



County of Santa Cruz 0107

BOARD OF SUPERVISORS

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AGENDA: 11/21/00

November 13, 2000

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: REQUEST BY THE COUNTY PLANNING COMMISSION FOR
AMENDMENTS TO THE ZONING ORDINANCE RELATIVE
TO THE COMMERCIAL USE CHARTS

Dear Members of the Board:

Attached is a letter dated October 25, 2000, from Rob Bremner, Chairperson of the County Planning Commission, conveying the Commission's concerns with regard to the need for amendments to the Zoning Ordinance which would revise the Use Charts associated with the Neighborhood Commercial (C-1) and the Community Commercial (C-2) zone districts. Specifically, the Commission is concerned that there is little differentiation between the types of uses allowed in the C-1 and C-2 zone districts and believes that amendments to the Zoning Ordinance, outlining with more specificity the size and types of uses appropriate for these zone districts, are appropriate.

Accordingly, I recommend that the Board direct the Planning Department to prepare amendments to the Zoning Ordinance which would provide specific differentiation between the uses allowed in the C-1 and C-2 zone districts, as outlined in the General Plan, for Board consideration on or before January 23, 2001.

Sincerely,

MARDI WORMHOUDT, Chair
Board of Supervisors

MW:ted
Attachments

cc: Planning Commission
County Counsel

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County of Santa Cruz 0108

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 464-2123

ALVIN D. JAMES, DIRECTOR

October 25, 2000

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

SUBJECT: REQUEST FOR ZONING ORDINANCE AMENDMENTS TO THE COMMERCIAL USES CHART

Members of the Board:

On October 11, 2000, the Planning Commission concluded its consideration of an application for a Wendys restaurant on the corner of Brommer Street and 17th Avenue, on property zoned Neighborhood Commercial ("C- 1 "). The Commission unanimously denied the application and adopted revised findings. As a part of the motion to deny the project, the Commission also directed the Chairperson of the Commission to forwarded a request to your Board to initiate amendments to the Zoning Ordinance to revise the Use Charts of the commercial zone districts to more clearly differentiate between uses appropriate for the Neighborhood Commercial ("C-1") and the Community Commercial ("C-2") zone districts.

The General Plan and the Zoning Ordinance specify the types of uses which are appropriate in the "C- 1" and "C-2" zone districts. The Neighborhood Commercial land use designation is primarily implemented by the "C- 1" zone district. The following General Plan policies guide the location and types of uses intended for the Neighborhood Commercial designation:

2.13.1 Location of Neighborhood Commercial Uses

Designate on the General Plan and LCP Land Use Maps those areas existing as, or suitable for, Neighborhood Commercial uses to provide small-scale neighborhood and visitor serving businesses within walking distance of urban neighborhoods, visitor attractions or centrally located to serve rural communities.

2.13.3 Allowed Uses in Neighborhood Commercial Designation

Allow a variety of retail and service facilities, including neighborhood or visitor serving oriented retail sales, recreational equipment sales, personal services, limited offices, restaurants, community facilities including child care facilities, schools and studios, rental services, and similar types of retail and service activities.

The purpose of the C-1 zone district, as designated in County Code Section 13.10.33 l(e) is as follows:

- (e) Specific “C- 1” Neighborhood Commercial District Purposes. To provide compact and conveniently located shopping and service uses to meet the limited needs within walking distance of individual urban neighborhoods or centrally located to serve rural communities. Neighborhood Commercial uses and facilities are intended to be of small scale, with a demonstrated local need or market, appropriate to a neighborhood service area, and to have minimal adverse traffic, noise, or aesthetic impacts on adjacent residential areas.

The allowed uses in the C-1 zone district are included in the Commercial Uses Chart (Attachment 1).

The Community Commercial designation is primarily implemented by the C-2 zone district. The following policies define the location and allowed uses in the Community Commercial land use designation:

2.14.1 Location of Community Commercial Uses

Designate on the General Plan and LCP Land Use Maps Community Commercial Centers in Freedom, Aptos, Soquel, Live Oak, Felton, Ben Lomond, and Boulder Creek based on community-wide market areas served by these centers. Channel new proposed commercial uses into these designated Community Commercial Centers.

2.14.2 Allowed Uses in Community Commercial Designation

Allow a wide variety of retail and service facilities, including retail sales, personal services, offices, restaurants, community facilities including child care facilities, schools and studios, hotels and recreational housing units, rental services, and similar types of retail and service activities.

The specific purpose of the C-2 zone district, County Code Section 13.10.33 l(f), is as follows:

- (f) Specific “C-2” Community Commercial District Purposes. To provide centers of concentrated commercial uses accommodating a broad range and mixture of commercial activities, serving the general shopping and service needs of community-wide service areas, and including visitor accommodations. This district is intended to be applied to areas designated on the General Plan as Community Commercial. The Community Commercial districts are intended to have definite boundaries to promote the concentration of commercial uses.

The allowed uses in the C-2 zone district are included in the Commercial Uses Chart (Attachment 1).

A comparison of the uses allowed in the C-1 and C-2 zone districts, as listed in the Commercial

Uses Chart, indicates that there is little differentiation between the types of uses allowed in the two zone districts. A partial listing, including the level of review (3, 4 = administrative; 5 = Zoning Administrator; 6 = Planning Commission; 7 = Board of Supervisors), follows:

Uses	C-1	C-2
Accessory structures and uses	3/4	3/4
Adult entertainment	not permitted	5/6
Animal services/grooming (no overnite)	4/5/6	4/5/6
“ ” Vet clinics (no overnite)	not permitted	4/5/6
Gas stations w/auto repair, car wash, etc	not permitted	5/6
Gas stations w/o auto repair	5/6	5/6
Banks, including ATMs	4/5/6	4/5/6
Clubs, private	4/5/6	4/5/6
Comm recreation, card rooms, theatres, night clubs	not permitted	4/5/6
Commercial services, personal (barber/beauty shops)	4/5/6	4/5/6
Commercial services, neighborhood, including copy services, dry cleaners, film processing, laundries, picture framing, repair shops, shoe repair, tailors, tool sharpening	4/5/6	4/5/6
Commercial services, community, such as mortuaries, gunsmiths, upholstery shops, etc	not permitted	4/5/6
Community facilities, such as bus stations, churches, community centers, fire stations, libraries, post offices, etc	4/5/6	4/5/6
Offices (all types, including real estate, medical, insurance, laboratories, title companies, etc)	4/5/6 (50% of floor area)	4/5/6
Physical culture facilities, such as health clubs, spas, racquet clubs, gymnasiums, etc.	4/5/6	4/5/6
Radio and television studios, with transmitting towers	4/5/6	4/5/6
Residential uses (up to 50% of floor area)	5/6/7	5/6/7

Uses	C-1	c-2
Restaurants, bars, bakeries, donut shops, sandwich shops, delicatessens, etc	4/5/6	4/5/6
Retail sales, neighborhood, such as antique stores, arts and crafts, art galleries, bicycle shops, bookstores, clothing stores, flower shops, food stores (up to 20,000 sq.ft. in C-1), gift shops, hardware stores, drug stores, pet shops, liquor stores, jewelry stores, sporting goods stores, etc	4/5/6	4/5/6
Retail sales, community, such as appliance showrooms, auto supply, computer sales and service, floor covering showrooms, garden supply, department stores, furniture stores, paint stores, warehouse stores(gen'l public or membership)	not permitted	4/5/6
Schools (all kinds, including public (primary, secondary and college), private, vocational, artistic, etc)	4/5/6	4/5/6
Visitor accommodations(motels, hotels, etc) (bold annotation added)	not permitted	5/6/7

The table illustrates that the types of uses allowed in the C-1 and C-2 zone districts are often the same uses, processed at the same level. What neither the Uses Chart nor the language in the remainder of the Commercial ordinances provide, however, is any guidance to differentiate between the size or intensity of the allowed uses which would be appropriate for the Neighborhood or Community Commercial designations. That determination is left to the decision makers, be it the Zoning Administrator, Planning Commission or Board of Supervisors, based on an analysis by the Planning staff.

The Planning Commission is requesting that your Board direct the Planning Department to prepare amendments to the Zoning Ordinance to provide more specific differentiation in the Uses Chart of the size and types of uses appropriate for the "C-1" and "C-2" zone districts, recognizing that these differences should be based on the objectives and purposes of the General Plan designations and zone districts.

Sincerely,



Rob Bremner, Chairperson,
Planning Commission

Attachments 1. Commercial Uses Chart

**COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT**

. 0112

13.10.330 COMMERCIAL DISTRICTS

Sections:

- 13.10.331 **Purposes of Commercial Districts**
- 13.10.332 **Uses in Commercial Districts**
- 13.10.333 **Development Standards for Commercial Districts**
- 13.10.334 **Design Criteria for Commercial Districts**
- 13.10.335 **Special Standards and Conditions for Commercial Districts**

13.10.331 PURPOSES OF COMMERCIAL DISTRICTS

In addition to the general objectives of this Chapter (13.10) the Commercial Districts are included in the Zoning Ordinance in order to achieve the following purposes:

(a) General Purposes.

- (1) To provide for retail stores, offices, service establishments, recreational establishments, and wholesale businesses offering a range of commodities and services adequate to meet the needs of County residents and visitors, of different geographical areas in the county and of their various categories of patrons.**

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- (2) To contain commercial facilities in appropriately located areas, avoiding new freeway oriented development and new strip commercial uses, and providing opportunities for commercial uses to concentrate for the convenience of the public and in mutually beneficial relationships to each other.
 - (3) To ensure that commercial facilities and uses are compatible with the level of available public facilities and services, minimizing traffic congestion and preventing the overloading of utilities and public services.
 - (4) To ensure that commercial development is compatible with natural resource protection, environmental quality, and the scenic setting of the County.
 - (5) To ensure that commercial facilities are constructed and operated such that they are compatible with adjacent development, and that high standards of urban design are maintained, minimizing impacts on residential areas and providing for adequate site layout, protection of solar access to adjacent property, landscaping, sign and building design and size, and on-site parking, loading, and circulation. (Ord. 3501, 3/6/84)
 - (6) To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences incidental to industrial uses, and from fire, explosion, noxious fumes and other hazards.
 - (7) To provide space for community facilities and institutions which appropriately may be located in commercial areas.
 - (8) To provide for a mixture of commercial and residential uses where the advantages of such a mixture, such as convenience, atmosphere, and low energy use, can be maximized, and the conflicts, such as noise, traffic, and lack of adequate visual amenities, can be reduced to an acceptable level. Residential uses are intended to be incidental or secondary to commercial use of a site, or as otherwise provided by a Village Design Plan.
 - (9) To maximize efficient energy use and energy conservation in commercial uses, and to encourage the use of locally available renewable energy resources (Ord. 560, 7/14/58; 681, 5/8/61; 839, 11/28/82; 2762; 9/4/79; 1891, 6/19/73; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3501, 3/6/84)
- (b) Specific "PA" Professional-Administrative Office District Purposes. To provide for professional and administrative office uses in areas where such use is designated on the General Plan, or in areas designated for neighborhood, community or service commercial use, particularly where an office use can provide a buffer use between residential areas and the more intensive commercial or industrial activities. Professional and administrative office uses are intended to be low impact, non-retail activities. The "PA" District is intended to allow a compatible collection of related services within a development and may include a

variety of retail and service uses where they are accessory to office uses on a site. (Ord. 1834, 2/27/73; 3186, 1/12/82; 3'344, 11/23/82; 3432, 8/23/83)

- (c) **Specific "VA" Visitor Accommodations District Purposes.** To provide areas specifically reserved for visitor accommodations and limited appurtenant uses. To allow a broad range of such overnight or extended stay lodging for visitors and to recognize these as commercial uses. The Visitor Accommodations District is intended to be located primarily in areas designated Visitor Accommodation or in areas designated as Community Commercial on the General Plan, and in locations where there are existing or approved (at the date of this section) visitor accommodations developments. All visitor accommodations are intended to be located where adequate access and public services and facilities are available, and to be designed and operated to be compatible with adjacent land uses, utilize and complement the scenic and natural setting of the area, and provide proper management and protection of the environment and natural resources. (Ord. 1891, 6/19/73; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)
- (d) **Specific "CT" Tourist Commercial District Purposes:** To encourage and recognize a narrow range of visitor serving uses in appropriate locations in the County on major transportation corridors or in commercial centers where properties have a land use designation on the General Plan of Neighborhood or Community Commercial. Visitor serving uses allowed in this zone district include primarily food services, auto fueling, visitor accommodations, and related accessory uses.
- (e) **Specific "C-1" Neighborhood Commercial District Purposes.** To provide compact and conveniently located shopping and service uses to meet the limited needs within walking distance of individual urban neighborhoods or centrally located to serve rural communities. Neighborhood Commercial uses and facilities are intended to be of a small scale, with a demonstrated local need or market, appropriate to a neighborhood service area, and to have minimal adverse traffic, noise, or aesthetic impacts on the adjacent residential areas.
- (f) **Specific "C-2" Community Commercial District Purposes.** To provide centers of concentrated commercial uses accommodating a broad range and mixture of commercial activities, serving the general shopping and service needs of community-wide service areas, and including visitor accommodations. This district is intended to be applied to areas designated on the General Plan as Community Commercial. The Community Commercial districts are intended to have definite boundaries to promote the concentration of commercial uses.
- (g) **Specific "C-4" Commercial Services District Purposes.** To meet the commercial services needs of the various communities in the County by allowing a broad range of commercial services uses in areas reserved for and designated as Commercial Services on the General Plan. Commercial service uses are intended primarily to be non-retail in nature, such as building material suppliers, auto repair, or freight terminals, and to be non-polluting. These uses usually need large sites, proximity to major streets to handle truck traffic, and in some cases need

access to rail transportation. The Commercial Services districts are intended to be located in areas where the impacts of noise, traffic, and other nuisances and hazards associated with such uses will not adversely affect other land uses. Commercial recreational uses needing large sites and good access, such as drive-in theaters or indoor arenas, are also included in this district.

(Entire section updated: Ord. 4346, 12/13/94)

13.10.332 COMMERCIAL USES

(a) Principal Permitted Uses

- (1) In the Coastal Zone, the principal permitted uses in the Commercial Districts shall be as follows:

"PA" Professional and administrative offices;
 "VA" Visitor accommodations;
 "CT" Visitor serving uses and facilities;
 "C-1" Neighborhood-serving, small-scale commercial services and retail uses;
 "C-2" Community-serving, large-scale retail uses and small-scale commercial services;
 "C-4" Commercial services of all types and uses needing large sites or outdoor use areas; including appurtenant uses and structures.

- (2) Principal permitted uses are all denoted as uses requiring a Level IV or lower Approval unless otherwise denoted with the letter "P" in the Commercial Uses Chart in paragraph (b) following. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal Zone Permits, and in some cases, as provided in Chapter 13.20, any development is appealable.

- (b) Allowed Uses. The uses allowed in the commercial districts shall be as provided in the following Commercial Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level", required for each use in each of the commercial zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 PERMIT AND APPROVAL PROCEDURES. The Approval Levels given in this chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123.

COMMERCIAL USES CHART

KEY:

- A = Use must be ancillary and incidental to a principal permitted use on the site**
- P = Principal permitted use (see Section 13.10.332(a)); no use approval necessary if "P" appears alone**
- 1 = Approval Level I (administrative, no plans required)**
- 2 = Approval Level II (administrative, plans required)**
- 3 = Approval Level III (administrative, field visit required)**
- 4 = Approval Level IV (administrative, public notice required)**
- 5 = Approval Level V (public hearing by Zoning Administrator required)**
- 6 = Approval Level VI (public hearing by Planning Commission required)**
- 7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)**
- = Use not allowed in this zone district**
- * = Level IV for projects of less than 2,000 square feet
Level V for projects of 2,000 to 20,000 square feet
Level VI for projects of 20,000 square feet and larger**

USE	PA	VA	CT	C-1	c-2	c-4
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Accessory Structures and uses (not principal permitted uses unless associated with a principal permitted use), including:

Accessory structures, non-habitable, not including warehouses (subject to Section 13.10.611)

Less than 500 sq. ft.	3	3	3	3	3	3
500-2,000 sq. ft.	4	4	4	4	4	4

Outdoor storage, incidental to an allowed use, and screened from public streets and adjacent property

Less than 500 sq. ft.	3A	3A	3A	3A	3A	3A
500-2,000 sq. ft.	4A	4A	4A	4A	4A	4A

Parking, on-site, in accordance with Section 13.10.550, et seq

	4	4		4	4	4
--	---	---	--	---	---	---

USE	PA	VA	CT	C-1	C-2	C-4
Parking facilities for off-site, uses when developed according to Section 13.10.550, et seq.	4	4	4	4	4	4
Recycling collection facilities in accordance with Section 13.10.658:						
Reverse vending machines	1	1	1	1	1	1
Small collection facilities	4	4	4	4	4	4
Signs in accordance with Section 13.10.581	4	4	4		4	4
<u>Adult Entertainment, subject to Sections 13.10.621, 13.10.622 and 13.10.623 including adult bookstores; adult motion picture theaters, bath establishments</u>	--	--	--	--	5/6*	--
<u>Agricultural Service Establishments not engaged in hazardous chemicals</u>	--	--	--	--	--	5/6*
<u>Animal Services (subject to Section 13.10.642), including:</u>						
Animal grooming services and other animal services where the animals do not stay overnight	--	--	--	4/5/6*	4/5/6*	4/5/6*

USE	PA	VA	CT	C-1	c-2	c-4
Boarding kennels, veterinarians offices small animal hospitals, animal shelters and pounds, including the short-term boarding of animals	--	--	--	--	--	4/5/6*
Outdoor exercise yards in connection with the, above	--	--	--	--	--	5/6*
Veterinary Clinics or offices with no overnight boarding of animals	--	--	--	--	4/5/6	4/5/6
<u>Automobile Service Stations; subject to the provisions of Sections 13.10.656 and 13.10.657</u>						
Gas stations with car washes, service bays and/ or vehicle repair services	--	--	5/6*	--	5/6*	5/6*
Gas stations or gas pumps with no service bays nor vehicle repair service	--	--	5/6*	5/6*	5/6*	5/6*
<u>BANKS, including:</u>	4/5/6*	4/5/6*A	- -	4/5/6*	4/5/6*	--
Automated Bank Teller Facilities Savings and loan companies						
<u>Boat and marine services, such as:</u>	--	--	--	--	--	4/5/6*
Boat building						
Boat rentals, sales, and services						
Boat storage						
Commercial fishing facilities						
Marine services and launching facilities						

USE	PA	VA	CT	C-1	C-2	C-4
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Clubs, private, including garden clubs, fraternal lodges, community service organizations, meeting halls and conference rooms

	4/5/6*	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*
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Commercial change of use within existing structures:

Change of use in accordance with an approved master occupancy program

	1	1	1	1	1	1
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Change of use within the Town Plan areas of the San Lorenzo Valley, to a use in conformance with a Town Plan, and not resulting in an intensification of use

	1	1	1		1	
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Change from a use conforming to a valid development (use) permit, to another use allowed in the zone district which will not result in an intensification of use:

	1	4/5/6*	4/5/6*	1	1	4/5/6*
--	---	--------	--------	---	---	--------

Change from a use conforming to a valid development (use) permit, to another use allowed in the zone district which will result in an intensification of use:

	4	4/5/6*	4/5/6*	4	4	4/5/6*
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USE	PA	VA	CT	C-1	c-2	c-4
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Change from a use not approved by a valid development (use) permit, to another use allowed in the zone district: for projects of:

under 2,000 sq. ft.	3	4	4	3	3	4
2,000-20,000 sq. ft.	4	5	5	4	4	5
over 20,000 sq. ft.	4	6	6	5	5	6

(For legal, non-conforming uses, see Section 13.10.260 for additional requirements)

Commercial Recreation and Entertainment,

indoor, subject to Section 13.10.654, such as:

--	4/5/6*A	4/5/6*A	--	4/5/6*	4/5/6*
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- Auditoriums, indoor
- Bowling alleys
- Card rooms
- Dancing establishments; dance halls; discos
- Game establishments; pin-ball and video game rooms (see Section 13.10.700-G, -V definitions)
- Nightclubs
- Pool halls
- Theaters, indoor

Commercial Recreation, General.

involving outdoor facilities, public assembly, or large sites, such as:

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- Flea markets

USE	PA	VA	CT	C-1	c-2	c-4 m y--
Miniature golf course; putting greens; par 3 golf; driving ranges Skateboard parks Skating rinks Sports arenas, stadiums Swimming pools, public Theaters, drive-in (subject to Section 13.10.623)						
<u>Commercial Services,</u> <u>Personal, such as:</u>	4/5/6*A	4/5/6*A	--	4/5/6*	4/5/6*	--
Barber shops Beauty shops						
<u>Commercial Services,</u> <u>Neighborhood, such as:</u>	--	--	--	4/5/6*	4/5/6*	4/5/6*
Copy and Duplicating services Dressmakers Dry cleaners using non-flammable, nonexplosive solvents Film Processing, ancillary and incidental to a permitted retail or service use Food lockers Laundries; self- service laundries Locksmiths Picture framing shops Printing shops, light; duplicating services Repair shops, for the repair of small appliances; radio, stereo, and television repair Shoe repair shops Tailors Tool or cutlery sharpening or grinding services						

USE	PA	VA	CT	C-1	c-2	c-4
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Commercial Services,
Community such as: -- -- -- -- 4/5/6* 4/5/6*

Auction rooms
Catering services
Gunsmiths
Mortuaries (not
including crematories)
Rental shops: medical,
clothing, household
goods, etc; indoor
Taxidermists
Upholstery shops,
(auto upholstery
allowed only in C-4)

Commercial Services,
general, indoor,
such as: -- -- -- -- -- 4/5/6*

Commercial cleaning
services, including:
linen services; dry
cleaning and dyeing
plants; carpet cleaning
shops; diaper supply
services; mattress
reconditioning
Contractor's shops
including: glass shops;
plumbing shops; sheet
metal shops; heating
and ventilating shops
Exterminators
Laboratories and related
facilities for research,
experimentation, testing,
film processing
Printing, lithographing;
engraving, book binding
Repair shops, including
household and office
equipment repair; safe
and vault repair
Storage Buildings for
household goods, mini-
storage

USE	PA	VA	CT	C-1	C-2	C-4
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Commercial Services,
general, involving
outdoor use, heavy
trucking, or vehicle use
and storage, such as:

-- -- -- -- -- 4/5/6*

Automobile repair and
service shops operated
partly out of doors
Automobile rental enterprises
Automobile washing, polishing,
and detailing services
Parcel Shipping and
delivering services
Taxi company with vehicle
parking and storage
Contractors' and heavy
equipment storage and
rental yards, including
storage yards for
commercial vehicles; bus
or transit service yards
for the storage,
servicing and repair of
transit vehicles
Outdoor storage yards for
recreational vehicles,
trailers, boats
Recycling centers,
including large collection
facilities and processing
facilities
Shipping terminals,
including trucking
terminals, packing and
crating services,
shipping services, freight
forwarding terminals
Storage facilities,
including cold-storage
plants; ice storage ware-
houses, excluding the
storage of fuel or
flammable liquids

USE	PA	VA	CT	C-1	c-2	c-4
Community Facilities, such as:	4/5/6*	4/5/6*A	--	4/5/6*	4/5/6*	4/5/6*
Bus or transit stations, (storage, servicing or repair of vehicles allowed only in C-4)						
Churches and other religious centers or institutions						
Community centers						
Day-care centers (see Section 13.10.900-D definition)						
Energy systems, community (subject to Section 13.10.661 and .700-E definition)						
Fire stations						
Libraries						
Museums						
Post offices						
Restrooms, public						
Utilities, public, structures and uses energy facilities (see Section 13.10.700-E definition)						
Cottage industry, (see Section 13.10.700-C definition)	--	--	--	4/5/6*	4/5/6*	4/5/6*
"M-1" Districts, all allowed uses, provided that not more than 20 persons shall be engaged in the production, repair, or processing of materials on any one shift and provided further that regulations for the "M-1" District as stated in Section 13.10.345 shall apply to every use	--	--	--	--	--	4/5/6*

USE	PA	VA	CT	C-1	C-2	c-4 e-w-
Offices, (not to exceed 50% of building area in C-1) such as:						
Administrative offices Travel Agencies	4/5/6*	4/5/6*A	--	4/5/6*	4/5/6*	4/5/6*A
Addressing services Business offices, general Catalog sales offices Dental offices Duplicating shops Editorial Offices Executive offices Finance offices Fortune tellers Insurance offices Interior decoration studios Laboratories, medical, optical, and dental, not including the manufacture of pharmaceutical or other similar products for general sale or distribution Medical offices and clinics Message services: answering services Optical offices Photographers; photographic studios Professional offices Radio and television programing stations, without transmitting towers Real Estate offices Telegraph offices Title companies	4/5/6*	--	--	4/5/6*	4/5/6/*	4/5/6*A
Open space uses according to the PR District Chart (Section 13. 10. 352)	--	P	P	--	--	--

USE	PA	VA	CT	C-1	c-2	c-4
<u>Physical culture facilities, such as:</u>	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*
Bath establishments; hot tubs, sauna establishments (subject to Chapter 9.88)						
Fitness centers						
Gymnasiums						
Massage establishments (subject to Chapter 9.88)						
Physical culture studios						
Racquet clubs, indoor						
Spas						
<u>Radio and television broadcasting stations with including transmitting towers</u>	4/5/6*	--	--	4/5/6*	4/5/6*	4/5/6*
<u>Residential uses, such as:</u>						
Dwelling units, single-family and multi-family, up to 50% (67% if project is 100% affordable) of the floor area of the entire development, developed according to development standards of Urban High Residential						
1 - 4 units	5	--	--	5	5	--
5 - 19 units	6	--	--	6	6	--
20 + units	7	--	--	7	7	--
Expansion of dwelling units which are not consistent with the General Plan up to a one time total of an additional 500 square feet	3	3	3	3	3	3
Convalescent hospitals	4/5/6*	--	--	--	--	--

U S E	PA	V A	CT	C-1	c-2	c-4
-------	----	-----	----	-----	-----	-----

Nursing homes
(see Section
13.10.700-N
definition)

4/5/6* -- -- -- -- --

Restaurants; bars, food
service subject to
13.10.651 in the "PA"
Zone district; such as:

Bars, micro-breweries,
brew pubs, subject to
Section 13.10.654,
(ancillary to
restaurants in C-1)
Bakeries; baked foods
stores
Candy stores
Cheese stores
Delicatessens
Donut shops
Ice cream shops
Restaurants
Sandwich shops
Other food specialty
outlets

In buildings of 500
square feet or less

4A 4A 4 4 4 4

In buildings of
larger than 500
square feet

4/5/6*A 4/5/6*A 4/5/6* 4/5/6* 4/5/6* --

Outdoor food service

4/5/6*A 4/5/6*A 4/5/6* 4/5/6* 4/5/6* --

Retail Sales,
Neighborhood, such as:

Antique stores
Art and handicraft
sales and service
Art galleries
Bicycle rentals
Bicycle shops
Bookstores
Candy stores

USE	PA	VA	CT	C-1	C-2	C-4
Clock and watch sales and repair						
Clothing stores						
Flower shops						
Food stores; grocery stores, limited to 20,000 square feet in the C-1 district						
Gift shops						
Hardware stores						
Jewelry stores						
Liquor stores						
Luggage Stores						
Musical instrument and recordings sales and repair						
Newspaper and Magazine sales						
Pet shops						
Photographic equipment and supplies						
Plant shops, for indoor sales of plants in containers						
Produce markets						
Recreational equipment sales, rentals and services, such as sporting goods, bait and tackle, marine hardware and supplies, diving equipment, bicycles, roller skates, surfboards, windsurfers						
Shoe Stores						
Sporting goods stores						
Stationery stores						
Toy stores						
Tobacco shops						
Variety stores						
Video sales and rentals						
Wine tasting and sales rooms	--	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*A
Drug stores; pharmacies medical appliances and supplies	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*A

USE	PA	VA	CT	C-1	c-2	c - 4
<u>Retail Sales, Community,</u> such as:	--	--	--	--	4/5/6*	4/5/6*A
Appliance showrooms						
Automobile supply stores						
Business machine stores						
Computer sales and service						
Department stores						
Fabric and sewing materials stores						
Floor covering showrooms						
Furniture stores						
Garden supply stores						
Home furnishing and decorating stores						
Household appliances stores						
Kitchen/bath/housewares . stores						
Orthopedic appliances sales and rentals						
Paint stores						
Pawnshops						
Scientific instrument stores						
Secondhand stores						
Stamp and coin stores						
Stores for display and retail sales of lighting, plumbing, heating, refrigeration, ventilation, fixtures and equipment						
Warehouse stores selling to members or the general public						

USE	PA	VA	CT	C-1	C-2	c-4
-----	----	----	----	-----	-----	-----

Retail Sales, requiring large sites, large show-rooms, or outdoor sales areas, such as:

-- -- -- -- -- 4/5/6*

Automobile sales and service, including auto mobile repair and service garages operated entirely within enclosed buildings or screened from public streets; automobile sales: automobile upholstery installers, indoor; tire stores, including installation; used car sales lots.

Boat sales and service
 Building materials yards, including: lumber yards, not including planning mills or sawmills; building materials yards other than gravel, rock or cement yards; storage, bulk, of rock, gravel sand, and aggregates in bins not to exceed a capacity of 5 yards each, limited to a maximum of 10 bins per site

Feed and farm supply stores
 Firewood processing and sales
 Mobilehome sales and service
 Motorcycle sales and services
 Nurseries selling plants centers in containers; garden

USE	PA	VA	CT	C-1	c-2	c-4
-----	----	----	----	-----	-----	-----

Recreational vehicle
and trailer sales
and service
Retail sales of large
appliances or
equipment needing
large showrooms
Wholesale suppliers

Schools, studios and
Conference Facilities,
such as:

4/5/6* 4/5/6*A -- 4/5/6* 4/5/6* 4/5/6*

Arts and crafts
studios or schools
Conference and
seminar facilities
without overnight
accommodations
Dance studios *or*
schools
Music studios or
schools
Pre-school, elementary
secondary and college
facilities
Professional, trade,
business and
technical schools

Temporary uses, (See
Section 13.10.700-T
definition) such as:

Carnivals and circuses	--	--	—	--	3	3
Christmas tree sales lots	--	--	--	3	3	3
Outdoor sales not to exceed 4 per year on any site	--	--	--	3	3	3

USE	PA	VA	CT	C-1	c-2	c-4
-----	----	----	----	-----	-----	-----

**Visitor Accommodations,
subject to Section
13.10.335(b), such as:**

**Time Share, visitor
accommodations
subject to Section
13.10.693**

1- 4 units	--	5			--	--
5- 19 units	--	6	--	--	--	--
20+ units	--	7	--	--	--	--

**Type A uses: Hotels;
inns, pensions,
lodging houses, "bed
and breakfast" inns,
motels, recreational
rental housing units
(see Section**

12.02.020(11)

1-4 units	--	5P	5	--	5	--
5-19 units	--	6P	6	--	6	--
20+ units	--	7P	7	--	7	--

**Type B uses: Organized
camps; group camps;
conference centers,
(subject to Sec.
13.10.692; hostels;
recreational vehicles
camping parks; tent-
camping parks.**

1- 4 units	--	5	5		--	
5- 19 units	--	6	6		--	
20+ units	--	7	7	--		--

Wineries

(see definition

Section 13.10.700-W -- -- -- -- -- 4/5/6*

/6* /6* /6*

ORDINANCES

(Ord. 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3593, 11/6/84; 3632, 3/26/85)

Zone Districts: 2824, 12/4/79;

Combining Zone Districts: 560, 7/14/58; 1891, 6/19/73; 1985, 2/19/74; 2874, 12/4/79;

PA uses: 1834, 2/27/73; 2661, 4/17/79; 2769, 9/11/79; 3593, 11/6/84; 3632, 3/26/85

C-1 uses: 839; 11/28/62; **1118**, **B/25/65**; **1188**, 8/2/66; 1543,
 9/1/70; 1581, 3/2/71; **1817**, 1/16/73; **2066**, 10/29/74; 2449,
 5/24/77; 2661, 4/17/79; 2770, 9/11/79; 2800, 10/30/79; 2853,
 1/29/80; 2868, 3/4/80; 3593, 11/6/84; 3632, 3/26/85
 C-2 uses: 839, 11/28/62; 1019, 10/19/64; 1188, 8/21/66;
 1817, 1/16/73; 2066, 10/29/74; 2429, 5/24/77; 2661, 4/17/79;
 2770, 9/11/79; 2800, 10/30/79; 2853, 1/29/80; 3593, 11/6/84;
 3632, 3/26/85
 C-3 uses: 839, 11/28/62; 1817, 1/16/73; 2661, 4/17/79; 2770,
 9/11/79; 2868, 3/4/80; 2946, 6/10/80; 3593, 11/6/84; 3632,
 3/26/85
 C-4 uses: 839, 11/28/62; 1019, 10/19/64; 1136, 12/7/65; 1219,
 12/20/66; 1282, 1/2/68; 1578, 2/23/71; 1817, 1/16/73, 2581,
 8/22/71; 2661, 4/17/79; 2770, 9/12/79; 2868, 3/4/80; 3593,
 11/6/84; 3632, 3/26/85;
 CC: 2763, 9/4/79, 2800, 10/30/79, 2853, 1/29/80; 3593, 11/6/84; 3632,
 3/26/85; 4285, 12/14/93; 4346, 12/13/94)

13.10.333 DEVELOPMENT STANDARDS FOR COMMERCIAL DISTRICTS

- (a) **Site and Structural Dimensions.** The following minimum parcel size, frontage, yard dimensions, and building height limits shall apply within all commercial zone districts, except as noted elsewhere in this section or in the general exceptions as noted in Sec. 13.10.510, et seq.

COMMERCIAL SITE AND STRUCTURAL DIMENSIONS CHART

District Designation	Minimum Site Area Per Parcel (net developable square feet)	Minimum Parcel Frontage (feet)	Minimum Yards- (feet)			Average Building Height Limit- (feet)
			Front	Side	Rear	
PA	10,000	60	10	Interior: 0 Street: 10	10	3 stories, but not to exceed 35 ft.
VA	10,000	60	10	10	10	"
C-T	10,000	60	10	0	0	"
C-1	10,000	60	10	0	0	"
c-2	10,000	60	10	0	0	"
C-4	10,000	60	10	0	0	"

Footnotes:

1. See also General Site Standards exceptions in Sections 13.10.510, .520 and .521.
2. Subject to exceptions as provided in paragraph (b) of this Section.
3. See also Chapter 12.28, Solar Access Protection; subject to solar access requirements in Design Criteria, Section 13.10.331.

(Ord. 1834, 2/27/73; 2849, 1/22/80; 3186, 1/12/82; 3344, 1/23/82; 3432, 8/23/83; 3501, 3/6/84)

(b) Yards, Exceptions

- (1) See Chapter 16.50 regarding setback/buffer requirements for parcels abutting agricultural uses.
- (2) **Front Yard Abutting or Across the Street From an "R" or "A" District.** On sites abutting on and fronting on the same street as, or across a street or alley from property in an "R" District or an "A" District, the minimum front yard shall be 20 feet.
- (3) **Reversed Corner Lots.** On a reversed corner lot adjoining a key lot in an "R" or "A" District, the minimum side yard adjoining the street shall be not less than one-half of the required front yard on the key lot.

- (4) **Abutting an "R" or "A" District.** The minimum side or rear yard, in feet, abutting any residential or any agricultural district shall be follows:

PA	VA	CT	C-1	C-2	C-4
same as the abutting "R" or "A" District	same as the abutting "R" or "A" District	30	30	30	30

- (5) **Across a Street From an "R" or "A" District.** The minimum side or rear yard on a street or alley across from any residential or any agricultural district shall be 10 feet. (Ord. 1891, 6/19/73; 3186, 1/12/82; 3344, 1/23/82; 3432, 8/23/83)

- (c) **Other Regulations.** Other development standards applicable to commercial zone districts are contained in the following sections of Chapter 13.10:

SECTIONS

General site standards	13.10.510, <u>et seq.</u>
Signs	13.10.580, <u>et seq.</u>
Parking	13.10.550, <u>et seq.</u>
Fences	13.10.525
Minimum parcel sizes	13.10.510(g)
Use of non-developable land	13.10.671
Use of urban open space land	13.10.672
Trip reduction requirements (development projects for 50 or more employees)	13.10.591
Design review	13.11.010, <u>et seq.</u>
Agricultural buffers/setbacks	16.50.095

ORDINANCES FOR CHART

(Ord. 839, 11/28/62; 2764, 9/4/79; 3186, 1/12/82; 3344, 1/23/82; 3432, 8/23/83; 4133, 6/4/91; 4314, 5/24/94)

(Entire section: Ord. 4346, 12/13/94)

13.10.334 PUBLIC FACILITIES REQUIREMENTS FOR COMMERCIAL DISTRICTS

- (a) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection. A letter indicating all fire department requirements shall be submitted with the project application.
- (b) All requirements of the local sanitation district and water district shall be met. Letters indicating adequate sewer and water service to the project shall be submitted with the project application. Within

the Coastal Zone, adequate system capacity shall be reserved for priority coastal uses as per Section 17.02.070.

- (c) All improvement requirements and fees shall be met for drainage districts, transportation improvement zones, and roadside improvement districts where required by district or section regulations (Title 15).
- (d) The recommendations of the Santa Cruz Metropolitan Transit District should be met to ensure the provision of adequate transit facilities. For commercial projects of 6,000 square feet or larger, a letter indicating the Transit District's recommendation shall be submitted with the project applications.

(Entire Section: Ord. 4346, 12/13/94)

13.10.335 SPECIAL STANDARDS AND CONDITIONS FOR COMMERCIAL DISTRICTS.

 (a) "C-1", "C-2" and "C-4" Use Standards.

- (1) In the "C-1" or "C-2" Districts, all business, services and processes shall be conducted entirely within a completely enclosed structure except for outdoor food and drink establishments, recycling collection facilities, off-street parking and loading areas, gasoline stations, garden supply stores, Christmas tree lots, bus depots, transit stations, public utility uses, and radio and television transmission towers. Outside storage of stock-in-trade may be allowed pursuant to a Level IV Approval provided that the storage area is adequately screened from view from adjacent parcels. (Ord. 3843, 6/23/87)
- (2) In the "C-1" District, all products produced on the site of any of the permitted uses shall be sold, primarily at retail only, on the site where produced.
- (3) In the "C-1" District not more than five persons, and in a "C-2" District not more than ten persons, shall be engaged in the production, repair or processing of materials on any one site, except that this provision shall not apply to bars, restaurants and soda fountains.
- (4) In the "C-4" District, all office and retail uses that are required to be ancillary and incidental, shall be related to the main use of the site such as business offices to operate the permitted use or the retail sale of goods produced or served as a part of the primary permitted use. (Ord. 4346, 12/13/94)

(b) Visitor Accommodations Use Standards.**1. Allowed Densities Chart**

Type	Density
A, with kitchens	1 habitable room/1300 net developable square feet
A, without kitchens	1 habitable room-1100 net developable square feet
B, RV or tent camps	1 site/1300 net developable square feet
B, hostels	1 bed/325 net developable square feet
B, group quarters	2 beds/1300 net developable square feet

2. Density Calculations. Types of visitor accommodations

may be combined; however, combined densities may not exceed the maximum allowed for the total number of net developable square footage on the property. All values given above are maximums and may be reduced based on services and access constraints, compatibility with adjacent land uses and neighborhood character, or adverse environmental impacts. Permanent residential units for site personnel shall be in place of density credits for visitor accommodations use at the rate of *one* kitchen and up to 5 permanent residents per 3000 net developable square feet. A unit over 400 square feet in total square footage, including bathrooms and kitchens, creates a presumption of more than one habitable room. Inside the Coastal Zone, the performance standards in Table 7.3.3 in the Local Coastal Program Land Use Plan for priority accommodations sites also apply.

3. Permit Conditions

All Development Permits for visitor accommodations shall include the following conditions:

- (i) All visitor accommodations units shall be managed for short-term occupancy with occupancy limited to not more than 29 consecutive days and limited to 29 days in any one calendar year by an individual or group of occupants, except that single-ownership

units may be occupied by the owner(s) up to 45 days in any one calendar year. Notwithstanding the foregoing, visitor accommodation units described as follows may be occupied by the owner(s) up to 90 days in one calendar year: units located on coastal bluff property which has been the subject of litigation in which a remittitur was issued by the California Court of Appeal on or before April 25, 1983 in a decision requiring the County of Santa Cruz to grant either "compensating densities" in excess of "the base densities" thereon, or to grant "some other transfer of development rights," and which litigation has been settled by Stipulation for Judgment and Judgment Thereon."

- (ii) A rental contract for the short-term rental of all units shall be maintained at all times with a professional management firm approved by the County. Such contract shall contain occupancy restrictions for Visitor Accommodations Units as specified in (i) above. The rental contract shall be established prior to issuance of building permits for the project.
- (iii) Centralized, on-site management shall be provided at all times for the maintenance and operation of the visitor accommodations, related facilities, and the property. Such management may be provided by the property owner or by a separate management firm under contract. Plans for management shall be submitted to and approved by the Planning Director and a Transient Occupancy Tax Permit obtained from the Treasurer-Tax Collector by such management prior to the issuance of building permits.
- (iv) Deed restrictions running with the property and limiting use of short-term occupancy and providing for the maintenance of centralized rental and management of the facility shall be recorded prior to issuance of building permits.
- (v) All Visitor accommodations units shall be subject to any County Uniform Transient Occupancy Tax Ordinance or a special tax on time share units, camping units, or other visitor accommodation units. Reports of the occupancy of Visitor Accommodations Units together with payment of transient occupancy taxes or any other taxes due from the use of visitor accommodations units shall be made in accordance with Santa Cruz County Code Section 4.24.080.
- (vi) Visitor accommodation projects shall be evaluated to insure that a diversity of all types of visitor accommodations is provided in the Coastal Zone consistent with Local Coastal Program Land Use Plan policy. Visitor accommodations projects on Priority Sites shall primarily provide accommodations available to the general public.
- (vii) Visitor accommodations development in areas designated for Neighborhood or Community Commercial use shall not adverse-

ly affect the integrity of the retail commercial centers.
(Ord. 4346, 12/13/94)

(c) Master Occupancy Program Requirements

1. Master Occupancy Program Requirements. When requested by a property owner, or prior to or concurrently with the approval of any new or expanded use for which a Level V or VI Approval is required in any of the Commercial Use Zone Districts, a Development Permit for a Master Occupancy Program may be approved by the Zoning Administrator or Planning Commission. Such approval shall be accompanied by a finding of General Plan consistency pursuant to Section 65402 of the California Government Code.
2. Master Occupancy Program Elements. The Master Occupancy Program shall establish all allowed occupancies and shall include provisions for adequate site improvements for each occupancy.
3. Environmental Review. The adoption or amendment of a Master Occupancy Program is a "project" within the meaning of CEQA and the County Environmental Review Guidelines and is subject to environmental review.
4. Development Permit Approval. Occupancy permits, when applied for pursuant to an approved Master Occupancy Program shall be processed as a Level I Approval or other level as specified by the conditions of the Master Occupancy Program Development Permit.

(Ord. 4346, 12/13/94)

See also: Regulations for Visitor Accommodations Special Uses in Section 13.10.390 et seq. (Ord. 839, 11/28/62; 3277, 7/27/82; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3994, 6/6/89)

