

b. Roof top common recreational space. Where a roof top is used for common recreational space, the roof top shall incorporate landscaping, decorative paving materials, and recreational amenities of the type listed in subsection H.1.a, above. Mechanical equipment storage areas on roof tops shall not be counted towards recreational space.

I. Other residential amenities. All residential developments shall provide adequate private or common laundry facilities shall be provided and reserved for the exclusive use of the residents residing in the development.

SECTION 7. The Title of Part 5 of Chapter 22.28 is hereby amended to read as follows:

Part 5

C-3 UNLIMITED GENERAL COMMERCIAL ZONE

SECTION 8. Part 10 of Chapter 22.28 is hereby added as follows:

Part 10

C-MJ MAJOR COMMERCIAL ZONE

Sections:

- 22.28.410 Purpose.**
- 22.28.420 Permitted Uses.**
- 22.28.430 Accessory Uses.**
- 22.28.440 Uses Subject to Director's Review and Approval.**
- 22.28.450 Uses Subject to Permits.**
- 22.28.460 Project Review and Evaluation.**

22.28.470 Development Standards.

22.28.480 Additional Development Standards for Mixed Use Developments.

22.28.490 Performance Standards.

22.28.410 Purpose.

The Major Commercial Zone (C-MJ) allows for regional-scale commercial and recreation uses, hotels, multi-family residential, and residential-commercial mixed uses.

22.28.420 Permitted Uses.

Premises in Zone C-MJ may be used for the following uses:

1. Sales.
 - Appliance stores, household.
 - Art galleries.
 - Art supply stores.
 - Auction houses, excluding animal auctions.
 - Automobile sales and rental of new and used motor vehicles, with incidental service and repair, provided that all repair activities are conducted within an enclosed building.
 - Automobile supply stores, including incidental service and repairs, provided that all repair activities are conducted within an enclosed building.
 - Bakery shops.
 - Bicycle shops.
 - Boat and other marine sales and rentals, excluding storage.

- Bookstores.
- Ceramics shops, including manufacturing incidental to retail sales

from the premises, provided that the total volume of kiln space does not exceed 16 cubic feet.

- Clothing stores.
- Confectionery or candy stores.
- Delicatessens.
- Department stores.
- Dress shops.
- Drugstores.
- Florist shops.
- Furniture stores.
- Furrier shops.
- Gift shops.
- Grocery stores.

- Hardware stores, including the sale of lumber and other building supplies, but excluding milling or woodworking other than incidental cutting of lumber to size, provided that all sale, display, storage, and incidental cutting is within an enclosed building.

- Health food stores.
- Hobby supply stores.
- Ice cream shops.

- Jewelry stores.
- Leather goods stores.
- Meat markets, excluding slaughtering.
- Millinery shops.
- Model home display centers and sales offices, provided that such

models shall not be used for residential purposes unless a conditional use permit is first obtained pursuant to the provisions of Part 1 of Chapter 22.56.

- Motorcycle, motorscooter, and trail bike sales and rentals.
- Music stores.
- Newsstands.
- Notions or novelty stores.
- Nurseries, including the growing of nursery stock.
- Office machines and equipment sales.
- Paint and wallpaper stores.
- Pet stores, within an enclosed building only.
- Pet supply stores.
- Photographic equipment and supply stores.
- Radio and television stores.
- Recreational vehicle sales and rentals.
- Retail stores.
- Shoe stores.
- Silver shops.

- Sporting goods stores.
- Stationery stores.
- Tobacco shops.
- Toy stores.
- Trailer sales, box and utility.
- Yarn and yardage stores.

2. Services.

- Air-pollution sampling stations.
- Automobile service stations, including incidental repair, and rental of utility trailers, subject to the relevant provisions of subsection B of Section 22.28.090.
- Banks, savings and loans, credit unions, and finance companies.
- Barbershops.
- Beauty shops.
- Bicycle rentals.
- Child care centers.
- Colleges and universities, including appurtenant facilities, giving advanced academic instruction approved by the State Board of Education or other recognized accrediting agency, but excluding trade schools.
- Communication equipment buildings.
- Community gardens.
- Costume rentals.
- Dental clinics and laboratories.

- Dry cleaning establishments, excluding wholesale dry cleaning plants, provided that such establishments comply with American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) 62-2001 Indoor Air Quality Standards.

- Employment agencies.
- Fire stations.
- Furniture and appliance rentals.
- Gymnasiums.
- Health clubs or centers, including swimming pools, saunas, and steam baths.

- Hospital equipment and supply rentals.
- Hotels without restaurants or banquet facilities.
- Interior decorating studios.
- Laundries, hand.
- Laundries, retail, subject to the limitations and conditions specified in subsection C of Section 22.28.190 related to manufacturing, processing, packaging, treating, and incidental related storage.

- Libraries.
- Locksmith shops.
- Lodge halls.
- Medical clinics and laboratories.

- Motion picture processing, reconstruction, and synchronizing of film with sound tracks.

- Motion picture studios and indoor sets, including the temporary use of domestic and wild animals in motion picture and television production, provided said animals are kept or maintained pursuant to all regulations of the County Department of Animal Care and Control, and are retained on the premises for a period not exceeding 60 days. The Director may extend such time period for not to exceed 30 additional days subject to the provisions of Part 12 of Chapter 22.56, regarding Director's Review.

- Museums.
- Observatories.
- Offices, business or professional.
- Parking lots and parking buildings.
- Party equipment rentals.
- Pet grooming, excluding boarding.
- Photocopying and duplicating services.
- Photoengravers and lithographers.
- Photography studios.
- Police stations.
- Post offices.
- Public utility service centers.
- Radio and television broadcasting studios.
- Real estate offices.

- Recording studios.
- Repair shops, household and fix-it.
- Restaurants and other eating establishments, including food take-out and outdoor dining.
- Restroom facilities.
- Schools, business and professional, including art, barber, beauty, dance, drama, and music, but not including any school specializing in manual training, shop work, or in the repair and maintenance of machinery or mechanical equipment.
- Shoe repair shops.
- Shoeshine stands.
- Sightseeing agencies.
- Stations, bus, railroad, and taxi.
- Tailor shops.
- Telephone repeater stations.
- Tool rentals, including rototillers, power mowers, sanders and saws, cement mixers, and other equipment, but excluding heavy machinery or trucks exceeding two tons' capacity, with all equipment stored indoors.
- Tourist information centers.
- Trailer rentals, box and utility only.
- Truck rentals, excluding trucks exceeding two tons' capacity.
- Veterinary clinics, small animals.
- Watch repair shops.

- Wedding chapels.

3. Recreation and Amusement.

- Amusement rides and devices, including merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling, zip-lines, and similar equipment operated at one particular location not longer than seven days in any six-month period.

- Arboretums and horticultural gardens.

- Athletic fields, excluding stadiums.

- Carnivals, commercial, including pony rides, operated at one particular location not longer than seven days in any six-month period.

- Circuses and animal exhibitions for a period not exceeding seven days, including the temporary keeping or maintenance of wild and domestic animals in conjunction therewith, provided said animals are kept or maintained pursuant to all regulations of the County Department of Animal Care and Control.

- Miniature golf courses.

- Parks, playgrounds, and beaches, with all appurtenant facilities customarily found in conjunction therewith.

- Recreation clubs, commercial, including tennis, polo, swimming, and similar outdoor recreational activities, together with appurtenant clubhouse.

- Riding and hiking trails, excluding trails for motor vehicles.

- Swimming pools.

- Tennis, volleyball, badminton, croquet, lawn bowling, and similar courts.

22.28.430 Accessory Uses.

Premises in Zone C-MJ may be used for the following accessory uses:

- Accessory buildings and structures.
- Building materials, storage of, used in the construction of a building or building project, during the construction and 30 days thereafter, including the contractor's temporary office, provided that any lot so used shall be part of the building project or on property adjoining the construction site.
- Rental, leasing and repair of articles sold on the premises, incidental to retail sales.
- Signs, subject to regulations set forth in Part 10 of Chapter 22.52 for signs in Zone C-3.

22.28.440 Uses Subject to Director's Review and Approval.

If site plans are first submitted to and approved by the Director pursuant to Part 12 of Chapter 22.56, premises in Zone C-MJ may be used for:

- Access to property lawfully used for a purpose not permitted in Zone C-MJ where such access will not alter the character of the premises for purposes of the permitted uses in Zone C-MJ.
- Christmas trees and wreaths, the sale of, between December 1st and December 25th, both dates inclusive, to the extent otherwise legally permitted. Any structures, facilities, and materials used for the sale of trees and wreaths shall be removed from the premises by December 31st of the same calendar year, and the property restored to a neat condition.

- Domestic violence shelters, subject to the standards and limitations specified in Section 22.56.1758.
- Family child care homes, large.
- Family child care homes, small.
- Farmers' markets.
- Foster family homes.
- Grading projects, off-site transport, where not more than 100,000 cubic yards of material is to be transported, subject to the exceptions, conditions, and limitations specified in Sections 22.56.1710, 22.56.1752, and 22.56.1753.
- Home-based occupations, subject to the limitations, standards and conditions contained in Section 22.20.020.
- Joint live and work units, as provided in Part 19 of Chapter 22.52.
- Live entertainment, accessory, in a legally established bar, cocktail lounge, or restaurant having an occupant load of less than 200 people, where in full compliance with the conditions of Section 22.56.1754.
- Shared parking programs.
- Signs, subject to regulations set forth in Part 10 of Chapter 22.52 for signs in Zone C-3.
- Small family homes, children.

22.28.450 Uses subject to Permits.

A. Premises in Zone C-MJ may be used for the following uses, provided that a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

- Adult day care facilities.
- Adult residential facilities.
- Alcoholic beverages, the sale of, for either on-site or off-site consumption, subject to the requirements of Section 22.56.195.
- Ambulance service facilities.
- Amphitheaters.
- Amusement rides and devices, including merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling, zip-lines, and similar equipment for longer than seven days.
- Apartment houses.
- Arcades, game or movie.
- Archery ranges.
- Bars and cocktail lounges, excluding cabarets.
- Beer and wine, the concurrent sale of, with motor vehicle fuel, subject to the requirements of Sections 22.56.195 and 22.56.245.
- Billiard halls.
- Body-piercing parlor.

- Bowling alleys.
- Boxing arenas.
- Butane and propane service stations.
- Cardrooms or clubs.
- Carnivals, commercial, including pony rides, for longer than seven days.

- Car washes, automatic, coin-operated and hand wash.
- Churches, temples, or other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith.

- Circuses and animal exhibitions, for longer than seven days.
- Community centers.
- Dance halls.
- Earth stations.
- Electric distribution substations including microwave facilities,

provided:

a. That all such installations are completely surrounded by a masonry wall to a height of not less than eight feet. The Director may approve the substitution of a chain-link or other industrial-type fence with screen planting where the Director deems it is appropriate. All such substitutions shall be subject to the provisions of Part 12 of Chapter 22.56 regarding Director's Review; and

b. That the area between the fence or wall and the property line is landscaped and maintained while such use exists.

- Electric transmission substations and generating plants, including microwave facilities used in conjunction with any one thereof.

- Games of skill.

- Golf driving ranges.

- Grading projects, off site transport, where more than 100,000 cubic yards of material is to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230.

- Grading projects, on-site, but excluding projects where the Hearing Officer, Commission, or the Board of Supervisors have previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project.

- Group homes, children.

- Helistops.

- Homeless shelters, subject to the requirements of Section 22.56.1760.

- Hotels, with restaurants, incidental sales, and banquet facilities.

- Land reclamation projects.

- Live entertainment, accessory, in a legally established bar, cocktail lounge, or restaurant having an occupant load of less than 200 people, where the conditions of Section 22.56.1754 have not been, or cannot be, met. This provision shall

not be construed to authorize the modification of development standards required for establishment of such bar, cocktail lounge, or restaurant, except as otherwise provided by Part 2 of Chapter 22.56.

- Massage parlors.
- Microwave stations.
- Mixed use developments, subject to the limitations on uses

identified in Section 22.52.1920.

- Nightclubs.
- Outdoor dining, where the standards of subsection G of

Section 22.28.070 have not been, or cannot be, met.

- Permanent cosmetics parlors.
- Pool halls.
- Publicly-owned uses necessary for the maintenance of the public

health, convenience, or general welfare in addition to those specifically listed in this Section.

- Real estate tract offices, temporary.
- Residences, caretaker.
- Residential care facilities, subject to the conditions and limitations

of Section 22.20.090.

- Rooming and boarding houses.
- Shooting galleries.

- Signs, subject to regulations for signs in Zone M-1 provided in Part 10 of Chapter 22.52.
- Skating rinks, ice or roller.
- Solid fill projects.
- Stadiums.
- Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines, and similar uses, for a period not to exceed one year.
- Swap meets.
- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.
- Tattoo parlors.
- Theaters and other auditoriums.
- Townhouses.
- Youth hostels.

B. Premises in Zone C-MJ may be used for the following uses, provided the appropriate permit has first been obtained and while such permit is in full force and effect and in conformity with the conditions of such permit:

- Qualified projects, as provided in, and permitted by, Part 17 of Chapter 22.52 and Part 18 of Chapter 22.56.

- Temporary uses, as provided in, and permitted by, Part 14 of Chapter 22.56.

22.28.460 Project Review and Evaluation.

A. An application for new construction or expansion of development in Zone C-MJ may be referred to the Department of Public Works for review of the project's impacts to infrastructure. In addition to the requirements of Section 22.48.250, the application may be required to include, at the discretion of the Director of the Department of Public Works, technical studies in accordance with current County guidelines, or other information, including but not limited to the following:

1. A traffic impact analysis;
2. Certification from the public water purveyor that indicates water facilities in the area are adequate to meet the demands of the project and all other properties served by the same water facility; and
3. A sewer area study to determine the adequacy of the sewage system that will serve the project.

B. Where the Director of the Department of Public Works finds that based on the traffic, water, or sewer studies that the existing infrastructure is inadequate to serve a project, the Director may require the applicant to construct, install, or provide additional funds to construct or install, the necessary infrastructure to protect public health, safety, and welfare. Furthermore, the Director, in consultation with the Director of the Department of Public Works, may require that the applicant demonstrate on a site plan that adequate sightlines are maintained from the vehicular access points of the

project site to the public right-of-way, and that the proposed layout of the site does not impede vehicular movement in the public right-of-way.

22.28.470 Development Standards.

Premises in Zone C-MJ shall be subject to the following development standards:

- A. Minimum project area. The minimum area for a project located on one or more contiguous lots under the same ownership or control shall be two acres.
- B. Maximum floor area ratio (FAR). If a project is located on property regulated by an area, community, or neighborhood plan, the maximum FAR shall be determined as set forth in such plan. Otherwise, the maximum FAR for the project shall be 3.0.
- C. Maximum height. The maximum structure or building height shall be 65 feet. Buildings or structures may extend up to 75 feet in height with the approval of a conditional use permit.
- D. Maximum density. If a project is located on property regulated by an area, community, or neighborhood plan, the maximum residential density shall be determined as set forth in such plan. Otherwise, the maximum residential density for the project shall be 150 dwelling units per acre.
- E. Minimum landscaped area. A minimum of 10 percent of the net project area shall be landscaped with drought-tolerant lawn, shrubbery, flowers and/or trees, and shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area.

F. Side and rear yards. Side and rear yards of new development within Zone C–MJ that abut a parcel located within a residential or agricultural zone shall have a minimum depth of 30 feet to separate, screen, and buffer the development's buildings from the abutting residential or agricultural zone. These yards may contain driveways, surface parking spaces, landscaping, and trees. If the side or rear lot line of a property within a C-MJ zone is separated from an adjacent parcel located within a residential and agricultural zone by a street or highway, the walls along the side and rear yards shall comply with the requirements in subsection D.2 of Section 22.52.1060.

G. Parking. Vehicle and bicycle parking facilities shall be provided as required by Part 11 of Chapter 22.52 for projects located within the C-MJ Zone. Shared parking may be approved through a Director's Review, except that parking for commercial and residential uses shall be provided separately and designated by posting, pavement marking, and/or physical separation.

H. Sign Program. For multi-tenant retail centers containing three or more businesses, a sign program shall be required to coordinate all business signs within the development. The program shall establish uniform standards for sign location, style, size, color, font, materials, and other applicable sign features, so that all business signs in the development will be compatible with each other and in compliance with the sign requirements of this Title 22.

I. Trash bin enclosures. Trash enclosures for refuse and recycling bins shall be:

1. Located within parking areas or structures, or at the rear or side of buildings, or between buildings, and shall not be placed between a building and a street;
2. Located not farther than 150 feet from the building;
3. Not placed in any public right-of-way; and
4. If located outside, screened by masonry walls between five and six feet in height.

J. Outside display. Except for the following uses, all display in Zone C-MJ shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit:

- Automobile sales, new and used, limited to automobiles and trucks under two tons held for sale or rental only.
- Automobile service stations, limited to automobile accessories and facilities necessary to dispensing petroleum products only.
- Boat sales, limited to boats held for sale or rental only.
- Electric distribution substations.
- Parking lots.
- Recreational vehicle sales, limited to recreational vehicles held for sale or rental only.
- Restaurants and other eating establishments, including food take-out and outdoor dining.

K. Outside storage. Outdoor storage is permitted at the rear or side of a lot, when such storage is strictly incidental to the primary use on the lot, but shall not be

nearer than 50 feet to the front property line. Any outdoor area used for storage shall be completely enclosed by a solid masonry wall and solid gate between five to six feet in height, and such storage shall not be higher than the enclosed walls. The Director may approve the substitution of a fence or decorative wall that will adequately comply with the provisions of this subsection. All such requests for substitution shall be subject to the provisions of Part 12 of Chapter 22.56 regarding Director's Review.

22.28.480 Additional Development Standards for Mixed Use Developments.

Premises in mixed use developments in the C-MJ Zone shall be subject to the following additional development standards.

- A. Recreational space for mixed use developments:
 - 1. Areas defined.
 - a. Common recreational space. Recreational space for the exclusive use of the residents in the development, and may include:
 - Atriums.
 - Barbecue and picnic areas.
 - Community or multipurpose rooms.
 - Courtyards.
 - Gardens, including rooftop gardens.
 - Indoor or outdoor exercise areas and rooms.
 - Lawns.
 - Playgrounds.

- Pool decks
- Swimming pools and spas.
- Tennis, volleyball, and other ball courts.
- Terraces.
- Yards, interior side and rear, exclusive of vehicular

access.

b. Private recreational space. Recreational space attached to and accessed from within an individual dwelling unit, and may include an atrium, balcony, patio, porch, or terrace.

c. Excluded from recreational space. Off-street parking and loading areas, driveways and other vehicular access areas, service areas, and perimeter landscaping with no more than two feet in width shall not count as useable recreational space.

2. Minimum dimensions for recreational space. For every dwelling unit in a mixed use development, a minimum of 100 square feet for private and common recreational space shall be provided and maintained. Landscaping required for the development may count towards this requirement as long as the landscaping is useable recreational space.

3. Additional standards for common recreational space.

a. Accessibility. Common recreational space shall be located on the same property as the unit it serves, and shall be available exclusively for the use of all residents of the development.

b. Roof top common recreational space. Where a roof top is used for common recreational space, the roof top shall incorporate landscaping, decorative paving materials, and recreational amenities of the type listed in subsection A.1.a, above. Mechanical equipment storage areas on roof tops shall not be counted towards recreational space.

B. Other residential amenities for mixed use developments. Any development that includes dwelling units shall provide adequate private or common laundry facilities that are reserved for the exclusive use of the residents residing in the development.

22.28.490 Performance Standards for Mixed Use Developments.

All mixed use developments in the C-MJ Zone shall comply with the following performance standards:

A. Hours of operation. The hours of operation for commercial uses shall be no earlier than 6:00 a.m. and no later than 12:00 a.m. daily, unless modified by a conditional use permit.

B. Loading. Off-street loading areas shall be located towards the rear of the structure(s) where feasible and shall not be visible from the street. Loading, unloading, and all maintenance activities shall be conducted within the hours of operation set forth in subsection A, above, and in such fashion to prevent annoyance to adjacent residents and tenants.

C. Noise. Noise shall be controlled in such a manner so as not to create a nuisance or hazard on any adjacent property.

D. Operating activities prohibited. The following operating activities shall be prohibited:

1. Storage or shipping of flammable liquids or hazardous materials beyond that normally associated with a residential use; and
2. Welding, machining, or open flame work.

SECTION 9. The Parts headings for Chapter 22.32 are hereby amended to read as follows:

Chapter 22.32 INDUSTRIAL ZONES

Parts:

- | | |
|------------------------------|---|
| PART 1. | GENERAL REGULATIONS |
| PART 2. | M-1 LIGHT MANUFACTURING ZONE |
| PART 3. | D-2 DESERT-MOUNTAIN ZONE |
| PART 4. | M-1 1/2 <u>M-1.5</u> RESTRICTED HEAVY MANUFACTURING ZONE |
| PART 5. | MPD MANUFACTURING INDUSTRIAL PLANNED ZONE |
| PART 6 <u>5</u> . | M-2 HEAVY MANUFACTURING ZONE and M-4 UNLIMITED MANUFACTURING ZONE |
| PART 6 <u>6</u> . | <u>M-2.5 AIRCRAFT AND HEAVY MANUFACTURING ZONE</u> |
| PART 7. | M-3 UNCLASSIFIED ZONE |
| PART 8. | M-2 ¹/₂ AIRCRAFT, HEAVY INDUSTRIAL ZONE <u>MPD MANUFACTURING – INDUSTRIAL PLANNED ZONE</u> |
| PART 9. | B-1 BUFFER STRIP ZONE |