



HOLLISTER PLANNING COMMISSION AGENDA

Regular Meeting

May 11, 2023

6:00 PM

CITY OF HOLLISTER

CITY COUNCIL CHAMBERS, CITY HALL

375 FIFTH STREET

HOLLISTER, CA 95023

(831) 636-4360

www.hollister.ca.gov

NOTICE TO PUBLIC

Persons who wish to address the Planning Commission are asked to complete a Speaker's Card and give it to the Secretary before addressing the Planning Commission. Those who wish to address the Planning Commission on an Agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the Agenda will be heard under the Public Input Section of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. If you are joining us by Zoom, please click on the bottom of your screen to raise your hand. If you are joining us by Zoom using a cell phone, please press *9. After hearing audience comments, the public portion of the meeting will be closed, and the matter brought to the Planning Commission for discussion.

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Community Media Access Partnership (CMAP) at:

<http://cmaptv.com/watch/>

or

City of Hollister YouTube Channel:

https://www.youtube.com/channel/UCu_SKHetqbOiiz5mH6XgpYw/featured

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https://us02web.zoom.us/webinar/register/WN_31zMmv4OT2yN-mr6BPMwaQ

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners: David Huboi, Kevin Henderson, Luke Corona, Steven Belong, Carol Lenoir

VERTIFICATION OF AGENDA POSTING Friday, May 5, 2023 at 3:50PM

APPROVAL OF MINUTES

None

PUBLIC INPUT

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the Planning Commission. Speaker cards are available in the lobby, and are to be completed and given to the Secretary before speaking. When the Secretary calls your name, please come to the podium, state your name and city for the record, and speak to the City Planning Commission. If you are joining us by Zoom, please click on the bottom of your screen to raise your hand. If you are joining us by Zoom using a cell phone, please press *9. Each speaker will be limited to three (3) minutes with a maximum of 30 minutes per subject. Please note that state law prohibits the Planning Commission from discussing or taking action on any item not on the agenda.

PUBLIC HEARINGS

NEW BUSINESS

OLD BUSINESS

STUDY SESSION ITEMS

1. **Zoning Ordinance Overhaul (ZOA 2023-3)** – City of Hollister – An amendment to the Zoning Ordinance repealing Section 17.24.240 of the Zoning Ordinance and replacing with a new chapter, Chapter 17.40, Planned Developments.

2. **Zoning Ordinance Overhaul** – City of Hollister – A discussion of Conditional Use Permits and uses in the Residential, Commercial and Industrial Zoning Districts (part of Phase IIB of the Overhaul).

PLANNING DEPARTMENT REPORTS

PLANNING COMMISSION REPORTS

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City of Hollister's Planning Division at (831) 636-4360. Notification of 48 hours prior to the meeting will enable the City to attempt to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 2.102-35. 104 ADA Title II].

Materials related to an item of this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection at the City Clerk's office at City Hall, 375 Fifth Street, Hollister, Monday through Friday, 8:00 a.m. to noon, 1:00 p.m. to 5:00 p.m. (closed between 12:00 and 1:00 p.m.). Materials are also available at the Development Services Department office located 339 Fifth Street, Hollister, Monday through Thursday, 8:30 a.m. to noon, 1:00 p.m. to 4:30 p.m. (closed between 12:00 p.m. and 1:00 p.m.).

Notice to anyone attending any public meeting: The meeting may be broadcast live on Cable 17 and/or videotaped or photographed. Recent Planning Commission meetings may also be viewed at www.CMAP.com and periodically on Cable Channel 17.

The next Planning Commission Meetings are scheduled as follows:

Regular Planning Commission Meeting – Thursday, May 25, 2023 at 6:00 p.m.

Planning Commission Study Session – Thursday, June 8, 2023 at 6:00 p.m.



Planning Commission Study Session Staff Report May 11, 2023 Item 1

SUBJECT: **Zoning Ordinance Overhaul (ZOA 2023-3)** – City of Hollister – An amendment to the Zoning Ordinance repealing Section 17.24.240 of the Zoning Ordinance and replacing with a new chapter, Chapter 17.40, Planned Developments.

STAFF PLANNER: Eva Kelly, Interim Planning Manager (831) 636-4360
Erica Fraser, AICP, Consulting Planner

ATTACHMENTS:

1. Draft Chapter 17.40, Planned Developments
2. February 9, 2023 Planning Commission Study Session Staff Report (without attachments)
3. Link to the YouTube Recording of the February 9, 2023 Planning Commission Study Session
(<https://www.youtube.com/watch?v=SLExQY1wvbE>)
4. March 9, 2023 Planning Commission Study Session Staff Report (without attachments)
5. Link to the YouTube Recording of the March 9, 2023 Planning Commission Study Session
(<https://www.youtube.com/watch?v=TVDdhsRAG0U>)
6. Existing Planned Development Section of the Zoning Ordinance (Section 17.24.240)

RECOMMENDATION: Provide Staff with Direction

BACKGROUND

The Planning Commission has reviewed potential modifications to how the City regulates planned developments during two Study Sessions. On February 9, 2023, the Planning Commission discussed how the City currently reviews planned development requests and potential ways to approve planned developments (Attachment 2). A recording of the Study Session can be viewed at <https://www.youtube.com/watch?v=SLExQY1wvbE> (discussion starts at 1 hour and 19 minutes). During the meeting, the Planning Commission had several questions and comments regarding planned developments.

Staff brought the matter back to a Study Session on March 9, 2023 (Attachment 4) to provide additional information and receive additional direction from the Planning Commission on how the City should

regulate planned developments moving forward. The recording of this Study Session can be viewed at <https://www.youtube.com/watch?v=TVDDhsRAg0U> (the item starts at minute 48).

PURPOSE OF THE STUDY SESSION

Based on direction received from the Planning Commission during the two Study Sessions, Staff has prepared a draft Planned Development Ordinance. Tonight the Planning Commission will review the proposed amendment to the Zoning Ordinance to repeal the existing Section 17.24.240, Planned Development Permits, and replace with a new Chapter, Chapter 17.40, Planned Developments.

ANALYSIS

The existing Section 17.24.240, Planned Development Permits will be repealed and replaced with Chapter 17.40, Planned Developments. The draft Chapter was reviewed by the City Attorney's office. The new Chapter 17.40, Planned Developments, is described in detail below.

Section 17.40.010 - Purpose

This Section provides the purpose of the planned developments in the City.

Section 17.40.020 - Applicability

Planned Developments will be allowed for any project on land that is over one acre in size, including residential and non-residential projects. The current regulations only allow a Planned Development for residential projects. An applicant requesting annexation into the City can also use the planned development designation for their project.

Section 17.40.030 – Planned Development Established

This Section regulates how planned developments will be created in the City. A planned development will be established in the City through the following:

- A rezone of the project area to "Planned Development."
- The establishment of an underlying zoning district for the site This allows the planned development to "fall back" on the regulations of the zoning district where the planned development is silent.
- The Zoning Map will be amended to show the property as zoned Planned Development and will note the application number of the planned development to allow Staff to easily find the regulations for the property.

Section 17.40.040 – Land Use

A planned development can include the following uses:

- Uses that are established for the underlying zoning district;
- Any use which is not listed in the zoning ordinance, but which the Planning Commission and City Council determines is compatible with the General Plan land use designation for the site;
- Accessory uses; and
- Multi-family structures in a single family residential development (the project area must meet the density required in the General Plan).

The current planned development section of the Zoning Ordinance does not allow an applicant to establish the uses for the site. They are required to follow the density of the general plan and uses within the residential land use category.

Section 17.40.050 – Density

This Section details how the density of a planned development is calculated. Density will be calculated for all properties and the corresponding density of the General Plan. The Planned Development is not required to ensure that development on each parcel meets the permitted density range, rather the Planned Development can distribute the total number of allowed dwelling units or non-residential space throughout the project area if the required density range is met project wide.

Section 17.40.060 – Deviations Allowed for Planned Developments

This Sections details the deviations from the required development standards of the underlying zoning district of the planned development. The following deviations are the same as the existing Section 17.24.240:

- Height;
- Minimum lot size and lot area per dwelling unit;
- Lot width, depth, and frontage;
- Setbacks;
- Open space requirements;
- Lot Coverage and Floor Area Ratio;
- Dwelling unit type.

Staff has also included a provision to allow other deviations as proposed by the applicant and deemed appropriate by the Planning Commission and City Council as well as shared parking within the planned development (requires a parking study).

Section 17.40.070 – Substantial Public Benefit in Exchange for a Planned Development

Each Planned Development must contain one or more substantial public benefit(s) in exchange for any modifications from standard zoning requirements. A "Substantial Public Benefit" means a project feature not otherwise required by the Municipal Code or General Plan that provides a unique feature or benefit to the City or the neighborhood in which it is located. Examples of Substantial Public Benefits include but are not limited to: enhanced architectural designs; public plazas, courtyards, open space, and other public gathering places that provide opportunities for people to informally meet and gather; commercial uses in a residential development that serve the neighborhood (excluding properties that are designated as Mixed-Use in the General Plan); recreational facilities; public art; community space(s); parks; contribution to or construction of significant off-site public improvements or community space; the preservation, restoration, or rehabilitation of a historic resource; and/or the protection of natural resources.

Section 17.40.080 – Prohibited within a Planned Development

A Planned Development may not be used to request deviations from any of the following regulations:

- The lowering or increasing of the residential density required by the General Plan land use designation(s) for the property.
- The elimination of a commercial component for projects designated as Mixed-use in the General Plan.
- Downtown Mixed-Use zoning requirements.
- For properties with a General Plan land use designation of Medium or High Density Residential or Mixed-Use, the Planned Development may not be used to modify the allowed dwelling unit types to allow single family residences, unless the Planning Commission and City Council determine that single family residences may be allowed as an Accessory Use and where the density of the project meets the required density of the General Plan.
- For the reduction of any design standards or guidelines adopted by the City.
- For the reduction of design or preservation requirements for any structure that is designated as historical.

Section 17.40.090 – Planned Development Application

This Section establishes the application and submittal requirements for a planned development request. Staff is not recommending any changes to the current application fee (\$8,392 + the citywide planning fee).

Section 17.40.100 – Review of a Rezoning to Planned Development

The Planning Commission will review a proposed planned development rezone during a noticed public hearing. The Planning Commission will then make a recommendation to the City Council on the proposed

rezone. The City Council will then make the final decision on the planned development during a public hearing.

Section 17.40.110 – Ordinance Format

This Section of the Zoning Ordinance establishes the format Staff will use when writing the Ordinance establishing a planned development for a project.

Section 17.40.120 – Required Findings

This Section establishes new findings for planned developments. The findings Staff and the Planning Commission must make to recommend approval of a planned development are as follows:

- A. The Planned Development is consistent with the General Plan, applicable specific plan, and other plans and policies adopted by the City Council.
- B. The Planned Development will not be detrimental to the health, safety, or welfare of persons residing or working in or adjacent to the Planned Development or to the general welfare of the city.
- C. The proposed development is superior to the development that could occur under the requirements of the Zoning Ordinance for the underlying zoning designation.
- D. That the location, design, size, and uses will result in an attractive, well designed, and beneficial environment for living, shopping, or working.
- E. The proposed Planned Development will be harmonious and compatible with existing and potential development in the surrounding area.
- F. The Planned Development would result in a thoughtful, well-planned development which has been designed to meet current and future needs of residents and workers within the City.
- G. The Planned Development will provide one or more Substantial Public Benefits, as defined by Section 17.40.070, in exchange for any modifications from standard zoning requested by the Planned Development.

Section 17.40.130 – Modifications to an Approved Planned Development

This Section has been written to address how the City will review any requested changes to Planned Developments. Where necessary, the Development Services Director by administrative action may clarify the provisions or make minor adjustments to a Planned Development.

Should a person request a minor modification to a Planned Development (i.e. a parking requirement is requested for a use not established by the Planned Development), the Planning Commission, by means of a Planned Development minor modification may approve minor amendments to a Planned Development

with a finding that the amendment substantially complies with and does not materially change the provisions, intent, or development capacity of the applicable Planned Development.

All amendments that change the provisions or intent of the Planned Development, increase the development potential of the site, change the required Substantial Public Benefit, or substantially change the proposed land use map may be requested by submitting an application in the same manner and process as the initial request.

NEXT STEPS

Following tonight's meeting, Staff will incorporate any recommended changes to the Draft Ordinance. Although Planned Developments are included within Phase II of the Zoning Ordinance Overhaul, Staff will be bringing the Ordinance for review and recommendation prior to the rest of Phase II. Staff has several projects that are currently under review that could benefit from the revised Ordinance. Additionally, Staff has also identified several projects where the final project outcome could have resulted in a better project with the revised planned development regulations.

Chapter 17.40 Planned Development

17.40.010 - Purpose

The purpose of this Chapter is to:

- A. Establish a Planned Development Zoning District through which one or more properties are planned as a unit with the layout, design, uses, and development standards specifically tailored to the project.
- B. Allow for high quality development with maximum flexibility where strict application of the requirements of the Zoning Ordinance would result in a less desirable project.
- C. Maintain consistency with, and implement the provisions of, the General Plan and applicable specific plans.
- D. Ensure orderly and thoughtful planning of development projects to create a more desirable use of the land, ensure coordinated development of the project area, and result in a better physical environment.
- E. Allow freedom of design, layout, and uses to obtain developments which enhance the community by surpassing the type of development required by strict application of the Zoning Ordinance.
- F. Ensure that all Planned Developments provide a Substantial Public Benefit in exchange for relief from the strict application of the Zoning Ordinance.

17.40.020 - Applicability

An applicant may apply for a Planned Development Permit for any of the following:

- A. Any project where the total project area is over one acre in size within the city limits.
- B. As a prezone for any project that is requesting annexation into the City of Hollister.

17.40.030 – Planned Development Established

- A. *Rezone.* Each Planned Development shall be established through a rezone (or prezone where applicable) to “Planned Development.”
- B. *Underlying Zoning Designation.* Each Planned Development shall also have an underlying zoning district established within the Planned Development. The proposed underlying zoning district shall be compatible with the General Plan land use designation for the property. If more than one land use designation exists for the project area, each land use designation shall have an accompanying underlying zoning district.
- C. *Zoning Map.* Following approval of a Planned Development rezone, the boundary of the Planned Development shall be indicated on the Zoning map. Each Planned Development shall be noted on

the map as being zoned Planned Development (“PD”) and the Planned Development application number shall be noted on the map (for example PD 2023-1).

17.40.040 – Land Use

The following uses are permitted in a Planned Development:

- A. *Established in the Underlying Zoning District.* Any use permitted or conditionally permitted in the underlying zoning district or in any applicable specific plan.
- B. *Uses Not Listed.* Any use or uses that are not included in the Zoning Ordinance but are compatible with the intent and design of the Planned Development and are compatible with the General Plan use designation of the site, as determined by the Planning Commission and City Council.
- C. *Accessory Uses.* Any Accessory Uses, as defined in 17.02.020, that meet the needs of the residents or employees within a Planned Development and would otherwise not be permitted by the underlying zoning district.
- D. *Multi-Family within a Single-Family Development.* Multi-family dwelling units are allowed within any property designated as single family if the total number of dwelling units project-wide falls within the density range allowed by the General Plan.

17.40.050 – Density

- A. *General Plan Density.* The total number of dwelling units to be constructed within the project area shall be within the density range allowed by the General Plan land use designation(s) for the project area. The Planned Development may not increase or decrease the total number of dwelling units required to be constructed by the General Plan.
- B. *Density Calculation.* Project density shall be calculated by using the total size (acreage) of each General Plan land use designation within the Planned Development and calculating the maximum density allowed for each land use. The Planned Development is not required to ensure that development on each parcel meets the permitted density range, the Planned Development can distribute the total number of allowed dwelling units or non-residential space throughout the project area if the required density range is met project wide.
- C. *More Than One Land Use Designation.* For projects in which there are more than one General Plan land use designation, the total maximum density shall be the maximum density allowed for each land use designation.

17.40.060 – Deviations Allowed for Planned Developments

- A. *Development Standards.* A Planned Development may establish development standards that are different from the standards established for the underlying zoning designation(s) for the project area. Each land use designation within the project area may establish its own development standards. The following deviations from the underlying zoning designation development standards are allowed within a Planned Development:

1. Height;
 2. Minimum lot size and lot area per dwelling unit;
 3. Lot width, depth, and frontage;
 4. Setbacks;
 5. Open space requirements; and
 6. Lot Coverage and Floor Area Ratio.
- B. *Dwelling Types*. The Planned Development may allow dwelling types that are not otherwise permitted under the site's land use designation except for single family in a multi-family designation.
- C. *Other*. The relief of any provision of the Zoning Ordinance that would preclude the construction of a desirable development, as determined by the Planning Commission and City Council.
- D. *Shared Parking*. A Planned Development, if supported by a parking study, may establish shared parking within the Planned Development at the discretion of the Planning Commission and City Council.

17.40.070 – Substantial Public Benefit in Exchange for a Planned Development

Substantial Public Benefit. Each Planned Development must contain one or more Substantial Public Benefit(s) in exchange for any modifications from standard zoning requirements. A "Substantial Public Benefit" means a project feature not otherwise required by the Municipal Code or General Plan that provides a unique feature or benefit to the City or the neighborhood in which it is located. Examples of Substantial Public Benefits include but are not limited to: enhanced architectural designs; public plazas, courtyards, open space, and other public gathering places that provide opportunities for people to informally meet and gather; commercial uses in a residential development that serve the neighborhood (excluding properties that are designated as Mixed-Use in the General Plan); recreational facilities; public art; community space(s); parks; contribution to or construction of significant off-site public improvements or community space; the preservation, restoration, or rehabilitation of a historic resource; and/or the protection of natural resources.

17.40.080 – Prohibited within a Planned Development

Prohibitions. A Planned Development may not be used to request deviations from any of the following regulations:

- A. The lowering or increasing of the residential density required by the General Plan land use designation(s) for the property.
- B. The elimination of a commercial component for projects designated as Mixed-use in the General Plan.

- C. Downtown Commercial Mixed-Use zoning requirements.
- D. For properties with a General Plan land use designation of Medium or High Density Residential or Mixed-Use, the Planned Development may not be used to modify the allowed dwelling unit types to allow single family residences, unless the Planning Commission and City Council determine that single family residences may be allowed as an Accessory Use and where the density of the project meets the required density of the General Plan.
- E. For the reduction of any design standards or guidelines adopted by the City.
- F. For the reduction of design or preservation requirements for any structure that is designated as historical.

17.40.090 - Planned Development Application

Applications for a Planned Development shall include:

- A. *Application Form.* The project applicant shall submit an application on a form prescribed by the City, with all the information listed on the form as part of the request for a Planned Development. If the property is not under a single ownership, all owners must sign the application, and a map showing the extent of ownership shall be submitted with the application.
- B. *Site Plan.* Plans or maps depicting the existing topography, on-site structures, natural features, mature trees, and other significant vegetation and drainage patterns. The map shall also show the project boundaries and all properties within one hundred feet of the site boundary.
- C. *Conceptual Land Use Plan.* A map showing the location of each land use proposed within the site (including housing types where applicable), open space and common areas, community facilities, and the location of any use or structure that is proposed as a Substantial Public Benefit.
- D. *Density.* A plan showing the total site area, total density range for each General Plan land use designation for residential and non-residential designations, maximum numbers of residential units by type, and maximum non-residential square footage for each use.
- E. *Project Narrative.* A written project narrative which includes the following information:
 - 1. A description of the proposed project, existing and proposed General Plan land use designation(s), and the proposed underlying zoning district(s).
 - 2. Existing use of the project area and site conditions.
 - 3. A statement of the project objectives, how the proposed project will comply with General Plan goals and policies for the applicable land use designation, and how the project complies with the purpose of this Chapter.
 - 4. An overview of the proposed development plan including land use, densities, residential dwelling types, open space, and parking.

5. A description of the project access and circulation.
6. A description of how the proposed development is superior to development that could occur with the strict application of the standards required by the underlying zoning designation, and how it will provide a Substantial Public Benefit.
7. The amount (in square feet or acres) and percentage of site area that will be dedicated for all land uses including residential, commercial, office, industrial, open space, recreational facilities and amenities, public facilities, and public buildings. The maximum number of dwelling units, by type, and the maximum square footage of all non-residential uses must be provided.
8. A written statement of proposed uses including permitted, conditionally permitted, prohibited, and Accessory Uses for each land use type.
9. All development regulations that apply within the project, including:
 - a. Density;
 - b. Minimum lot size and dimensions;
 - c. Maximum building coverage including lot coverage and Floor Area Ratio;
 - d. Minimum setbacks;
 - e. Maximum building heights;
 - f. Landscaping;
 - g. On-site parking; and
 - h. Other items as recommended by Staff and deemed appropriate by the Planning Commission and City Council.
- F. *Design Guidelines.* Design standards and guidelines for the construction of future structures within the project area including landscaping, screening, and architectural design.
- G. *Phasing.* For Planned Developments that are to be constructed in phases, a phasing plan must be provided.
- H. *Parking.* Where a Planned Development includes shared parking or a use which is not listed in the Zoning Ordinance, a parking study prepared by a qualified preparer shall be submitted which establishes the parking requirement for the new use or reviews the proposed shared parking plan.

17.40.100 - Review of a Rezoning to Planned Development

- A. *Approval Process.* An application for a rezone to Planned Development shall be reviewed by the Planning Commission during a public hearing. The Planning Commission will then make a

recommendation to the City Council. The City Council will then act upon the request for a rezone to a Planned Development.

B. *Planning Commission Review.*

1. *Hearing.* Following the receipt of a complete application for a Planned Development, the Planning Commission shall conduct a noticed public hearing for consideration of the application.
2. *Decision.* The Planning Commission shall take one of the following actions during the public hearing:
 - a. The Planning Commission shall make a written recommendation to the City Council to approve, approve with conditions or modification, or deny the application as submitted and shall make written findings supporting the reason for this recommendation in accordance with Section 17.40.120.
 - b. If the Planning Commission is unable to make a recommendation to the City Council because the application fails to receive a majority vote resulting in no action being taken by the Planning Commission, the application shall be forwarded directly to the City Council.

C. *City Council Review.*

1. *Public Hearing Required.* After the Planning Commission provides a recommendation on the application for a Planned Development, the City Council shall hold a noticed public hearing on the application, shall consider the recommendations of the Planning Commission, and shall hear evidence presented for and against the proposed Planned Development rezone.
2. *Decision.* Following the conclusion of the public hearing, the City Council shall approve, modify, or reject the Planning Commission's recommendation. If the City Council requires the applicant to make a substantial modification not previously considered by the Planning Commission, the revised Planned Development shall be referred back to the Planning Commission for a written recommendation prior to consideration of the amendment. Prior to the approval of a Planned Development rezone, the City Council shall make written findings in accordance with Section 17.40.120 supporting the reason for approving the Planned Development rezone.
3. *Second Reading.* If the Planned Development is approved by the City Council, a second reading of the Ordinance will take place at the following City Council meeting. The Ordinance establishing the Planned Development rezone will not take effect until 30 days following the second reading.

17.40.110 – Ordinance Format

Each Ordinance for a Planned Development shall establish the following:

- A. Purpose and intent of the Planned Development;
- B. Underlying zoning district(s);
- C. A list of all permitted, conditionally permitted, and prohibited uses within the Planned Development;
- D. All applicable design themes, guidelines, or standards; and
- E. All site development regulations including:
 - 1. Density;
 - 2. Setbacks;
 - 3. Maximum height;
 - 4. Maximum Lot Coverage or Floor Area Ratio;
 - 5. Open Space requirements;
 - 6. Accessory Uses or structures;
 - 7. Landscaping and screening;
 - 8. Parking and loading; and
 - 9. Other items recommended by Staff and deemed appropriate by the Planning Commission and City Council

17.40.120 - Required Findings

An application for a Planned Development rezone shall be approved if the following findings can be made, in addition to the required findings of other permits required for the project.

- A. The Planned Development is consistent with the General Plan, applicable specific plan, and other plans and policies adopted by the City Council.
- B. The Planned Development will not be detrimental to the health, safety, or welfare of persons residing or working in or adjacent to the Planned Development or to the general welfare of the city.
- C. The proposed development is superior to the development that could occur under the requirements of the Zoning Ordinance for the underlying zoning designation.
- D. That the location, design, size, and uses will result in an attractive, well designed, and beneficial environment for living, shopping, or working.

- E. The proposed Planned Development will be harmonious and compatible with existing and potential development in the surrounding area.
- F. The Planned Development would result in a thoughtful, well-planned development which has been designed to meet current and future needs of residents and workers within the City.
- G. The Planned Development will provide one or more Substantial Public Benefits, as defined by Section 17.40.070, in exchange for any modifications from standard zoning requested by the Planned Development.

17.40.130 – Modifications to an Approved Planned Development

- A. *Clarification.* Where necessary, the Development Services Director by administrative action may clarify the provisions or make minor adjustments to a Planned Development.
- B. *Minor Amendments.* The Planning Commission, by means of a Planned Development minor modification may approve minor amendments to a Planned Development with a finding that the amendment substantially complies with and does not materially change the provisions, intent, or development capacity of the applicable Planned Development.
- C. *Major Amendment.* All amendments that change the provisions or intent of the Planned Development, increase the development potential of the site, change the required Substantial Public Benefit, or substantially change the proposed land use map may be requested by submitting an application in the same manner and process as the initial request.

17.40.140 – Further Development Review

Prior to the construction of any structure or the establishment of any use within the Planned Development, all necessary permits as required by the Zoning Ordinance and the Planned Development shall be obtained.



Planning Commission Study Session Staff Report February 9, 2023 Study Session Item 2

SUBJECT: **Zoning Ordinance Overhaul** – City of Hollister – A discussion of potential amendments to the Zoning Ordinance related to Planned Developments.

STAFF PLANNER: Eva Kelly, Interim Planning Manager (831) 636-4360
Erica Fraser, AICP, Consulting Planner

ATTACHMENTS:

1. Section 17.24.200, Planned Development
2. Planned Development Requirements in Other Jurisdictions
3. Example of a Planned Development Ordinance – Salinas
4. Example of a Planned Development Ordinance – Morgan Hill

RECOMMENDATION: Provide Staff with Direction

PURPOSE OF THE STUDY SESSION:

Tonight's discussion with the Planning Commission is intended to aid Staff in the preparation of a new Chapter in the Zoning Ordinance related to Planned Development. As part of Phase IIB of the Zoning Ordinance Overhaul, Staff will completely overhaul Chapter 17.24, Administration and Enforcement, which includes Section 17.24.240, Planned Developments.

Phase IIB of the Zoning Ordinance Overhaul includes a rewrite of each permit type and section to clearly identifying what types of projects require review, modifications for clarity, and to make this Section more user friendly for residents as well as developers. Amendments to Zoning Ordinances are common. Cities regularly amend and update their Zoning Ordinance for clarification, for consistency with State Law, to address changing conditions within the City, for consistency with best practices for Planning, and to change the permit types and projects that require permits prior to Building Permit.

A brief discussion of Planned Developments and questions to the Planning Commission are provided in this Staff Report. All questions are also included at the end of the Staff Report to guide discussion during the Study Session.

PLANNED DEVELOPMENTS

The purpose of a Planned Unit Development is to allow greater flexibility than would otherwise be allowed by the Zoning Ordinance, in exchange for innovative or interesting designs or layout, the preservation of open space or other amenity.

The City's regulations for Planned Developments can be found in Section 17.24.240 (Attachment 1) of the Zoning Ordinance. The regulations for Planned Developments must be completely rewritten as part of the Overhaul. The existing regulations are confusing, vague, are technically only allowed for very specific projects (Section 17.24.240 (B)), and contains errors (for example it requires conformance with the Zoning Ordinance and the purpose of a Planned Development is to allow something that would otherwise not be allowed due to the inherent rigidity of a Zoning Ordinance). Additionally, this Section conflicts with the provisions of Section 17.14.120, Residential Performance Overlay Zoning District. As written, the Planned Development section of the Zoning Ordinance is difficult for Staff to understand and enforce in a consistent manner.

Conditional Use Permit

In the City of Hollister, a Planned Development is approved by means of a Conditional Use Permit.

A Conditional Use Permit is intended to provide relief from a strict application of the requirements of the Zoning Ordinance in order to provide flexibility in the permitted (by right) uses within a City. Typically, a City will provide a list of permitted uses in each Zoning District as well as uses which are not permitted by right, but where a Conditional Use Permit may be obtained in order to operate the use (or business) For example, in the General Commercial (GC) Zoning District, a convenience store is a permitted use, but a convenience store with gas pumps is a conditional use. Section 17.24.200(A) of the Hollister Zoning Ordinance states:

"Purpose. Conditional Use Permits are intended to allow for activities and uses that are unique and whose effect on the surrounding environment cannot be determined prior to being proposed for a particular location. At the time of Application, a review of the location, design, configuration, and potential impacts of the proposed use shall be conducted by comparing it to established development standards."

By requiring a Conditional Use Permit, the City can review the layout, parking, design, operational characteristics, and impacts to surrounding uses. The City can then include Conditions of Approval as part of the project approval to ensure that the use operates as proposed and to minimize impacts on surrounding uses. Should the use fail to operate in a manner consistent with the approval, the City can revoke or modify the Conditional Use Permit (Section 17.24.130(H)).

The City of Hollister requires a Conditional Use Permit for Planned Developments. Planned Developments in Hollister are currently only allowed on properties which are designated for residential uses and allows:

- Flexibility in development standards (i.e. setbacks);
- Encourages the development of affordable housing;
- Modifications to density (although the density proposed must comply with the General Plan);

Planned Development requests in the City of Hollister are typically only allowed for relief from setbacks or open space due to the wording of the existing Ordinance.

The use of a Conditional Use Permit to allow for a reduction in development standards is not consistent with the stated purpose of Conditional Use Permits (Section 17.24.200(A)) and is not consistent with best practices in the State of California (see Section below for more information). As part of the overhaul, Staff is recommending that Planned Developments be established through a different method.

Question 1: Is a Conditional Use Permit appropriate for Planned Development requests?

Rezoning or Other Permits

Staff conducted a review of 22 jurisdictions in the surrounding area to determine how each jurisdiction reviews Planned Developments (Attachment 1). Of the 22 jurisdictions surveyed, only 1 processes Planned Developments as a Conditional Use Permit. The remaining require the development be rezoned to Planned Development. The designation of the property once rezoned varies with some jurisdictions rezoning the site to a combining district (i.e. PD/R1) and some simply rezoning to PD.

Planned Development is typically a type of zoning classification. As a zoning mechanism, Planned Developments typically apply to the development of a specific area (there can be more than one parcel) where it is beneficial to the City to permit zoning regulations in a more flexible manner than those established under the base zoning district, and to grant diversification in the location and number of structures and other site qualities.

There are advantages in requiring a rezone for Planned Developments. With a rezone, the City can allow for greater flexibility in design and use (see following discussion topic for more information) than can be allowed currently.

Additionally, if a property is rezoned to Planned Development, the City's Zoning Map is updated accordingly. The map would then show the site has been rezoned to a Planned Development. This is a signal that different development standards or uses apply to the property.

By noting the Planned Development zoning and Planned Development number, the City can provide better identification of the exact regulations for a particular property. Without a rezone, the map just notes the zoning district for the property (i.e. R1, Low Density Residential). For example, the KB Cluster Lots which were just approved with a Planned Development is shown as RWF on the Zoning Map. No indication is given on the map that there are different development standards for this property. A homeowner or designer would not be aware that development standards exist, separate from the standards in the West Fairview Road Specific Plan.

Staff suggests that Planned Developments are approved in conjunction with a Rezone that will rezone an entire development to Planned Development (PD 2023-1 for example). This would provide clarity, empower property owners and designers to easily determine the regulations that apply to their property, and assist Staff in future information requests (Staff can answer questions regarding development standards more accurately and more quickly if the property is rezoned). Additionally, by requiring a rezone, the City of Hollister will be consistent with the method by which Planned Developments are approved in the surrounding areas. Developers who currently work in the City of Hollister also develop projects in neighboring cities where a rezone is required, so the process would be familiar.

The disadvantage of requiring a rezone for a Planned Development is that the process will take longer than it does currently. In order to rezone a property to Planned Development, the Planning Commission would have to make a recommendation to the City Council, the City Council would then make a decision on approving or denying the request. Staff anticipates that this will add approximately one month onto the total timeline for project approval if the project includes a Planned Development request.

Staff has included two sample Ordinances showing how these cities regulate Planned Developments. These two examples are included as Attachments 3 and 4.

Question 2: Should the Planned Development Section of the Zoning Ordinance be revised so that a Planned Development is approved through a rezone?

Commercial and Industrial Uses

Currently, Planned Developments are only allowed for residential uses. As shown in the attached spreadsheet (Attachment 1), some cities allow a Planned Development rezone for residential and non-residential uses. A Zoning Ordinance is inherently inflexible by nature. By allowing a Planned Development on non-residential properties as well as residential properties, the City can allow for greater flexibility in uses (as long as the City determines that the proposed use is consistent with the General Plan). This would allow a project to come forward in which the proposed use is not clearly allowed by the Zoning Ordinance (for example a training facility and residential dwellings on one site).

Staff would like to allow Planned Development zoning and allow for greater flexibility for residential and non-residential uses. Staff believes that this would be beneficial to the community and would allow for greater flexibility in design and allow for uses which might not otherwise be allowed by the City, but is a use that the City determines is appropriate for the site.

This change would also allow development proposals to consider mixed-uses in areas where they might otherwise not be allowed (such as allowing for neighbor-hood scale commercial development in a standard residential zone, for example). All Planned Developments would be subject to discretionary approval so proposals can be regulated and appropriately tailored to the unique situation, but this would open opportunities to advance other City and State policies, such as encouraging complete streets and neighborhoods, improving walkability and access to services in development, among other ideas.

Question 3: Should the City allow for greater flexibility in the “uses” allowed?

Question 4: Should the City allow Planned Developments on land designated for Commercial? Industrial?

PLANNING COMMISSION QUESTIONS:

Staff has prepared the following questions to guide the discussion of modifications to the Planned Development Section of the Zoning Ordinance.

Question 1: Is a Conditional Use Permit appropriate for Planned Development requests?

Question 2: Should the Planned Development Section of the Zoning Ordinance be revised so that a Planned Development is approved through a rezone?

Question 3: Should the City allow for greater flexibility in the “uses” allowed?

Question 4: Should the City allow Planned Developments on land designated for Commercial? Industrial?

Question 5: Are there any additional modifications the Planning Commission would like included in the draft Planned Development Ordinance?



Planning Commission Study Session Staff Report March 9, 2023 Study Session Item 1

SUBJECT: **Zoning Ordinance Overhaul** – City of Hollister – A discussion of potential amendments to the Zoning Ordinance related to Planned Developments. This is the second time the Planning Commission has discussed potential changes to the City’s Planned Development Ordinance.

STAFF PLANNER: Eva Kelly, Interim Planning Manager (831) 636-4360
Erica Fraser, AICP, Consulting Planner

ATTACHMENTS:

1. February 9, 2023 Planning Commission Study Session Staff Report (without attachments)
2. Link to the YouTube Recording of the February 9, 2023 Planning Commission Study Session (<https://www.youtube.com/watch?v=SLExQY1wvbE>)
3. Existing Planned Development Section of the Zoning Ordinance (Section 17.24.240)
4. Planned Development Reviews in Surrounding Jurisdictions
5. Existing Performance Overlay Zoning District Section of the Zoning Ordinance (Section 17.14.010)
6. Recently Approved Planned Unit Developments in Hollister

RECOMMENDATION: Provide Staff with Direction

PURPOSE OF THE STUDY SESSION:

Tonight’s discussion with the Planning Commission is intended to aid Staff in the preparation of a new Chapter in the Zoning Ordinance related to Planned Developments. As part of Phase IIB of the Zoning Ordinance Overhaul, Staff will completely overhaul Chapter 17.24, Administration and Enforcement, which includes Section 17.24.240, Planned Developments.

On February 9, 2023, the Planning Commission discussed potential modifications to Section 17.24.240 and provided direction to Staff (Attachment 1). A recording of the meeting can be viewed at <https://www.youtube.com/watch?v=SLExQY1wvbE> (this discussion starts at 1 hour and 19 minutes). At the meeting, the majority of the Planning Commission determined:

1. A Conditional Use Permit is not appropriate for Planned Development requests;
2. A rezone is a better way to approve these requests (but need additional information);

3. The City should allow for flexibility in allowed uses in a Planned Development; and
4. A Planned Development should also be allowed for residential and commercial uses.

Based on direction from the Planning Commission and questions asked during the meeting, Staff has prepared this Staff Report to provide further information, answer questions raised during the Study Session and ask for additional direction from the Planning Commission.

PLANNED DEVELOPMENTS

The purpose of a Planned Unit Development is to allow greater flexibility than would otherwise be allowed by the Zoning Ordinance, in exchange for innovative or interesting designs or layout, the preservation of open space, or other amenity.

The City's regulations for Planned Developments can be found in Section 17.24.240 (Attachment 3) of the Zoning Ordinance. The regulations for Planned Developments must be completely rewritten as part of the Overhaul. The existing regulations are confusing, vague, are technically only allowed for very specific projects (Section 17.24.240 (B)) and contains errors (for example it requires conformance with the Zoning Ordinance and the purpose of a Planned Development is to allow something that would otherwise not be allowed due to the inherent rigidity of a Zoning Ordinance). Additionally, this Section conflicts with the provisions of Section 17.14.010, Residential Performance Overlay Zoning District. As written the Planned Development section of the Zoning Ordinance is difficult for Staff to understand and enforce in a consistent manner. At the February 9, 2023 Study Session, the Planning Commission agreed that the existing Section needs to be rewritten.

What is a Planned Unit Development

A Planned Unit Development is a flexible zoning device that redefines the land uses or development standards that would otherwise apply to the property if the standards of the Zoning District in which the property is located were applied. Cities typically allow a developer to request a Planned Development in order to foster innovative designs and creativity, affordable housing, or other amenity that benefits the residents of the City.

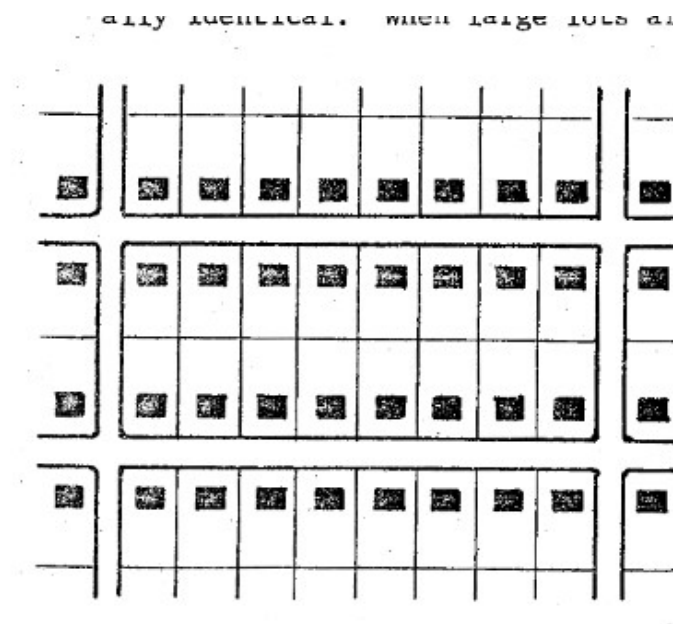
Cities typically allow Planned Unit Developments to apply for relief of:

- Change in the otherwise requires setbacks;
- Change in the required Minimum Lot Size;
- Increase in Lot Coverage;
- Reduction in Open Space requirements;
- Allowance for Dwelling Unit Types that would otherwise not be permitted in the Zoning District (i.e. a triplex in the R1 District);

- Establish the uses for the site (uses that are not identified in the Zoning Ordinance or additional uses that may be complimentary such as a neighborhood market in a R1 district); or
- Plan for a large development.

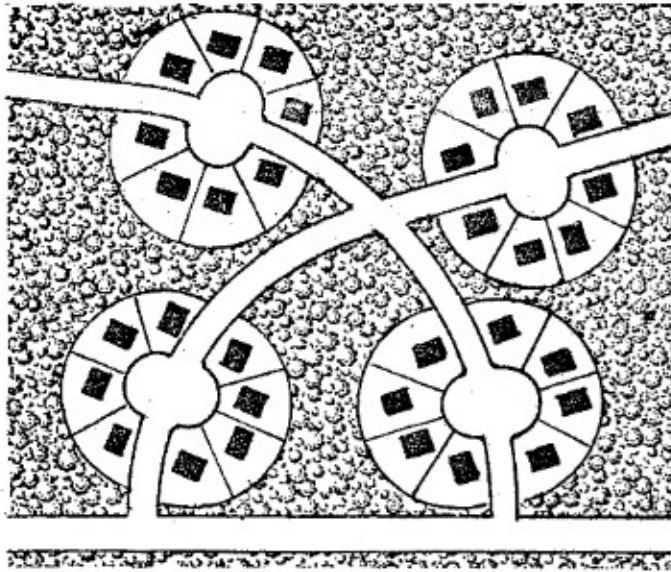
For example, under the application of the development standards in the R1, Low Density Residential Zoning District, each parcel must be a minimum of 5,000 square feet. The only type of housing allowed is single family detached dwellings and duplexes (recent change in the Zoning Ordinance). Under the strict application of the requirements of the Zoning Ordinance, the following is a typical example of the layout/design of a development.

Figure 1: Standard Lot Grid Pattern with a 5,000 Square Foot Minimum Lot Size



By requesting a Planned Development, an Applicant can design a residential project which meets the established density but is laid out in a unique way, allows a variety of dwelling types, or allows for smaller dwellings to be constructed on a site. For example, approval of a Planned Development could allow for a cluster development in which the houses are located on smaller lots (for example 2,500 square feet) and surrounded by landscaping. In the following example, the lot size would be smaller than what would be required in the Low Density Residential Zoning District.

Figure 2: Example of a Small Lot Cluster Development



By allowing a rezone, the City can also allow for greater flexibility in uses. For example if a large development in the R1, Low Density Residential, Zoning District wanted to allow for small neighborhood serving commercial uses, or a private neighborhood park with cafes or food stands, a Planned Development would be a way to achieve that. With a rezone an Applicant who wishes to establish a use that isn't currently listed on the list of approved uses for the site, but which may be appropriate, can request approval of the use through a Planned Development. An example of this could be an auction yard in the M1 District, an auction yard is not on the list of allowed uses, but could be appropriate in the M1. As uses change and new uses move into the City, the Zoning Ordinance may not be consistent with changing trends and a Planned Development may be a way to allow a unique use on an appropriate property.

Staff is recommending that the Planned Unit Development exceptions listed on page 2-3 be allowed in the new Planned Development Ordinance.

Question 1: Should the list of typical exceptions noted on pages 2-3 be allowed in Hollister? Are there any additional exceptions the Planning Commission would like to include in the Ordinance?

Planned Unit Developments in Hollister

In 2008, the Zoning Ordinance was completely overhauled. Prior to 2008, the City required a rezone for Planned Developments. Several Planned Unit Developments were approved with a rezone and they are noted on the City's Zoning Map.

In 2008, the City modified how the City allowed Planned Unit Developments. In an effort to encourage residential development in the City, the City modified the Zoning Ordinance to allow a Performance Overlay Zoning District. Most residential properties that are annexed into the City have a Performance Overlay.

The purpose of the Performance Overlay was to allow lot sizes that are smaller than what is typically allowed. For example, a parcel that is zoned Low Density Residential/Performance Overlay can have a minimum lot size of 2,500 square feet. Properties zoned Low Density Residential (only) have a minimum lot size of 5,000 square feet. The intention of the Overlay Zoning District was to encourage higher density in the City (by reducing the minimum lot size, more dwelling units can be constructed) and to allow these properties to bypass a rezone to allow smaller lots (more information on the Overlay is in the following Section).

As amended in 2008, requests for a Planned Unit Development were processed as a Conditional Use Permit. This change was likely due to the allowances in the Performance Overlay Zoning District. As discussed during the previous Study Session, this Section of the Zoning Ordinance is confusing and difficult to implement. This Section will be completely rewritten to meet the City's goal of amending the existing Zoning Ordinance so that it is easier to use.

Performance Overlay Zoning District

Section 17.14.010 of the Zoning Ordinance establishes the rules and regulations for the Performance Overlay Zoning District (Attachment 5). The Performance Overlay is an overlay zoning designation. That means that the underlying allowed uses and requirements are those established by the base zoning designation (for example, R1, Low Density Residential). By having an overlay designation, a City can allow for more flexible, or more strict (for example, a Historic Preservation Overlay), regulations.

As previously discussed, when the Zoning Ordinance was amended in 2008, the City established the Performance Overlay District to allow for a reduced lot size and a wider range of allowed housing types to encourage higher densities within the City. The Overlay, however, requires the approval of a Performance Agreement for each parcel located within a development. The Agreement must be reviewed and approved by the City Council (see Section 17.14.010.B.2) and recorded on each lot as a deed restriction. This is not currently being enforced by the City.

The Performance Overlay also has conflicting requirements which makes it difficult for Staff to consistently implement this Section of the Zoning Ordinance.

Staff is recommending that the Performance Overlay Zoning District be phased out. The requirements within this Zoning District are similar to what is typically required under a Planned Development. Applicants who wish to annex into the City can request a Planned Development zoning designation as their prezone instead of using the Performance Overlay. This should make the path to development approval much quicker and they may also be able to save on application fees.

Recently Approved Planned Unit Developments

Staff conducted a review of the Planned Unit Developments approved since 2015 (Attachment 6). As shown on Attachment 6, most of the Planned Unit Development requests were for properties located within the Performance Overlay Zoning District. The reason for the request varies, however, in most cases the request was to allow housing types (duettes, triplexes, and fourplexes) that are otherwise not permitted within the base zoning designation. These housing types, however, are allowed under the Performance Overlay with a Performance Agreement. The second most requested reason for the Planned

Unit Development request was to allow a 5 foot side yard setback (instead of the required 6 foot setback).

In one case, there are several approved Planned Unit Development requests related to Roberts Ranch which also required a rezone. A Planned Development rezone could have been done for the entire property to allow for a mixture of housing types and setbacks as appropriate.

Other requests include single family in the Medium Density Residential Overlay and a reduction of the open space requirements.

Staff Proposed Modifications to the Zoning Ordinance (Performance Overlay)

Staff is recommending that the Performance Overlay Zoning District be phased out and removed from the Zoning Ordinance. The existing Section is confusing and requires a Performance Agreement to be approved by the City Council and noted as a deed restriction on each parcel. Staff believes that the overall reason for allowing this Overlay District was to allow a path forward for a Planned Development that would not require a rezone, but still required the City Council to weigh in on this request. To follow this path established in the Zoning Ordinance is cumbersome.

As of today, there are only a few parcels that are vacant and zoned Performance Overlay. When a development request is proposed for these parcels, if the proposal includes a Planned Unit Development request, the rezone and Planned Unit Development can be reviewed at the same time. If the proposed development does not include a Planned Unit Development, the City can rezone the property to remove the Overlay at our own expense. This path would increase overall processing time by one month.

For projects in which are currently developed and in the Performance Overlay, Staff is recommending that the City initiate a rezone of these properties to Planned Development. That would allow the City to formally recognize the Planned Unit Development “rules” established for these properties and note the appropriate Zoning District on the Zoning Map (for example, the KB project recently approved would be designated Planned Development PD 2022-7 on the map). This could begin after the Zoning Ordinance Overhaul is complete.

Staff is also recommending a complete overhaul of the Planned Development Section of the Zoning Ordinance (as discussed during the last meeting). This would include requiring a rezone and allow a Planned Development for residential, commercial, and industrial properties.

For properties who wish to annex into the City, the Applicant may request approval of a Planned Unit Development rezone at that time (if the Zoning Ordinance is amended to require a rezone as previously discussed). By rezoning to a Planned Development, the applicant would not be required to rezone their property later. This would essentially take the place of what the Performance Overlay does today, but would include the rules for the development (i.e. setbacks, lot size, housing types).

Question 2: Should the City eliminate the Performance Overlay?

If the Performance Overlay is not phased out from the Zoning Ordinance, Staff will begin requiring developers to conform to the requirements of this Section (for properties that are zoned with the Overlay). That means that a request for a Planned Unit Development for a property with this Overlay will

be required to enter into a Performance Agreement for the project, which would require review and approval by the City Council.

Questions 3: Should the City rezone developed properties within the Performance Overlay to Planned Development in the future?

Staff Recommended Modifications to the Zoning Ordinance (Planned Developments)

Staff is also recommending a complete overhaul of the Planned Development Section of the Zoning Ordinance (as discussed during the last meeting). This would include a rezone and allow a Planned Development for residential, commercial, and industrial properties. The Chapter would be re-written to include the following:

- Applicability (can be used for residential, commercial, and industrial properties);
- Intent of the Planned Unit Development (definition of a Planned Development);
- Application Submittal Requirements;
- Approval/Rezone Process;
- Required Findings;
- Process for Amendments to the PD.

A rezone requires the Planning Commission to make a recommendation to the City Council regarding the request. Staff anticipates that this modification could extend the total project review time by one month. However, the change to a rezone allows the City to offer expand this opportunity to additional sites and to allow additional uses. Additionally, for annexations, a prezone to a Planned Development may save time during the development review process (following annexation).

The anticipated process for a Planned Unit Development rezone would be:

1. *Preliminary Review.* All Applicants are invited to apply for a preliminary review of their project prior to formal submittal of their application for feedback (no change to existing).
2. *Application Submittal.* When ready, the Applicant applies for the permits they are requesting (for example a Planned Development and a Tentative Map). The Applicant is required to fill out an Application Form and pay the appropriate fees. For a Planned Development, the existing fee is \$8,392 + the citywide planning fee and Staff is not requesting a modification to that fee. The submittal requirements will be listed in the new Planned Development Section of the Zoning Ordinance and Staff will also include a handout on the City's website which explains the review process, requirements, and submittal requirements (a draft of this handout will be available for review by the Planning Commission with the draft Ordinance).
3. *Completeness Review.* Once submitted, the proposed project is routed to the City's

Development Review Committee (DRC) for review. All comments and items necessary to deem the project complete are then sent to the Applicant by the Planning Division. The City has 30 days from the submittal of an Application to review the project and transmit completeness items to the Applicant. It is up to the Applicant to resubmit and address all concerns by the City and submit all items necessary to deem the Application complete.

4. *Application Resubmittal.* Once the Application is resubmitted, the project is re-routed to the City's DRC. The Planning Division will then make a determination on if the project is complete and if there are any remaining comments regarding the proposal.
5. *Application Complete.* Once the Application is deemed complete, any required environmental review is prepared, and design comments are addressed, Staff prepares the project for review.
6. *Planning Commission Public Hearing.* The Planning Commission will then review the proposed project during a noticed Public Hearing. The Planning Commission will then act on any requests that are under the purview of the Planning Commission (i.e. Tentative Map). The Planning Commission would then make a recommendation to the City Council on the Planned Development Rezone.
7. *City Council Public Hearing.* The City Council would then review the proposed project and the recommendation by the Planning Commission during a noticed Public Hearing. Action by the City Council is final.

Questions 4: Should the City modify the Planned Development Section as discussed above? Are there any additional items the Planning Commission would like to see in the revised Planned Development Section?

Planning Commission Recommended Changes

During the Planning Commission Study Session on February 9, 2023, the Planning Commission asked Staff to look into potential additional changes to the Zoning Ordinance in order to reduce the need for a Planned Development. Staff has identified potential changes that could be made based on our review of approved Planned Unit Developments in the City (Attachment 6).

For properties that are within the Low Density Residential Performance Overlay, the most requested development standard modifications are:

- Modify the required interior side yard setback from 6 feet to 5 feet;
- Lot Size; and
- Allow a mixture of housing types.

The Zoning Ordinance currently requires an interior setback of six feet. The Planning Commission could choose to modify Table 17.04-3 Residential Standards for Yards to allow a five foot interior side yard setback. This would have eliminated the need for a Planned Development in many cases. A five foot

interior side yard setback is consistent with requirements in many cities.

Question 5: Should the interior side yard setback for properties located in the Low Density residential Zoning District be changed from 6 feet to 5 feet?

Many requests for a Planned Development in the Low Density/Performance Overlay (R1-L/PZ) include a request to allow for a variety of housing types. Allowed housing types can be found in Table 17.04-1 – Residential Land Uses and Permit Requirements. In the R1-L/PZ only single family detached and duplexes/ are allowed (recent change due to SB 9). Many requests the City is seeing for a Planned Development is to also allow triplexes and fourplexes, which are not currently allowed.

Question 6: Should the City allow a wider variety of housing types in the R1/PZ? If so, what types?

With regards to Lot Size, the Performance Overlay does allow for a reduction in the minimum lot size with the approval of a Performance Agreement. The Planning Commission has approved several requests for a reduction in the minimum lot size for all residential zoning districts (Attachment 6). The design of residential developments is changing to meet demands. New residential developments are typically located on smaller lots with smaller front and rear yards. New single-family developments are also two-story. This differs from typical pre-2000 development where single family dwellings were located on large lots, with large front and rear setbacks, and a one-story house.

The Planning Commission could choose to reduce or eliminate the minimum lot size for residential properties. The Planning Commission could also choose to add a new residential zoning district, for example Small Lot Residential, which could specifically allow for a smaller lot size consistent with the types of single family developments the City is approving.

The above modifications could be made at the same time that Phase IIB of the Overhaul is implemented. Should the Planning Commission wish to defer making a decision on potential changes to the Zoning Ordinance related to lot size, housing type, and setbacks, a more detailed discussion could be conducted during Phase III of the overhaul, including a discussion of the development standards in surrounding jurisdictions.

Questions 6: Would the Planning Commission like any changes to the development standards in the Zoning Ordinance as part of Phase II of the Overhaul? If so, which development standards (i.e. lot size, setbacks, housing type) would the Planning Commission like to be modified? Are there any other modifications the Planning Commission would like included with Phase II?

PLANNING COMMISSION QUESTIONS:

Staff has prepared the following questions to guide the discussion of modifications to the Planned Development Section of the Zoning Ordinance.

Question 1: Should the list of typical exceptions noted on pages 2-3 be allowed in Hollister? Are there any additional exceptions the Planning Commission would like to include in the Ordinance?

Question 2: Should the City eliminate the Performance Overlay?

Questions 3: Should the City rezone developed properties within the Performance Overlay to Planned Development in the future?

Questions 4: Should the City modify the Planned Development Section as discussed above? Are there any additional items the Planning Commission would like to see in the revised Planned Development Section?

Question 5: Should the interior side yard setback for properties located in the Low Density residential Zoning District be changed from 6 feet to five feet?

Questions 6: Would the Planning Commission like any changes to the development standards in the Zoning Ordinance as part of Phase II of the Overhaul? If so, which development standards (i.e. lot size, setbacks, housing type) would the Planning Commission like to be modified? Are there any other modifications the Planning Commission would like included with Phase II?

17.24.240 Planned Development Permits.

- A. *Purpose.* The following provisions are intended to: afford maximum flexibility in site planning/property development, design, and density/intensity, while protecting the integrity and character of the residential areas of the City; encourage innovation and the development of affordable housing; and ensure consistency with the General Plan. At the time of application submittal a review of the configuration, design, location and impact of the proposed land use shall be conducted by comparing the use to established development/site standards. This review shall determine whether the permit should be approved by weighing the public need for and the benefit(s) to be derived from the proposed use, against the potential negative impacts it may cause.
- B. *Applicability.* A Planned Development Permit shall be required for all applicable structures and uses permitted by this Zoning Ordinance; however, none shall be required for alterations to an existing single-family dwelling. Specifically, a permit shall be required under the following circumstances:
1. For a new structure or use listed as subject to a "Planned Development Permit" (PD) in the applicable zoning district;
 2. For the change, enlargement, expansion or exterior alteration of an existing structure or use for which a Planned Development Permit has not been issued, excluding an existing single-family dwelling used as a residence; and
 3. For the movement or relocation of any structure, including factory-built and manufactured housing, to any parcel within the City.
- C. *Application Requirements.* An application for a Planned Development Permit shall be filed in compliance with Section 17.24.070 (Application Filing).
- D. *Project Review.* Each Planned Development Permit application shall be analyzed to ensure that the application is consistent with the purpose/intent of this Zoning Ordinance and the City's CEQA Guidelines. To ensure effective implementation of General Plan policies relating to design, each application for a Planned Development Permit shall be reviewed in compliance with subsection E of this section prior to determination by the review authority. Additionally, any application which may result in grading shall require the submittal of preliminary grading plans for review and recommendation by the City Engineer and approval by the review authority.
- E. *Design Review Procedures.* The review of projects for architectural and site plan design is an integral part of the development approval process. Each Planned Development Permit application (including all associated plans and elevations) shall be reviewed to ensure that the application is consistent with: the purpose/intent of this section; all applicable development standards/regulations of this Zoning Ordinance; and any adopted design guidelines/policies that may apply. In addition, applications for Conditional Use Permits and variances are also subject to design review whenever any physical alteration/construction is proposed.
1. *Department Action.* Site plan/design review is initiated when the Department receives a complete application package including all required attachments, plans, specifications, elevations, sample materials, etc. as specified in the application form and any additional information required by the Director in order to conduct a thorough review of the proposed project.

Upon receipt of a complete application, Department staff shall conduct a review of the location, design, site plan configuration and impact of the proposed development by comparing the project plans to established development standards/regulations and any adopted design guidelines/policies. In general, development proposals will be reviewed considering criteria including, but not limited to, the following:
 - a. Compliance with this Zoning Ordinance and all other applicable city ordinances;

-
- b. Desirable site layout and design;
 - c. Compatibility with neighboring property/development;
 - d. Efficiency and safety of public access and parking;
 - e. Appropriate open space and use of water efficient landscaping;
 - f. Consistency with the General Plan; and
 - g. Consistency with any adopted design guidelines and design review policies.
2. *Reference to Design Guidelines/Policies.* In reviewing development/ improvements subject to design review, the Director shall refer to any design guidelines/policies that have been adopted by the Council/Commission in order to provide guidance to applicants seeking to comply with the requirements of this Zoning Ordinance. The Council/Commission may amend the design guidelines/policies whenever it deems it appropriate in order to carry out the purpose/intent of this Zoning Ordinance. Copies of the design guidelines/policies shall be available to the public at the Department.

The adopted design guidelines are to be used by property owners, developers, architects, landscape architects, and designers in the planning and design of projects in the City. The design guidelines communicate the desired qualities and characteristics of development, and are intended to promote quality design that is compatible with the surrounding neighborhood and implement the General Plan. The design guidelines/policies are used by city staff, the Commission, and the Council as adopted criteria for the review of development proposals subject to design review.

3. *Department Recommendation.* Following completion of its review of a proposed project, Department staff shall provide a written statement of findings/recommendations to the review authority for its consideration simultaneously with a Conditional Use Permit. Department staff may recommend approval, approval with conditions, or disapproval of a project. The report containing findings, recommendations and conditions, shall also be forwarded to the applicant prior to consideration by the review authority.

Where the findings/recommendations of the staff may substantially alter a proposed development, the applicant may be requested to submit revised plans at the discretion of the Director.

4. *Preliminary Design Concept Review.* The Director may require that a project applicant submit design concept plans for preliminary design review prior to submittal of a formal application for a project deemed significant by the Director. The purpose of the preliminary consultation is to advise the project applicant of applicable design guidelines, design review policies, and other specific design criteria that may affect the design of the project.
- F. *Hearings and Notice.* Upon receipt of a Planned Development Permit application in proper form, a public hearing before the Planning Commission shall be set and notice of the hearing given in compliance with Section 17.24.120 (Public Hearings) of this chapter.
 - G. *Decision and Findings.* Following a hearing, if required, the Planning Commission, as outlined in Table 17.24-1, shall record the decision in writing and shall recite the findings upon which the decision is based. The Planning Commission may approve or modify a Planned Development Permit in whole or in part, and shall impose specific development conditions. These conditions shall relate to both on- and off-site improvements that are necessary to accommodate flexibility in site planning/property development, mitigate project-related adverse impacts, and to carry out the purpose/intent and requirements of the respective zoning district. The Planning Commission may approve a Planned Development Permit, only if all of the following findings are made:

-
1. The proposed development is one allowed within the subject zoning district and complies with all of the applicable provisions of this Zoning Ordinance, including prescribed development/site standards/guidelines and any adopted design guidelines;
 2. The proposed development is consistent with the General Plan;
 3. The approval of the Planned Development Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA);
 4. The proposed development would be harmonious and compatible with existing and future developments within the zoning district and general area, as well as with the land uses presently on the subject property;
 5. The subject site is physically suitable for the type and density/intensity of use being proposed;
 6. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety; and
 7. The design, location, size, and operating characteristics of the proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- H. *Expiration.* A Planned Unit Development Permit shall be exercised within two years from the date of approval or the Permit shall become void except when:
1. An extension is approved by the Planning Commission in compliance with procedure for extending a permit found in this Zoning Code; or
 2. An extension is required to allow the expiration date of the Planned Unit Development Permit to be consistent with the expiration date of the Tentative Subdivision Map for the same development project.
- I. *Revocation.* The Planning Commission may revoke or modify a Planned Development Permit in compliance with Section 17.24.130(H) (Revocations) and Article III (Enforcement).
- J. *Performance Guarantee.* The applicant/owner may be required to provide adequate performance security for the faithful performance of any condition of approval imposed by the review authority.

(Ord. 1038, § 2, 2008; Ord. 1071, § 19, 2011)



Planning Commission

Study Session Staff Report

May 11, 2023

Item 2

SUBJECT: **Zoning Ordinance Overhaul** – City of Hollister – A discussion of Conditional Use Permits and uses in the Residential, Commercial and Industrial Zoning Districts (part of Phase IIB of the Overhaul).

STAFF PLANNER: Eva Kelly, Interim Planning Manager (831) 636-4360
Erica Fraser, AICP, Senior Planner

ATTACHMENTS:

1. Table of Proposed Permitted and Conditionally Permitted Uses For Properties Zoned as Residential, Commercial, or Industrial.
2. Existing Table 17.04-1, Residential Land Uses and Permit Requirements.
3. Existing Table 17.08-1, Commercial and Mixed-Use Zone Uses and Permit Requirements
4. Existing Table 17.10-1, Industrial Zone Districts Land Use and Permit Requirements

PURPOSE OF THE STUDY SESSION

The purpose of tonight's meeting is to assist Staff in the preparation of the new Conditional Use Permit Chapter of the Zoning Ordinance and the modification of the accompanying use tables (Attachments 2-4). The Planning Commission will review modifications to the existing use tables for residential, commercial, and industrial zoning designations as well as the new proposed permit types for Conditional Use Permits.

ADMINISTRATIVE PERMIT REVIEW

Sections 17.24.150 and 17.24.160 of the Zoning Ordinance establishes the regulations for Administrative Permit Reviews (APR). APRs are required for certain types of uses identified on the Use Tables in the Zoning Ordinance as well as for minor modifications to existing developments. As part of the overhaul of the Site and Architectural Review section of the Zoning Ordinance (and previously discussed with the Planning Commission), the APR Section of the Zoning Ordinance will be removed and minor exterior modifications will require an Administrative or Minor Site and Architectural Review Permit. For the uses designated as requiring an APR in the use table, Staff is recommending that the APR be changed to a Minor Conditional Use Permit (more details on Minor CUPs is below).

CONDITIONAL USE PERMIT

A Conditional Use is a use that a City has identified as a use which could be compatible with the surrounding area upon review of the operation of the proposed use and with conditions of approval for the project. Conditions of Approval can be crafted to ensure that the operation will meet City requirements and will not impact surrounding properties. If a business does not comply with the conditions of approval or modifies their business prior to approval (i.e. increasing in size or changing the hours of operation), the City can revoke the Conditional Use Permit and the business would be required to cease operations. Conditional Use Permits are currently regulated under Section 17.24.200 of the Zoning Ordinance.

Conditional uses in Hollister are currently reviewed under an APR, which is reviewed by the Development Services Director or by a Site and Architectural Review or a Conditional Use Permit (CUP) which are reviewed by the Planning Commission. Staff recommends that the permit type of APR for uses be modified to Minor Conditional Use Permit (MCUP) and the existing designation of Conditional Use Permits remain the same. These permit types are described in detail below.

Minor Conditional Use Permit (MCUP)

Minor Conditional Use Permits are intended for uses where there could be minor impacts on surrounding businesses or residents due to the nature of the use and where project review and/or conditions of approval could mitigate those impacts. Some uses proposed to be reviewed as a MCUP include Vehicle Repairs and Services, ancillary delis or food services in the industrial district, and a day care facility to support the employees of an established business (see Attachment 1).

For example, Vehicle Services and Sales would be reviewed by Staff to ensure adequate parking is available on site to support the use. Staff would also review the proposal to determine if storage or any exterior modifications are proposed. Staff would then also be able to include Conditional of Approval prohibiting or restricting the storage of equipment, long term vehicle storage, or the display of for-sale vehicles to ensure the site is compatible with surrounding uses.

Minor Conditional Use Permits would be reviewed by the Development Services Director. Prior to issuing a decision on a MCUP, Staff will mail a notice to all property owners within 300 feet of the proposed project site. The notice will provide a summary of the proposed project, indicate the date on which the Director will make a decision on the proposed MCUP, and invite interested parties to call or email Staff if they have any questions or comments. All comments received during this process would be taken under advisement prior to making a decision on the MCUP. The notice period will last for ten days. Following the close of this comment period, the Development Services Director would issue a decision on the Conditional Use Permit. All decisions of the Director may be appealed to the Planning Commission.

Conditional Use Permits (CUP)

Conditional Use Permits are designated for uses which have the potential to create significant impacts on the surrounding properties and the area around the project site. Examples of uses to be reviewed as a CUP include a donation kiosk stand, outdoor storage and display for retail sales, and day care centers (see Attachment 1). Some uses designated as needing a Site and Architectural Review have been changed to

Conditional Use Permit in the draft use table.

For example, a day care center can have significant impacts on the surrounding area as well as adjacent properties. A large day care center would be reviewed to determine if there was adequate parking to support the employees as well as drop-off and pickup, determine if outdoor space is necessary to support the facility, review any safety concerns related to the operations of the facility, and review the proposed hours of operation. These facilities can significantly impact adjacent businesses or residences during pick-up and drop-off and the hours of operation could also be a concern for the surrounding area.

Conditional Use Permits would continue to be reviewed during a noticed public hearing by the Planning Commission.

Please note that the elimination of Site and Architectural Review from the use table does not eliminate the need for Site and Architectural Review. As previously discussed with the Planning Commission at a prior study session, Site and Architectural Review (and the level of review required) would be based on the scope of work of the project. A project could require both a conditional use permit and site and architectural review, or only one or the other.

PERMITTED AND CONDITIONALLY PERMITTED USES

A draft list of permitted and conditionally permitted uses for residential, commercial, and industrial designations is included as Attachment 1. As discussed above, the existing use tables in the Zoning Ordinance need to be modified to accommodate the change from Administrative Permit Reviews and Site and Architectural Review as a use permit type to Minor Conditional Use Permit or Conditional Use Permit. Significant changes to the other use tables within the Zoning Ordinance (airport, open space, parks, and public facilities) are not anticipated by Staff and are not included as part of tonight's discussion. Changes to all the use tables will need to be a part of Phase II to ensure internal consistency.

While reviewing the necessary changes to reflect the new permit types for the Zoning Ordinance, Staff observed several modifications that are necessary at this time. Some of the changes are due to State Law, while others are needed to reflect current trends in the City, and include new uses that were not anticipated when the Zoning Ordinance was written.

All the above changes are noted on Attachment 1. Where a use type has been changed (i.e. Permitted to Conditional Use Permit or Administrative Permit Review to Minor Conditional Use Permit), the changes are shown with deleted text in strike-through and new text in red font. New use categories are located in the blue cells. Some existing uses in the use tables, for example Antique and Collectable Shops, will be deleted and incorporated within a more appropriate use category for brevity.

New definitions will also be necessary for the new uses as well as some existing uses (these are identified by a yellow cell). Definitions for these uses, as well as any other definitions necessary to support the Phase II edits to the Zoning Ordinance will be reviewed by the Planning Commission at a future Study Session.

The use table shown in Attachment 1 will be included in Phase II of the overhaul. The existing use tables in the Zoning Ordinance will be repealed and replaced with a new chapter, Chapter 17.03, Permitted Uses. This new Chapter will include all use tables within the Zoning Ordinance so that users can quickly review

where their proposed use can be located in the City without having to review numerous Tables in different locations in the Zoning Ordinance.

PLANNING COMMISSION QUESTIONS

Staff does not have any direct questions for the Planning Commission for this item. Rather, Staff will present an overview of Conditional Use Permits and invites the Planning Commission to ask questions or make comments on the proposed use table and invites the Commission to ask questions throughout Staff's presentation.

Proposed Permitted and Conditionally Permitted Uses For Properties Zoned as Residential, Commercial, or Industrial.

	RE	R1	R2	R3	R4	R4-20	PZ	OT-M	OT-H	RWF	CO	GC	NG	DMU	NMU	WG	M1	IBP
Agricultural Uses																		
Crop Production - Outdoor	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P NP	P NP
Crop Production - Indoor	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	NP
Community Garden	P	P	P	P	P	P	P	P	P	P	NP	NP	P	NP	P	P	NP	NP
Residential Uses																		
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P	P	NP	NP	NP	P	P	P	NP	NP
Agricultural Employee Housing	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Apartment	NP	NP	NP	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	NP	NP	NP	P	P	P	NP	NP
Boarding House	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	NP	NP	NP	MCUP	NP	NP	NP	NP
Caretaker and Employee Housing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Condominiums	NP	NP	NP	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	NP	NP	P	P	P	P	NP	NP
Community Care Facility, Small	P	P	P	P	P	P	P	P	P	P	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Community Care Facility, Large	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Cottage Food Operations	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	NP	NP	NP	NP	NP	NP	NP	NP
Duets	NP	NP	NP	S&A-P	S&A-P	NP	S&A-P	S&A-P	S&A-P	S&A-P	NP	NP	NP	NP	NP	NP	NP	NP
Duplex	NP	NP	P	S&A-P	S&A-P	NP	S&A-P	S&A-P	S&A-P	S&A-P	NP	NP	NP	NP	NP	NP	NP	NP
Home Occupation	P	P	P	P	P	P	P	P	P	P	NP	NP	NP	P	P	P	NP	NP
Emergency Shelter	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Family Day Care	P	P	P	P	P	P	P	P	P	P	P	NP	NP	APR-NP	APR-NP	APR-NP	NP	NP
Manufactured Home/Mobile Home	P	P	P	P	P	P	P	NP	NP	P	NP	NP	NP	NP	NP	NP	NP	NP
Mixed-Use Building	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	NP	S&A-P	S&A-P	S&A-P	NP	NP
Mobile Home/Manufactured Home Park	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	NP	NP	CUP	CUP	CUP	CUP	NP	NP
SB 9 Unit	P	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Single Family - Attached	NP	NP	NP	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	NP	NP	NP	NP	NP	NP	NP	NP
Single Family - Detached	P	P	NP	P	NP	NP	P	P	CUP-NP	P	NP	NP	NP	NP	NP	NP	NP	NP
Single Room Occupancy Units	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	NP	NP	NP	CUP	CUP	CUP	CUP	NP	NP
Supportive and Transitional Housing	P	P	P	P	P	P	P	P	P	P	NP	NP	P	P	P	P	CUP	NP
Triplex/Fourplex	NP	NP	NP	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	S&A-P	NP	NP	NP	P	P	P	NP	NP
Commercial Uses																		
24 Hour Operations	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Adult Entertainment Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P-CUP	P-CUP
Alcohol Sales (Retail)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	MCUP	MCUP	MCUP	MCUP	MCUP	NP	NP
Ambulance Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	NP	NP	NP	CUP	CUP
Ancillary Deli or Café	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	P	P	P	P	P	APR-MCUP	APR-MCUP
Animal Boarding/Kennels	CUP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	APR-CUP	CUP	NP	CUP	CUP	P-CUP	APR-CUP
Animal Grooming	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	CUP	NP	P	P	CUP	CUP
Animal Hospitals/Clinic	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP-P	CUP	CUP	CUP	NP	NP
Animal Retail Sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	P	P	P	NP	NP
Bail bonds	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	NP	NP	NP	NP	NP
Bars and Night Clubs	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	APR-MCUP	CUP	CUP	NP	NP
Bed and Breakfast Inns	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	CUP	NP	NP
Building Materials Store	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	NP	NP
Business Support Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	P	NP	NP
Card Rooms	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	NP	NP	NP	NP	NP
Catering	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	NP	NP
Day Care Facility - Accessory Use to a Business	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP
Donation Kiosk/Stand	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	NP	CUP	CUP	CUP	CUP
Equipment Sales and Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	P	CUP	NP	NP
Event Center	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	NP	NP
Financial Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	P	NP	NP
Food and Beverage Sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	P	NP	NP
Fuel and Ice Dealers	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	NP	CUP	CUP	NP	NP
Gun Sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	NP	NP	NP	NP	NP
Health/Fitness Clubs	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P-MCUP	P-MCUP	P-MCUP	P-MCUP	P-MCUP	P-MCUP	CUP	CUP
Hotels and Motels	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	CUP	CUP	CUP	NP	NP
Laundromat	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	APR-NP	APR-P	APR-P	NP	NP-P	NP-P	NP	NP

Proposed Permitted and Conditionally Permitted Uses For Properties Zoned as Residential, Commercial, or Industrial.

	RE	R1	R2	R3	R4	R4-20	PZ	OT-M	OT-H	RWF	CO	GC	NG	DMU	NMU	WG	M1	IBP
Live Entertainment	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	CUP	NP	NP
Live Work	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	NP	NP
Maintenance and Repair Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	P	P
Medical Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	APR-P	APR-P	APR-P	APR-P	APR-P	NP	NP
Neighborhood Market and Convenience	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	P	P	NP-MCUP	P	P
Nursery	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	NP	NP
Offices-Professional	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	P	NP	NP
Outdoor Vending	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	NP	NP	NP	CUP	CUP
Pawn Shop	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	NP	NP	CUP	NP	NP	NP
Personal Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	P	NP	NP
Recreation/Indoor	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP
Recreation/Outdoor	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	NP	CUP	CUP	CUP	CUP
Recycling Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	S&A-CUP	S&A-CUP	S&A-CUP	S&A-CUP	S&A-CUP	S&A-CUP	CUP	CUP
Restaurants - Sit Down	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	P	P	P	APR-P	APR-P	NP	NP
Restaurants with Drive-In or Drive-Through	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	APR-MCUP	APR-MCUP	APR-MCUP	APR-MCUP	APR-MCUP	NP	NP
Restaurants - With Outdoor Dining	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	MCUP	MCUP	MCUP	MCUP	MCUP	NP	NP
Restaurants - Take Out Only	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	NP	NP
Retail Sales - General	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	NP	NP
Retail Sales - Outdoor Storage and/or Display	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	NP	CUP	CUP	NP	NP
Shopping Center	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	S&A-P	S&A-P	NP	S&A-P	S&A-P	NP	NP
Wholesaler/Contractor Supply Stores	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP
Automotive Uses																		
Car Wash	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	APR-MCUP	APR-MCUP	NP	NP	S&A-MCUP	CUP	CUP
Salvage and Wrecking Yard	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP
Service/Fueling Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	S&A-CUP	S&A-CUP	NP	S&A-CUP	S&A-CUP	CUP	CUP
Vehicle, Recreational Vehicle, Boat, and Truck Storage or Parking	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP
Vehicle Repairs and Service	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	APR-MCUP	NP	NP	CUP-MCUP	APR-MCUP	CUP
Vehicle Sales and Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	APR-MCUP	APR-MCUP	NP	NP	NP	NP
Public and Semi Public Uses																		
Clubs and Lodges	CUP	CUP	NP-CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Cultural Institutions	CUP	APR-CUP	NP	NP	NP	NP	CUP	CUP	CUP	NP	CUP	CUP	CUP	APR-MCUP	APR-MCUP	APR-MCUP	CUP	CUP
Day Care Center	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Hospital/Medical Center	CUP	CUP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	NP	CUP	CUP	NP	NP
Park and Recreation Facilities	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P
Mortuary/Funeral Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	NP	NP
Public Safety Facilities	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P	CUP-P
Religious Assembly	P	P	P	P	P	P	NP-P	P	P	P	P	P	CUP-P	NP-P	CUP-P	CUP-P	NP-P	CUP-P
Schools - Public and Private	CUP	CUP	CUP	CUP	CUP	CUP	NP-CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	NP	NP
Schools - Trade	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Tasting Room	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	P	P	NP	NP
Industrial Uses																		
Commercial Kitchen	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Equipment and Materials Storage- Outdoor	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	APR-MCUP	APR-MCUP
Hazardous Materials	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	NP
Industrial - Heavy	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Industrial - Light	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP
Laundries and Dry Cleaning Plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	NP
Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Storage - Personal Storage Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	APR-MCUP	APR-MCUP
Printing and Publishing	P	P	P	P	P	P	P	P	P	P	APR-MCUP	P	P	P	P	P	P	P
Recycling Facility - Commercial	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP
Research and Development	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	NP	NP	CUP	P	P
Research and Development Laboratory	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Warehousing, Wholesale and Distribution	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P

Proposed Permitted and Conditionally Permitted Uses For Properties Zoned as Residential, Commercial, or Industrial.

	RE	R1	R2	R3	R4	R4-20	PZ	OT-M	OT-H	RWF	CO	GC	NG	DMU	NMU	WG	M1	IBP
Winery/Brewery/Distillery	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	MCUP	MCUP

Utilities

Emergency Stand-by Generator, Fuel Cell , Photovoltaic, and/or Battery Facilities (Accessory to Use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric Vehicle Charging Stations (Accessory)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
On-site Fueling Generation - Accessory to Use	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Power Generation/Storage																	CUP	CUP
Public Utilities and Public Service Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	CUP	CUP	CUP	CUP

Table 17.04-1 Residential Land Uses and Permit Requirements

Land Use ¹	RE	R1	R2	R3	R4	R4-20	PZ (16)	OT-M	OT-H	RWF
Residential Uses										
Agricultural Employee Housing 1-4 Employees 4+ Employees	P CUP	NP NP	NP NP	NP NP	NP NP	NP NP	NP NP	NP NP	NP NP	NP NP
Apartments	NP	NP	NP	S&A	S&A	S&A	S&A	S&A	S&A	S&A
Condominiums (15)	NP	NP	NP	S&A	S&A	S&A	S&A	S&A	S&A	NP
Duets	NP	NP	NP	S&A	S&A	NP	S&A	S&A	S&A	S&A
Duplex	NP	NP	S&A	S&A	S&A	NP	S&A	S&A(5)	S&A(5)	P(4)
Home Occupation (1)	P	P	P	P	P	P	P	P	P	P
Manufactured Home (2)	P	P	P	P	NP	NP	P	P	P	P
Mobile Home (3)	P	P	P	P	NP	NP	P	P	P	P
Mobile Home Parks						NP				NP
Residential Accessory Uses and Structures Less than 120 sq. ft. (13) More than 120 sq. ft. (14) Higher than 15 feet	P BP CUP	P BP CUP	P BP CUP	P BP CUP	P BP CUP	P BP CUP	P BP CUP	P BP CUP	P BP CUP	P BP CUP
Residential Care Homes 6 or fewer 7 or more	P CUP	P CUP	P CUP	P CUP	P CUP	P CUP	P CUP	P CUP	P CUP	P CUP
Accessory Dwelling Units (6)	P	P	See Note 7	See Note 7	See Note 7	NP	P	See Note 7	See Note 7	P
Single-Family—Attached	NP	NP	NP	S&A	S&A	S&A	S&A	S&A	S&A	NP
Single-Family—Detached	P	P	NP (8)	P	NP (8)	NP	P	P (8)	CUP (8)	P
Small Lot Housing	NP	APR	NP	S&A	S&A	NP	S&A	S&A	S&A	P
Supportive Housing Facility										

7 or fewer 8 or more										
Triplex, Fourplex	NP	NP	NP	S&A	S&A	S&A	S&A	S&A (5)	S&A (5)	S&A (4)
Retail Uses										
Bed and Breakfast Inns (9)	NP	NP	NP	NP	NP	NP	CUP	CUP	CUP	NP
Kennels	CUP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Small Neighborhood Market and Convenience	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	NP
Services, Public and Semipublic Uses										
Ambulance Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Clubs and Lodges	CUP	CUP	NP	NP	NP	NP	CUP	CUP	CUP	NP
Convalescent Hospitals/Nursing Homes (10)	CUP	CUP	CUP	CUP	CUP	NP	CUP	CUP	CUP	CUP
Cultural Institutions (Library, Museum)	CUP	APR	NP	NP	NP	NP	CUP	CUP	CUP	NP
Child Day Care Small Family Large Family (11)	P APR	P APR	P APR	P APR	P APR	P APR	P APR	P APR	P APR	P APR
Child Day Care Centers (lot size greater than one acre)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Hospitals (10)	CUP	CUP	NP	NP	NP	NP	NP	NP	NP	NP
Libraries, Museums	CUP	CUP	CUP	CUP	CUP	NP	CUP	CUP	CUP	CUP
Park and Recreation Facilities	CUP	CUP	CUP	CUP	CUP	NP	CUP	CUP	CUP	CUP
Parking Lots and Structures	NP	NP	NP	S&A	S&A	NP	S&A	S&A	S&A	NP
Religious Assembly (12)	P	P	P	P	P	NP	P	P	P	P
Schools—Public/Private	CUP	CUP	CUP	CUP	CUP	NP	CUP	CUP	CUP	CUP

Telecommunications Facilities										
Major Minor Public Utility or Safety Facilities (10) Utilities—Minor	NP P CUP P	NP P CUP P	NP P CUP P	NP CUP P	NP CUP P	NP CUP P	NP CUP P	NP CUP P	NP CUP P	NP CUP P

¹ Permit Requirement	
P	Permitted use in zoning district. It is the responsibility of the building owner, or lessee to secure any permits or complete tenant improvements to assure that the use complies with applicable federal, state and local requirements.
AP	Administrative Permit issued at Development Services Department.
APR	Administrative Permit Review and approval by the Development Review Committee (DRC) for compliance with standards without a public hearing.
mTUP	Minor Temporary Use Permit.
MTUP	Major Temporary Use Permit.
CUP	Conditional Use Permit required with Planning Commission approval.
S&A	Site and Architectural Review required with Planning Commission approval.
NP	Not Permitted.

Table 17.08-1 Commercial and Mixed Use Zone Uses and Permit Requirements

Land Use ¹	CO	GC	NG	Additional Use Regulations	DMU	NMU	WG	Additional Use Regulations
Commercial Uses								
Adult Entertainment Facilities	NP	NP	NP		NP	NP	NP	
Ambulance Services	CUP	CUP	CUP	(24)	NP	NP	NP	(24)
Animal Sales and Services Animal Boarding Animal Grooming Animal Hospitals Animal Retail Sales	NP NP CUP NP	APR P CUP P	CUP CUP P P	(1) for APR	NP NP CUP NP	CUP P CUP P	CUP P CUP P	
Antique and Collectible Shops	NP	P	P		P	P	P	
Artists' Studios	APR	P	P		P	P	P	
Automated Teller Machines (ATMs)	AP	AP	AP	(1)	AP	AP	AP	(1)
Bakeries Retail Wholesale Wholesale accessory to bakery	NP NP NP	P CUP P	P CUP P		P NP NP	P NP NP	P NP CUP	
Bars and Night Clubs	NP	CUP	CUP	(2)	APR	CUP	CUP	(2)
Bed and Breakfast Inns	CUP	CUP	CUP	(2) See § 17.22.080	CUP	CUP	CUP	(2) See § 17.22.080
Broker (Auto, Mortgage, Stock)	P	P	P	Enclosed Building	P	P	P	Enclosed building
Building Materials and Services With Incidental Retail Ready Mix Commercial Building	NP NP	NP P	P P	(4)	NP P	NP P	NP P	(4) Not allowed in a mixed use building
Business Support Services	CUP	P	P		P	P	P	
Catering Services	NP	P	P		P	P	P	
Commercial Filming	P	P	P		P	P	P	
Commercial Recreation & Entertainment (2) Building Less than 25,000 sq. ft. Building Greater than 25,000 sq. ft. or Outdoor Use	P(5) CUP	(5) CUP	(5) CUP	(2)	P(5) CUP	P(5) CUP	P(5) CUP	(2)
Convenience Stores With Gas Pumps	NP NP	P CUP	P CUP	(2)	NP NP	P CUP	P CUP	(2)

Entertainment, Live (Excluding Adult Entertainment)	NP	CUP	CUP	(2)	P	CUP	CUP	(2)
Equipment Sales, Services, and Rentals within an Enclosed Structure	NP	P	P	(3)	NP	P	CUP	(3)
Farm Equipment Sales and Supplies in an Enclosed Commercial Building	NP	P	P		NP	P	P	Not allowed in a mixed use building
Financial Services	P	P	P		P	P	P	
Food and Beverage Sales	NP	P	P	(2)	P	P	P	(2)
Fortunetelling	P	P	NP		NP	NP	NP	
Fuel and Ice Dealers	NP	CUP	CUP		NP	CUP	CUP	
Funeral Services	CUP	CUP	CUP		CUP	CUP	CUP	
Health and Fitness Clubs	P	P	P		P	P	P	
Hotels and Motels Extended Stay	NP NP	P P	P P		CUP CUP	CUP CUP	CUP CUP	
Laboratories	APR	APR	APR	(5)	NP	NP	NP	
Laundries Limited Unlimited	APR CUP	APR CUP	APR CUP	(1)	APR NP	APR NP	APR NP	(1)

Land Use ¹	CO	GC	NG	Additional Use Regulations	DMU	NMU	WG	Additional Use Regulations
Live-Work Units One to Two Two or More	NP	NP	NP		P CUP	P CUP	NP CUP	
Maintenance and Repair Services Incidental and Accessory to Retail Sales in an Enclosed Commercial Building Major Minor	NP NP	NP P	NP P	(6)	NP P	NP P	NP P	Not allowed in a mixed use building (6)
Medical Services Clinics/Laboratories Extended Care	(12) APR NP	APR CUP	APR CUP	(24) (5)	APR CUP	APR CUP	APR CUP	(24) (5)
Nurseries Indoors Outdoors	NP	P	P	(4)	P	P	P	Not allowed in a mixed use building (4)

Offices Business and Professional Large Scale Office Parks	P NP	P NP	P P		P NP	P NP	P NP	
Pawn Shops	NP	CUP	NP	(8)	NP	CUP	NP	(9), (10)
Personal Services	P	P	P		P	P	P	
Personal Improvement Services	P	P	P		P	P	P	
Printing and Publishing Limited Unlimited	APR(1) NP	P CUP	P CUP		P NP	P NP	P CUP	
Recreational Vehicle Parks	NP	NP	CUP	(11)	NP	NP	NP	
Recycling Facilities Reverse Vending Small Large	S&A NP NP	S&A NP NP	S&A NP NP	See § 17.22.170 Standards	S&A NP NP	S&A NP NP	S&A NP NP	See § 17.22.170 Standards
Research and Development Services	NP	NP	CUP		NP	NP	CUP	
Restaurants Restaurant (Sit Down) Drive-Through or Drive-In	CUP NR	P APR	P APR	(2) See § 17.22.090	P APR	APR APR	APR APR	(2) See § 17.22.090
Retail Sales	NP (12)	P	P		P	P	P	Flammable or hazardous materials not allowed in a mixed use building
Secondhand or Consignment Stores	NP	P	NP	(10)	P	P	P	(9), (10)
Service Stations	NP	S&A	S&A	(2) See § 17.22.200	NP	S&A	S&A	(2) See § 17.22.200
Shopping Centers	NP	S&A	S&A		NP	S&A	S&A	
Tattoo or Body Piercing Parlors	P	P	NP		P	P	P	(9)
Vehicle Related Sales and Services								
Vehicle Sales and Ancillary Services Indoors Outdoors	NP NP	P NP	P APR	(12)	APR(27)	P NP	(6), (13)	
Vehicle Repair Facilities Major Minor	NP	NP	APR	(14)(13), (5)	NP	NP	CUP	(15) (13), (5)
Vehicle Storage	NP	NP	NP		NP	NP	NP	
Vehicle Washing	NP	APR	APR	(5), (16)	NP	NP	S&A	(5), (16)

Warehousing/Storage Limited for Retail Sales Wholesale and Distribution	NP NP	CUP NP	CUP CUP	(17) (17)	CUP NP	CUP NP	CUP NP	(17)
Public and Semipublic Uses								
Clubs and Lodges	CUP	CUP	CUP	(2)	CUP	CUP	CUP	(2)
Convalescent Hospitals/Nursing Homes	CUP	CUP	NP	(24)	CUP	CUP	CUP	(24)
Cultural Institutions (Libraries and Museums)	CUP	CUP	CUP		APR	APR	APR	(5)
Day Care Centers	CUP	CUP	CUP		CUP	CUP	CUP	
Government Offices	P	P	P		P	P	P	
Hospital	NP	CUP	CUP	(24)	NP	CUP	CUP	(24)
Park and Recreation Facilities	CUP	CUP	CUP		CUP	CUP	CUP	
Parking Lots and Structures	S&A	S&A	S&A		S&A	S&A	S&A	
Public Safety Facilities	S&A	S&A	S&A	(24)	APR	APR	APR	(24)
Public Utility Service Yards	NP	NP	NP		NP	NP	NP	
Religious Assembly	P*	P*	CUP	*See § 17.22.180	NP	CUP	CUP	
Schools Private/Public Trade (Except Schools for Truck, Automobile, Heavy and Mechanical Equipment Repair Are Not Allowed)	CUP CUP	CUP CUP	CUP CUP		CUP CUP	CUP CUP	CUP CUP	
Telecommunications Major Minor	NP P	CUP P	CUP P	(18)	NP P	NP P	NP P	
Utilities—Major	NP	NP	NP	(19)	NP	NP	NP	(19)
Residential Uses								
New Single-Family	NP	NP	NP	Replacement (20)	NP	NP	NP	Replacement (20)
Residential	NP	NP	NP		NP(21)	CUP	CUP	
Caretaker and Employee Housing	CUP	CUP	CUP		CUP	CUP	CUP	
Existing Commercial Building First Floor Second Floor Reuse for Residential	NP NP	NP NP	NP NP		NP S&A	NP S&A	APR S&A	
New Mixed-Use Building	NP	NP	NP		S&A	S&A	S&A	
Multifamily					P	P	P	

Day Care Homes, Family—Large	P	NP	NP		APR	APR	APR	
Second Dwelling Unit	NP	NP	NP		NP	NP (23)	NP	
Temporary Residential Shelter	NP	CUP	P (22)		NP	CUP	CUP	
Small Temporary Residential Shelter	NP	CUP	P(22)		NP	CUP	CUP	
Large Temporary Residential Shelter								
Industrial Use (See Chapter 17.10)	NP	NP	NP		NP	NP	NP	
Accessory Uses and Structures								
Utilities—Minor	P	P	P		P	P	P	
Temporary Uses	TUP	TUP	TUP	See § 17.24.180	TUP	TUP	TUP	See § 17.24.180
Cannabis Facilities								
Cannabis Cultivation	NP	NP	CUP	(28)	NP	NP	CUP	(28)
Cannabis Delivery	NP	NP	CUP	(28)	NP	NP	CUP	(28)
Cannabis Dispensary	NP	NP	CUP	(28)	NP	NP	NP	
Cannabis Distribution	NP	NP	CUP	(28)	NP	NP	CUP	(28)
Cannabis Manufacturing	NP	NP	CUP	(28)	NP	NP	CUP	(28)
Cannabis Nursery	NP	NP	CUP	(28)	NP	NP	NP	
Cannabis Testing	NP	NP	CUP	(28)	NP	NP	CUP	(28)

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NP	Not permitted.

Table 17.10-1 Industrial Zone Districts Land Use and Permit Requirements

LAND USE	M1-S	IBP
Manufacturing, Processing and Service Uses		
Auto and equipment repair	P	P
Beverage production	P	P
Body shop, detailing	APR	CUP
Clothing products	P	P
Concrete, gypsum and plaster products	CUP	NP
Construction contractors storage yards	APR	NP
Chemical products, fertilizer	CUP	NP
Electrical and electronic equipment, instruments manufacturing	P	P
Food products	P	P
Food processing	CUP	CUP
Furniture and fixtures manufacturing	P	P
Glass products	P	P
Kennels and animal boarding	P	APR
Handicraft industries, small-scale manufacturing	P	P
Laundries and dry cleaning plants	P	P
Lumber and wood products manufacturing	APR (6)	NP
Machinery manufacturing	P	P
Metal products fabrication, machine and welding shops	P	P
Manufacturing	P	P
Parking for trucks, busses, service vehicles	APR	NP
Paper products	P	NP
Paving materials	CUP	NP
Pharmaceuticals	P	P
Plastics and rubber products	P	NP
Printing and publishing	P	P
Public utility or safety facilities	CUP	CUP
Recycling—Composting	CUP (6)	CUP (6)

Recycling Small collection facility, reverse vending machines Large collection facility, scrap and dismantling yards	(1) S&A CUP (6)	(1) S&A CUP (6)
Repair and maintenance—Consumer products	P	P
Research and development	P	P
Service stations	CUP	CUP
Stone and cut stone products	CUP	NP
Structural clay and pottery products	P	NP
Storage, outdoor	APR (2), (6)	APR (2), (6)
Storage, personal storage facilities	APR (2), (6)	APR (2), (6)
Vehicle repair facilities Minor Major	APR APR	APR APR
Truck, service truck and vehicle storage or parking	AS&A	CUP
Warehousing, wholesaling and distribution	P	CUP
Wholesaling and distribution	P	P
Veterinary clinic and animal hospital	P	P
Agricultural, Resource and Open Space Uses		
Crop production	P	P
Commercial Uses and Services		
Ancillary office supplies or copying occupying ten percent of the first floor area of the industrial building or complex or a maximum of 3,000 sq. ft.	AS&A	AS&A
Automatic teller machines (ATMs)	AP	AP
Adult entertainment establishments	P (3)	P (3)
Convenience store convenience store (max. 2,500 sq. ft.)	S&A	S&A
Courier and small package delivery service		
Commercial uses allowed in the General Commercial and North Gateway Zoning Districts (see Chapter 17.08)	CUP	CUP
Professional offices	CUP	CUP
Small café or deli (10% of the first floor area of the industrial building or complex or a maximum of 3,000 sq. ft.)	AS&A	AS&A
Recreation, Assembly and Educational Uses		
Auditorium	NP	CUP

Child care center 1—14 children	AS&A	AS&A
Child care center 15 or more children	CUP (4)	CUP (4)
Health/fitness clubs	CUP	CUP
Library or museum	CUP	CUP
Parks, playgrounds, golf courses	CUP	CUP
Religious worship	NP	CUP
Schools—Specialized related education and training	NP	CUP
Sports facilities and outdoor public assembly	CUP	CUP
Trails, bike paths	CUP	CUP
Theatres, assembly and meeting halls	NP	CUP
Residential		
Caretaker and employee housing	ACUP	ACUP
Transportation and Communication		
Antennas, communication facilities	CUP (5)	CUP (5)
Pipelines and utility lines	P	P
Transit stations and terminals	CUP	CUP
Cannabis Facilities		
Cannabis cultivation	CUP (7)	CUP (7)
Cannabis delivery	CUP (7)	CUP (7)
Cannabis dispensary	CUP (7)	CUP (7)
Cannabis distribution	CUP (7)	CUP (7)
Cannabis manufacturing	CUP (7)	CUP (7)
Cannabis nursery	CUP (7)	CUP (7)
Cannabis testing	CUP (7)	CUP (7)

Permit Requirement by Zone	
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