400 square feet
Other offices	1 per 500 square feet of floor area

Photography studios, commercial art studios	1 per 400 square feet of floor area
Post offices	5 per service window, 1 per 500 square feet of floor area other than customer area
Personal Services:	
Barbershops	2 per chair
Beauty shops	3 per chair
Dry Cleaners	1 per 500 square feet of floor area
Funeral and crematory services	1 per 4 seats in each assembly room, 2 per office or 1 per 40 square feet of floor area in assembly rooms, whichever is greater
Health spas	1 per 300 square feet of floor area
Laundromats	1 per 2 washers
Other personal services	1 per 500 square feet of floor area
Public safety facilities	As determined by Planning Commission
Repair service (consumer)	1 per 400 square feet of floor area
Waste disposal site	As determined by Planning Commission

Transient Lodgings**Table 5.10: Parking Requirements For Transient Lodgings**

Types of Use	Parking Spaces Required
Hotels, motels	2 spaces, plus 1 per unit, plus 1 per 10 units

Transportation Uses**Table 5.11: Parking Requirements For Transportation Uses**

Types of Use	Parking Spaces Required
Public utility terminals	None, provided sufficient usable area is available to accommodate all employee and visitor vehicles entirely on-site
Transit stations and terminals	1 per 20 square feet of waiting area, 1 per 300 square feet of office space; additional spaces as required for accessory uses (restaurants, etc.)
Truck stops	1 per 1,000 square feet of use area for first 5,000 square feet, 1 per 3,000 square feet of use thereafter
Vehicle and freight terminals	2 per loading bay, 1 per 300 square feet of office space
Vehicle storage	None, provided sufficient usage area is available to accommodate all employee and visitor vehicles entirely on-site

Wholesale Trade Uses

Table 5.12: Parking Requirements For Wholesale Trade Uses

Types of Use	Parking Spaces Required
Warehousing:	
Commercial storage	1 per 2,000 square feet of use area for first 10,000 square feet, 1 per 5,000 square feet of use area thereafter
Ministorage	2 spaces for manager office
Wholesaling and distribution	1 per 1,000 square feet of use area for first 10,000 square feet of use area, 1 per 3,000 square feet of use thereafter

5.1.6 Parking Lot Construction Standards (AMC 9-4.119)

All parking areas containing three (3) or more off-street parking spaces are to be improved as follows, except as otherwise provided by this section.

Surfacing

All parking areas are to be surfaced with an asphalt, concrete, chip seal, or crushed rock surface, as specified in the following chart or as required by property development standards listed in this Code. Where concrete or asphalt is required, brick or other masonry paving units may be substituted, including turf block.

Table 5.13 Minimum Required Surface For Parking Areas

Location	High	Medium	Low
Inside urban services line	Asphalt or concrete	Asphalt or concrete	Asphalt or concrete
Outside urban services line	Asphalt or concrete	Asphalt or concrete	Crushed rock or chip seal

Lining & Marking

Parking spaces in paved parking areas shall be marked with paint striping, a minimum of two (2) inches in width. Parking spaces in other types of lots may be identified by wheel stop barriers.

Wheel Stops

Wheel stops or continuous concrete or asphalt curbing are required in all parking lots to define the perimeter of the parking area and to protect landscaping from vehicle encroachment. In addition, wheel stops are required for each parking space in a high turnover parking lot. Wheel stops shall be provided as follows:

Materials & Installation

Wheel stops shall be constructed of concrete, continuous concrete curbing, asphalt, timber, or other durable material not less than six (6) inches in height, or an approved functional equivalent. Wheel stops

are to be securely installed and maintained as a safeguard against damage to adjoining vehicles, machinery or abutting property.

Setback

Wheel stops or other vehicle barriers shall be located approximately three (3) feet from the front of the parking space.

Functional Equivalent

Wherever possible, functional equivalents in the form of raised sidewalks or curbs surrounding planters or similar may be used in lieu of wheel stops.

Vertical Clearance

Covered parking spaces are to have a vertical clearance of at least seven (7) feet six (6) inches above the parking lot surface for all uses, except residential.

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Slope

The finished grade of a parking lot is not to exceed five percent (5%) slope, unless approved by adjustment (Section 9-1.112 of this title).

Landscaping

A minimum of ten percent (10%) of the interior of all parking lots shall be landscaped, in addition to any perimeter landscaping required by the Screening section below. Shade trees are to be provided at approximately thirty- (30) foot intervals along parking rows. Landscape fingers shall be a minimum of six (6) feet wide shall be provided every eight (8) parking spaces. These landscaping requirements do not apply to parking lots that are underground or within buildings.

Screening

From Residential Areas

Parking lots that abut a residential zone shall be separated from such property by a landscaping strip with a minimum width of five (5) feet and a six- (6) foot high solid fence or wall.

From Streets

Parking lots abutting a public street shall be separated from the street right-of-way by a landscaping strip with a minimum width of ten (10) feet; and, where parking spaces are arranged to head toward the street, by a minimum three- (3) foot high solid fence decorative wall or landscape equivalent located on the parking lot side of the landscaping strip.

5.1.6 Off-Site Parking (AMC 9-4.120)

Where it is not feasible to provide sufficient on-site parking, an administrative use permit (Section 9-1.112) may be granted to allow the required parking to be located off-site, provided that:

- a) The most distant parking space is not more than four hundred (400) feet from the use; and
- b) The site of the parking lot is in the same ownership as the principal use, or is under a recorded lease or similar agreement, with the use that provides that the parking will exist as long as the use it serves, unless the parking is replaced with other spaces that satisfy the requirements of this title; and

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- c) The site of the parking is not located in a residential zone unless the principal use requiring the parking is allowable in a residential zone. Where any such principal use is subject to conditional use permit approval, the off-site parking shall be subject to conditional use permit approval.

Where off-site parking is a conditionally allowed use in a multiple family zoning district, the following criteria and minimum design standards shall be applied:

- a) The site for the proposed off-site parking shall be adjacent to the commercial use;
- b) The off-site parking shall be maintained for employee use only and shall be supplemental to the normally required parking provided on the commercial site;
- c) The off-site parking shall not be used to increase the density of commercial development normally allowed;
- d) All vehicular access to the off-site parking area shall be from the commercial site. No access to the off-site parking lot shall be taken from a residential street;
- e) A minimum of one-half ($\frac{1}{2}$) of the site shall be developed for residential use. The residential use shall be so situated that the off-site parking lot is not visible from the street. A minimum of one-half ($\frac{1}{2}$) of the allowable residential density shall be provided.
- f) The residential portion of the site shall be developed prior to use of the off-site parking facility;
- g) Site specific design standards such as landscaping, lighting, and security shall be established through the conditional use permit process.

5.1.7 Off-street Loading Requirements (AMC 9-4.121)

Off-street loading bays are required as provided by this section, based upon the loading bay intensity determined by Section 9-4.118(c)

Table 5.14: Number of Off-Street Loading Bays Required Based On Intensity

Number of Bays Required
 Loading Bay Intensity

Use Area in Square Feet	High	Medium	Low
Less than 10,000	1	0	0
10,000-30,000	2	1	1
30,000-60,000	3	2	1
60,000-100,000	4	3	2
100,000-150,000	5	4	3
Each additional 50,000	1	.5	.25

Adjustment To Number Of Bays

The number of loading bays required may be adjusted (Section 9-1.112) to fifty (50) percent of the required number when such bays are designed to serve two (2) or more uses jointly, provided that each use has access to the loading zone without crossing public streets, alleys, or sidewalks.

Use Of Loading Bays

Loading bays shall not be used for repair work, vehicle storage, or to satisfy space requirements for off-street parking.

Loading Bay Design Standards

Access

Each loading bay shall be accessible from a street or alley or from an on-site aisle or drive connecting with a street or alley. Such access may be combined with access to a parking lot if located so loading activities will not obstruct normal on-site parking and traffic flow. Loading bays shall be designed to preclude the necessity for maneuvering on a street or sidewalk.

Setbacks

Loading bays are to be set back a minimum of twenty-five (25) feet from any residential zone.

5.2 Landscaping, Screening, & Fencing (AMC 9-4.124)

The purposes of landscaping, screening, and fencing standards are to: provide areas on sites which can absorb rainfall to assist in reducing storm water runoff; control erosion; reduce glare and noise; enhance the appearance of structures and property; and to provide visual privacy.

5.2.1 Fencing & Screening (AMC 9-4.128)

Standards for fencing and screening are established by this section to protect certain uses from intrusion, to protect the public from uses that may be hazardous, and to increase compatibility between different land uses by visual screening. Fencing is the enclosure of an area by the materials identified in subsection Standards For Fencing And Screening Materials of this section. Screening is the enclosure of an area by a visual barrier, which may include solid fencing or other materials, as specified in subsection Standards For Fencing And Screening Material of this section.

Fencing & Screening—Where Required

Within the urban services line, the uses and areas listed in this subsection shall be fenced and/or screened, as indicated. Unless otherwise specified, fencing and screening are to be a minimum height of six (6) feet. Fencing and screening materials of a height greater than three (3) feet shall not be located within a required front setback or side setback adjacent to a street.

Mechanical Equipment

When located outside of a building, support equipment, including air conditioning and heating devices, but not including plumbing or exhaust vents, or chimneys, shall be screened to the height of the particular piece of equipment, as follows:

Roof-Mounted Equipment

To be screened by architectural features from the view of abutting streets.

Equipment At Grade

When located on the ground adjacent to a building, mechanical equipment shall be screened by landscaping, a solid wall or fencing

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from the view of the street or surrounding properties.

This subsection does not apply to single-family residential uses.

Outdoor Storage

To be screened on all sides by a wall or fencing.

Public Utility Substations

To be screened on all sides in a manner that will provide an effective visual barrier as well as the necessary safety clearances required by order of the California Public Utilities Commission.

Side & Rear Lot Lines

The side and rear property lines of all nonresidential uses are to be screened as follows:

Adjacent To A Residential Use Or Zone

A solid wall or fencing shall be located on side and rear property lines of any nonresidential or nonagricultural use abutting a residential use or zone.

Exceptions To Fencing And Screening Requirements

Buildings Abutting Property Lines

Required screening or fencing may be omitted along any lot line where a building wall exists immediately abutting the lot line.

Table 5.15 RS/RR/RSF-Z/RSF-Y (with one (1) acre net or larger) Zones

<i>Fencing Location / Type</i>	<i>Allowable Maximum Height</i>
Within front & corner setbacks	4 feet
Within side & rear setbacks	6 feet
Agricultural fencing (“Deer Fencing”) within all setbacks	7 feet – All 80% visibility
Not in setback	6 feet

Table 5.16 RSF-Y (less than one (1) acre net) /RSF-X/LSF-Z/LSF-Y/LSF-X/RMF-10/RMF-20

<i>Fencing Location / Type</i>	<i>Allowable Maximum Height</i>
Within front & corner setbacks	3 feet + 2 feet with 80% visibility
Within side & rear setbacks	6 feet
Agricultural fencing (“Deer Fencing”) within all setbacks	7 feet – All 80% visibility
Not in setback	6 feet

Gateposts & Other Superstructures

Over site entrances and exits may be up to twelve (12) feet in height.

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Location Adjustment

Where property fencing or screening is required, the location may be adjusted (see Section 9-1.112 of this title), so the fencing may be constructed at or within the setback line, provided the areas between the fence and the property lines are landscaped, or in rural areas, retained in their natural vegetative state.

Planning Commission Modification

Any of the requirements of this section may be waived or modified through conditional use permit approval, provided the Planning Commission first finds that specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective.

Standards For Fencing & Screening Materials

All fencing and screening shall be allowed as follows:

Height

Fence and screen height shall be permitted as follows:

Height Measurement

Fencing and screening materials shall be measured from the finished grade of the uphill lot.

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The Design Review Committee (DRC)

DRC may grant an exemption to the front setback fencing requirement to a maximum of six (6) feet in height if proposed fence would be consistent with the neighborhood character and does not impair site distance for vehicular traffic, as reviewed by the City Engineer.

Permit to Exceed Height

A minor conditional use permit approval is required where fencing is proposed to be greater than six (6) feet in height within or outside any required setback, with the exception of fencing described in subsection Standards For Fencing And Screening Materials and Landscape Screen.

Screening Materials Substitution

Where screening is required to be a solid wall or fence, the following materials may be substituted through adjustment (see Section 9-1.112 of this title), except where screening is required adjacent to a residential use or zone:

Landscape Screen

Screening plant materials may be substituted for a wall or fence, where:

- a) Proposed plant materials are certified in writing by a registered landscape architect as having the capability of achieving sixty percent (60%) of total view blockage within eighteen (18) months of planting, and one hundred percent (100%) of total view blockage within thirty-six (36) months of planting; and
- b) The applicant agrees in writing to install solid fencing after the expiration of thirty-six (36) months, in the event that the landscaping has not totally blocked the view of areas required to be screened.

Berms

A landscaped berm may be substituted for a wall or fence, provided that the combination of berm and landscaping is no less than the required height of the fence or wall, and that the berm is constructed with a maximum slope of three to one (3:1), with side slopes designed and planted to prevent erosion, and with a rounded surface a minimum of two (2) feet in width at the highest point of the

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berm, extending the length of the berm. The berm shall be planted with shrubs, lawn or groundcover.

Chain-Link Fencing

Vinyl-coated, chain-link fencing with evergreen landscape screen planting may be substituted for a solid wall or fence in commercial and industrial zones, except where screening fencing is required adjacent to residential uses and zones.

5.4 Solid Waste Collection & Disposal (AMC 9-4.129)

Within the urban services line, all land uses requiring a zoning approval, except single family dwellings, temporary uses, agricultural uses, and other uses that do not create a need for solid waste pickup and disposal shall provide an enclosed area for the temporary storage of solid waste before disposal truck pickup, as required by this section.

Application Content

Applications for plot plan, precise plan and conditional use permit approval shall include the location of solid waste collection areas, collection containers, and maneuvering areas for disposal trucks, including access driveways where necessary.

Collection Area Standards

Location Of Collection Facilities

The solid waste collection area shall be located within one hundred (100) feet of the dwellings or buildings served, but is not to be located in any front yard setback (Section 9-4.106).

Enclosure Required

Solid waste collection areas that use dumpsters or other containers with a total capacity greater than two (2) thirty-three (33) gallon containers shall be screened from the view of public streets and adjoining properties by a solid fence or wall as high as the collection container, but not less than three (3) feet nor more than six (6) feet in height.

Enclosure Construction Standards

- a) The floor or bottom surface of a solid waste collection area shall be of concrete or other impervious materials.

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- b) The collection shall have unobstructed vertical clearance for a minimum height of twenty-five (25) feet.

5.5 Exterior Lighting (AMC 9-4.137)

The standards of this section are applicable to all outdoor night-lighting sources installed after the effective date of this title, except for streetlights located within public rights-of-way and all uses established in the Agriculture Zone. An electrical permit may be required by Title 8.

Illumination Only

Outdoor lighting shall be used for the purpose of illumination only and shall not be designed for or used as an advertising display, except as provided by Sections 9-4.130 et seq.

Nondecorative Exterior Lighting Shielded

All nondecorative exterior lighting shall be shielded to direct light toward buildings or the ground. Light sources shall be designed and adjusted to direct light away from any road or street and away from any property or buildings outside the ownership of the applicant.

Minimization Of Light Intensity

No light or glare shall be transmitted or reflected in such concentration or intensity as to be detrimental

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or harmful to persons or to interfere with the use of surrounding properties or streets.

Decorative Exterior Lighting Shielded

Where lights are used for the purpose of illuminating or accenting building walls, signs, flags, architectural features, or landscaping, the light source is to be shielded so as not to be directly visible from off-site.

Ground Illuminating Lights

Any light source used for ground area illumination except incandescent lamps of one hundred fifty (150) watts or less and light produced directly by the combustion of natural gas or other fuels, shall be shielded from above in such a manner that the edge of the shield is level with or below the lowest edge of the light source. Where any light source intended for ground illumination is located at a height greater than eight (8) feet, the required shielding is to extend below the lowest edge of the light source a distance sufficient to block the light source from the view of any residential use within one thousand (1,000) feet of the light fixture.

Height Of Light Fixtures

Freestanding outdoor lighting fixtures shall not exceed the allowed height of the tallest building on the site, pursuant to Section 9-4.111.

Chapter 6: Nonconforming Uses

6.1 Purpose (AMC 9-7.101)

The purpose of these regulations is to control, improve or terminate uses which do not conform to this title.

6.1.1 Nonconforming Use Defined (AMC 9-7.102)

Nonconforming use includes any of the following which were lawfully established before the effective date, or before any subsequent amendment, or this title:

- a) A building, structure (including signs), land use, or activity which was established or is conducted in a manner which does not conform with one or more standards or permit requirements of this title.
- b) A use of land established in a location where such use is not identified as allowable by this title.

6.1.2 Right To Continue A Nonconforming Use (AMC 9-7.103)

A nonconforming use established prior to the effective date of this title, or prior to any subsequent amendment which creates such nonconformity, may be continued and maintained, except as otherwise provided by this chapter. Continuation of a nonconforming use may include a change of ownership, tenancy or management where the building, structure (including signs), land use or activity is substantially unchanged.

6.2 Issued Building Permit (AMC 9-7.104)

Nothing contained in this title shall be deemed to require any change in the plans, construction, or designated use of any building for which a building permit has been issued prior to the effective date of this title, provided that said permit does not lapse (Section 9-2.118).

6.3 Nonconformity Due To Lack Of Entitlement (AMC 9-7.105)

Any nonconforming use which is nonconforming only because of the absence of an entitlement shall not be enlarged, altered or extended to occupy a greater land area without first securing approval of

the required entitlement. The use shall be deemed a conforming use upon securing the approval of such entitlement.

6.4 Nonconforming Uses Of Land (AMC 9-7.106)

Any nonconforming use of land (Section 9-7.102(b)) may be continued as follows:

6.4.1 Expansion

The use may not be enlarged, increased, or extended to occupy a greater area of land than that occupied on the effective date of this title, except for a detached single-family residence as provided in subsection Single-Family Residential Use of this section.

The Planning Commission may, by conditional use permit, allow a lot occupied by a nonconforming use to be further developed by the addition of conforming uses and structures.

6.4.2 Discontinued Use

If the nonconforming use of land is discontinued for a period of six (6) months or more, any following use shall conform with all applicable requirements of this title.

6.4.3 Single-Family Residential Use

A detached single-family residence existing as a principal use in commercial or industrial zoning districts may be continued as a residential use, subject to subsection Discontinued Use of this section, and may be altered, provided that no increase in the number of dwelling units or increase greater than fifty (50) percent in the usable floor area, as it existed on the effective date of this title, occurs. Any expansion pursuant to this standard shall conform with all applicable provisions of Chapters 9-4 and 9-6.

6.5 Nonconforming Use Of A Conforming Building (AMC 9-7.107)

The use of a building which is in conformity with the provisions of this title but which is occupied by a nonconforming use may be continued as follows:

6.5.1 Extension Of Use

The use may be extended throughout the building provided no structural alterations to the building are made except those required by law.

6.5.2 Discontinued Use

If the nonconforming use of the building is discontinued for a period of six (6) months or more, any subsequent use of the structure shall conform with all applicable requirements of this title.

6.6 Nonconforming Structures (AMC 9-7.108)

Any structure that does not conform to the setback, height, or coverage requirements specified in this title, or the requirements of the building and construction ordinance, may continue to be used provided the structure was established and has been maintained in a lawful manner and condition and is not altered or expanded, except:

Proposed alterations or expansions consistent with the provisions of this title, when accompanied by any additional alterations necessary to bring the structure into conformity with all applicable provisions of Title 8 of this code, shall be allowed.

Minor alterations necessary to improve or maintain the health and/or safety of the occupants, or required by law, shall be allowed.

Restoration of destroyed or partially destroyed nonconforming structures is subject to Section 9-7.110.

6.7 Destroyed Structures & Signs (AMC 9-7.110)

If a nonconforming structure, a structure that constitutes a nonconforming land use (Section 9-7.106) or a nonconforming sign is destroyed or partially destroyed to the extent of seventy-five (75) percent or more of the replacement cost of the total structure before destruction by fire, explosion or act of God, the destroyed use, structure or sign may be replaced or reconstructed; provided, the use, structure or sign and the land on which it was located are in conformity, or are brought into conformity with all applicable requirements of this title. If a nonconforming use, structure or sign is partially destroyed to less than seventy-five (75)

percent of the replacement cost of the total structure before destruction, it may be restored to its former nonconforming status, with the exception of the following:

- A. A ground floor health care or office use within the DC zoning district may be reconstructed within the same building footprint providing that the same use, business ownership and floor area of the business remain unchanged.

6.8 Nonconforming Parking (AMC 9-7.111)

A use may be established in a structure which is nonconforming only as to off-street parking (Section 9-4.114) only:

- a) After the requirements for off-street parking have been met for the existing structure, as well as for any expansion; or
- b) As allowed by Section 9-7.112.

6.9 Substitution Of Use (AMC 9-7.112)

A nonconforming use may be replaced with another use even though the building or site does not meet the standards of this title. However, such substitution shall occur only when the new use is determined to be similar to the prior nonconforming use or is allowed by Chapter 9-3 and only where:

- a) Any modifications or alterations to the structure occur as provided by Section 9-7.108(a); and
- b) A building or site does not conform with the parking standards of Section 9-4.114, in which case substitution shall not occur unless:
 - 1) The new use is required by Section 9-4.114 to provide the same number of parking spaces as the existing use, in which case no additional parking is required; or
 - 2) Where a new use is required (Section 9-4.114) to have a greater number of spaces than the existing use, the number of spaces provided shall be the difference between those required for the new use and those required for the existing use.

6.10 Nonconforming Lot Defined (AMC 9-7.113)

Any lot having an area less than the minimum parcel size required by this title or other ordinances is a legal nonconforming lot if:

- a) The lot is shown on a duly approved and recorded subdivision or parcel map; or
- b) The lot has been issued a certificate of compliance or a conditional certificate of compliance.

6.11 Use Of Nonconforming Lots (AMC 9-7.114)

A legal nonconforming lot may be developed for uses identified as an allowable or conditional use by Title 9, provided the minimum development standards established for a particular use are satisfied. This includes structures that are partially or completely destroyed that are conforming uses.

6.12 Reduction In Size Of Nonconforming Lots (AMC 9-7.115)

Reductions in the size of existing nonconforming lots shall only be allowed with lot line adjustments to correct historical and geographical use problems and to facilitate the relocation of existing utilities, infrastructure or easements. Under no circumstances shall lots conforming to minimum lot sizes be reduced in size to a nonconforming status.

6.13 Procedures For Lot Line Adjustments (AMC 9-7.116)

Application for a lot line adjustment affecting a nonconforming lot(s) shall be in a form approved by the Community Development Director. Procedures for Planning Commission consideration and action on such lot line adjustments shall be as provided for variances in Section 9-1.113 of this title.

Chapter 7: Cannabis Regulations

7.1 Definitions (AMC 9-17.003)

Accessory Structure: An accessory structure is a detached structure, with a “u” occupancy that is accessory to and subordinate to the primary residential use.

Cannabis: “Cannabis” shall have the meaning set forth in Business and Professions Code section 26001(f), which includes all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. “Cannabis” also means the separated resin, whether crude or purified, obtained from cannabis. “Cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this chapter, “cannabis” does not mean “industrial hemp” as defined by Section 11018.5 of the Health and Safety Code.

Cannabis Canopy: All areas are occupied by any portion of a cannabis plant encompassing all vertical planes (i.e. stacking of plants), whether contiguous or noncontiguous on any one site. Cannabis Canopy” shall be measured by taking the longest length and widest width of existing plants (including all gaps and open areas between plants) and multiplying the length and width to get square footage.

Cannabis Greenhouse: A fully enclosed permanent structure that is clad in transparent material. Cannabis cultivation within an enclosed, non-transparent greenhouse is considered indoor cultivation.

Cannabis Hoop Structure: A readily removable plastic covered hoop structure without in-ground footings or foundations, which are not more than 12 feet in height and do not have vertical sides that exceed 4 feet in height. Cannabis hoop structures are accessory uses on residential land use categories which shall not exceed 120 square-feet. Cannabis cultivation within hoop structures is considered outdoor cultivation.

Cannabis Testing Facility: A facility, entity, or site that offers or performs testing of cannabis or cannabis products and that is both accredited by an accrediting body that is independent from all other persons involved in the cannabis industry in the state, and registered with and licensed by the California State Department of Public Health.

Commercial Cannabis Activity: “Commercial cannabis activity” shall have the meaning set forth in Business and Professions Code section 26001(k), which includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery or sale of cannabis or cannabis products as provided in MAUCRSA (Business and Professions Code sections 26000 et seq.) and for which a state license is required. Commercial cannabis activity shall also include the sale or distribution of cannabis and/or cannabis products, in exchange for compensation in any form, for medicinal purposes under Health and Safety Code sections 11362.5 and 11362.7 and following.

Cultivation: “Cultivation” shall have the meaning set forth in Business and Professions Code section 26001(l), which includes any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

Day Care Center: “Day care center” shall have the same meaning as Health and Safety Code section 1596.76, which any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school-age child care centers.

Fully Enclosed Structure: A fully enclosed space within a building or separate structure that complies with the California Building Code (CBC), as adopted by the City of Atascadero, or if exempt from the permit requirements of the CBC, that has a complete roof, foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, and non-transparent walls on all sides.

Indoor Cultivation: Cultivation, as defined in subsection h, of this section, within a fully enclosed structure, as defined in subsection j, of this section.

Outdoor Cultivation: Any location within the City of Atascadero that is not within a fully enclosed structure, or cannabis green house, as defined in subsection d of this section.

Personal Cultivation: Cultivation of cannabis at a private residence, as defined by subsection n of this section, for non-commercial cannabis activities, which is defined in subsection g.

Private Residence: A house, apartment unit, mobile unit, or other similar dwelling unit that is legally permitted within the City of Atascadero, and is considered a residential occupancy type in the California Building Code, as adopted by the City of Atascadero.

Retail Cannabis Delivery Center: A “Retail Cannabis Delivery Center” is a facility from which deliveries of cannabis and/or cannabis products originate pursuant to orders placed by customers inside and/or outside the City.

School: A private or public educational facility providing instruction in kindergarten or grades 1 through 12.

State Cannabis Laws: “State Cannabis Laws” shall mean and include California Health and Safety Code Sections 11362.1 through 11362.45; California Health and Safety Code Section 11362.5 (Compassionate Use Act of 1996); California Health and Safety Code Sections 11362.7 to 11362.83 (Medical Marijuana Program Act); California Health and Safety Code Sections 26000 through 26211 (Medicinal and Adult-Use Cannabis

Regulation and Safety Act (“MAUCRSA”)); California Health and Safety Code Sections 26220 through 26231.2; the California Attorney General’s Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use issued in August, 2008, as such guidelines may be revised from time to time by action of the Attorney General; California Labor Code Section 147.5; California Revenue and Taxation Code Sections 31020 and 34010 through 34021.5; California Fish and Game Code Section 12029; California Water Code Section 13276; all state regulations adopted pursuant to MAUCRSA; and all other applicable laws of the state of California.

Youth Center: “Youth center” shall have the same meaning as Health and Safety Code section 11353.1, which includes any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

7.2 Personal Cannabis Cultivation (AMC 9-17.004)

7.2.1 Regulations

The following regulations pertain to the personal cultivation of cannabis.

Location of Personal Cannabis Cultivation

All cannabis cultivation is prohibited within the City except that no more than six (6) living cannabis plants may be planted, cultivated, harvested, dried, or processed within a single private residence, or upon the grounds of that private residence, at one time. In no instance may personal cultivation occur on vacant property.

Indoor Cultivation

Indoor cultivation on residential properties is subject to the following regulations:

- a) Indoor cannabis cultivation shall only occur inside a private residence or an accessory structure to a private residence that is fully

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enclosed and secured against unauthorized entry.

- b) Sleeping Rooms within Residential Occupancies. Indoor cultivation may not occur inside rooms designed for sleeping. Sleeping rooms are defined by the California Building Code for residential occupancies.

Outdoor Cultivation

Outdoor cultivation on residential properties is subject to the following regulations:

Visibility

Outdoor cannabis cultivation shall not be visible from public rights-of-way or neighboring properties.

Screening Outdoor cannabis cultivation must be completely screened with permanent fencing and / or landscaping. Fencing must be compatible with the neighborhood and be constructed of wood pickets, block, or other typical fencing materials.

Prohibited Fence Types

Electrical fencing, razor wire fencing, chain link fencing, barbwire, plywood, and unfinished materials. Shade cloth, plastic, plywood, OSB, and other temporary screening materials shall not be allowed.

Fencing Height

Fencing for screening of outdoor cannabis cultivation must not exceed seven (7) feet in height, measured from natural grade. Additional plastic or other materials attached, suspended, or supported beyond the seven (7) foot height limitation shall be prohibited.

Setbacks

Personal cannabis cultivation shall be subject to the following setback requirements:

Property line

Cannabis greenhouses, cannabis hoop-structures, and all outdoor cannabis cultivation must be

Cannabis Regulations

located 15 feet or more from the edge of property lines.

Distance from Adjacent Residences

Cannabis greenhouses, cannabis hoop-structures, and all outdoor cannabis cultivation must be located 25 feet or more from the nearest adjacent residence.

Front Setback

No cannabis cultivation may occur within a designated front setback.

Total Coverage of Personal Cannabis Cultivation

Indoor Cannabis Cultivation

Indoor cannabis cultivation shall not take up more than 120 square feet of indoor residential space.

Outdoor Cannabis Cultivation

Outdoor cannabis cultivation shall not take up more than 120 square feet of cannabis canopy coverage.

Property Owner Consent

Where a private residence is not occupied or inhabited by the owner of the residence, the owner of the property must provide written consent expressly allowing cannabis cultivation to occur at said private residence.

Applicability of Adopted Building Codes

All personal cannabis cultivation at a private residence shall comply with applicable Building Code requirements set forth in the Atascadero Municipal Code Title 8.

Use of Solvents

There shall be no use of gas products (CO₂, butane, propane, natural gas, etc.) on a property for purposes of cannabis cultivation.

Waste Disposal

The following regulations apply to the disposal of cannabis waste on residential property:

- a) Cannabis and cannabis infused products must be disposed in a secure waste receptacle located on the residential property.
- b) Cannabis plants and products must be rendered unusable and unrecognizable by grinding and incorporating cannabis waste with any non-consumable solid waste with a resulting mixture of at least 50 percent non-cannabis waste.

7.3 Commercial Cannabis Activities (AMC 9-17.005)

All commercial cannabis activities are prohibited unless specifically allowed in this Table 17-1. It shall be unlawful for any person to commence, operate, engage in, to conduct, or carry on (or to permit to be commenced, operated, engaged in, conducted or carried on) in or upon any property located within the City a commercial cannabis activity unless that person does so in strict compliance with State Cannabis Laws, this section, and all applicable Municipal Code provisions.

Table 16.1 identifies the uses of commercial cannabis activities that are permitted in non-residential districts, and the planning permit required to establish each use, in compliance with Chapters 9-1 and 9-2 of this code.

Table 6.1 Commercial Cannabis Use Table

Allowed Land Uses and Permit Requirements	A.....Allowed Use, Zoning Clearance Required									
	CUP...Conditional Use Permit Required (Major)									
	AUP...Administrative Use Permit Required									
	☐.....Not Permitted									
Commercial Cannabis Activity										
	CN	CP	CR	CS	CT	CPK	DC	DO	IP	I
Testing Facility		CUP	CUP	AUP		AUP			AUP	AUP

7.4 Commercial Cannabis Activities Development Standards (AMC 9-17.006)

7.4.1 Cannabis Testing Facilities

The following are development standards for cannabis testing facilities:

On-Site Sales

Retail or wholesale sales to the public are prohibited.

Distance

Cannabis testing facilities shall be prohibited within 600 feet of schools, parks, and youth centers.

Signage

Signage shall be limited to 15 square feet in size.

7.4.2 Cannabis Deliveries

The following standards apply to Cannabis delivery services located outside the incorporated City Limits of the City of Atascadero:

Deliveries within Incorporated City Limits

State-licensed Retail Cannabis Delivery Centers located outside the City may personally deliver cannabis and cannabis products to individuals located at Private Residences, provided that such deliveries are in strict compliance with State Cannabis Laws and have obtained a business license tax certificate and paying the applicable business license tax under Municipal Code Chapter 3-5. All other deliveries of cannabis and cannabis and/or cannabis products are prohibited.

Vehicle Advertising

Vehicles used in the delivery process must be unmarked without any designation or logo that identifies the vehicle as a cannabis delivery vehicle.

Delivery Times

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Cannabis and cannabis product deliveries within the City may not occur between 11:00 p.m. and 7:00 a.m.