ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning – of the Los Angeles County Code to allow zip lines and museums in Zone C-R, add regulations concerning the applicability of the 2014 Antelope Valley Area Plan Update zoning consistency program related to development applications pending at the time of adoption and for modifications to approved applications, modify provisions for when a conditional use permit is required within Significant Ecological Areas, and adopt a new Rural Commercial Zone and Rural Mixed-Use Zone.

SECTION 1. Section 22.08.250 is hereby added to read as follows:

22.08.250 Z.

— "Zip-line" means a ride where a cable is suspended above an incline to which a pulley and harness are attached to a rider.

SECTION 2. Section 22.16.225 is hereby added to read as follows:

22.16.225 Applicability of Applications for Zone Changes and Amendments.

A. 2014 Antelope Valley Area Plan Update. If a zone change or amendment is the result of the zoning consistency program of the 2014 Antelope Valley Area Plan Update, the following provisions shall apply.

1. Pending Applications. The following shall apply to complete applications filed prior to the effective date:

a. The applicant may choose whether the application will be reviewed for compliance with the previous zone and previous regulations or with the changed zone and amended regulations that are the result of the zoning consistency

program of the 2014 Antelope Valley Area Plan Update. In either case, approval of the application is not guaranteed.

b. If an application is reviewed for compliance with the previous zone and previous regulations, the applicant may modify the application prior to consideration by the Commission, Hearing Officer, or Director. The modification may necessitate the submittal of revised, updated, or additional materials and reports, such as but not limited to site plans, elevations, and oak tree reports. The modified application shall be reviewed for compliance with the previous zone and previous regulations unless otherwise selected under Subsection A.1, above, if it does not change the housing type (e.g. from single-family to two-family or multi-family) nor increase:

i. The residential density;

ii. The floor area or lot coverage of non-residential space;

iii. The amount of grading; or

iv. The area of ground disturbance.

2. Modifications to Approved Applications.

a. Minor modifications to an approved but not used application, found in substantial conformance with such application as determined by the Director, may be reviewed for compliance with the previous zone and previous regulations. Otherwise, a modification shall be considered a new application and shall be reviewed for compliance with the changed zone and amended regulations that are the result of the zoning consistency program of the 2014 Antelope Valley Area Plan Update.

b. If an approval is used and has a grant term, the approved use may be maintained until the end of the grant term. At the end of the grant term, the use shall be subject to the provisions of this Title 22 in effect at that time. During the grant term, any minor modification to the approved use, found in substantial conformance with such application as determined by the Director, shall be reviewed for compliance with the previous zone and previous regulations. Otherwise, a modification to the approved use shall be subject to the provisions of this Title 22 in effect at that time.

c. If an approval is used and does not have a grant term, the approved use may be maintained in perpetuity unless a time limit is specified by Section 22.56.1540. In addition, all applicable provisions in Part 10 of Chapter 22.56 shall apply to the approved use. A modification to the approved use, found in substantial conformance with such application as determined by the Director, shall be reviewed for compliance with the previous zone and previous regulations. Otherwise, a modification to the approved use shall be subject to Part 10 of Chapter 22.56 and all other relevant provisions of this Title 22 in effect at that time.

B. (Reserved)

SECTION 3. Section 22.28.290 is hereby amended to read as follows:

A. Premises in Zone C-R may be used for:

…

2. 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.

— …

— Miniature golf courses.

— Museums.

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

…

SECTION 4. Section 22.28.320 is hereby amended to read as follows:

22.28.320 Uses Subject to Permits. Premises may be used for:

A. The following uses, provided 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 for:

— …

— 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.

— …

SECTION 5. Part 9 of Chapter 22.28 is hereby added to read as follows:

Part 9

C-RU RURAL COMMERCIAL ZONE

Sections:

22.28.350 Purpose.

22.28.360 Permitted Uses.

22.28.370 Accessory Uses.

22.28.380 Uses Subject to Director's Review and Approval.

22.28.390 Uses Subject to Permits.

22.28.400 Development Standards.

22.28.350 Purpose. The Rural Commercial Zone (C-RU) is established to implement the CR (Rural Commercial) land use designation in areas of the County mapped in the General Plan. The zone provides for an appropriate mix of a limited range of commercial uses that are compatible with rural, agricultural, and low-density residential uses. The zone regulates both the type and intensity of development in order to protect natural resources, promote economic self-sufficiency, maintain compatibility, with surrounding Residential and Agricultural Zones, and preserve the rural character of the community.

22.28.360 Permitted Uses. Except as provided in Section 22.28.390.B below**,** premises in Zone C-RU may be used for:

A. The following commercial uses:

1. Sales.

- Antique shops, genuine antiques only.
- Appliance stores, household.
- Art galleries.
- Art supply stores.
- Automobile supply stores, including incidental installation of parts, subject to the provisions of Subsection B of Section 22.28.380.
- Automobile sales, sale of new and used motor vehicles.
- Bait and tackle shops.
- Bakery shops, including baking only when incidental to retail sales from the premises.
- Bicycle shops.
- Boat and other marine sales.
- Bookstores.
- Ceramic shops, excluding a kiln or manufacture.
- Clothing stores.
- Confectionery or candy stores, including making only when incidental to retail sales from the premises.
- Delicatessens.
- Dress shops.
- Drugstores.
- Farm equipment – Storage, sales and rental.
- Feed and grain sales.

- Fine arts galleries.
- Firewood, sale of, including the incidental cutting of firewood to size.
- Florist shops.
- Fruit and vegetable markets.
- Furniture stores.
- Furrier shops.
- Gift shops.
- Glass and mirror sales, including automobile glass installation only when conducted within an enclosed building.
- Grocery stores.
- Hardware stores, including the sale of lumber and other building materials and supplies, but excluding milling or woodworking other than incidental cutting of lumber to size.
- Health food stores.
- Hobby supply stores.
- Ice cream shops.
- Ice sales, excluding ice plants.
- Jewelry stores.
- Lapidary shops.
- Leather goods stores.
- Meat markets, excluding slaughtering.
- Millinery shops.

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- Mobilehome sales.
- Motorcycle, motorscooter and trail bike sales.
- Music stores.
- Newstands.
- Notion or novelty stores.
- Office machines and equipment sales.
- Paint and wallpaper stores.
- Pet supply stores, excluding the sale of pets other than tropical fish or goldfish.
- Photographic equipment and supply stores.
- Radio and television stores.
- Recreational vehicle sales.
- Retail stores.
- Secondhand stores.
- Shoe stores.
- Silver shops.
- Souvenir shops.
- Sporting goods stores.
- Stationery stores.
- Tobacco shops.
- Toy stores.

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- Yarn and yardage stores.

2. Services.

- Air pollution sampling stations.
- Arboretums and horticultural gardens.
- Ambulance emergency service facilities.
- Automobile battery service.
- Automobile brake repair shops.
- Automobile muffler shops.
- Automobile repair garages, excluding body and fender work, painting and upholstering.
- Automobile service stations, including oil and lube, incidental repair, washing, and rental of utility trailers subject to the provisions of Section 22.28.380.
- Automobile radiator shops.
- Automobile rental and leasing agencies.
- Banks, savings and loans, credit unions and finance companies.
- Barber shops.
- Beauty shops.
- Bicycle and motor scooter rentals.
- Blueprint shops.
- Boat rentals.
- Book binderies.

- Butane and propane service stations.
- Carpet and rug cleaners.
- Catering services.
- Catalog and internet order businesses.
- Child day care centers.
- Churches, temples, and other places used exclusively for religious worship.
- Comfort stations.
- Communication equipment buildings.
- Community centers.
- Costume rentals.
- Dental clinics, including laboratories in conjunction therewith.
- Dry cleaning establishments, excluding wholesale dry cleaning plants, provided that the building is so constructed and the equipment is so installed and maintained and the activity is so conducted that all noise, vibration, dust, odor and all other objectionable factors will be confined or reduced to the extent that no annoyance or injury will result to persons or property in the vicinity.
- Earth stations.
- Electric distribution substations including microwave facilities, provided:

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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 he deems it appropriate. All such substitutions shall be subject to the provisions of Part 12 of Chapter 22.56 on the 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.

– Electrician's shops.

– Employment agencies.

– Family child care homes, large.

– Family child care homes, small.

– Fire stations.

– First aid stations.

– Foster family homes.

– Furniture and appliance rentals.

– Furniture and household goods, transfer and storage.

– Gas metering and control stations.

– Grange halls.

– Hospital equipment and supply rentals.

– Interior decorating studios.

- Laundries, self service.
- Libraries.
- Locksmith shops.
- Lodge halls.
- Medical clinics, including laboratories in conjunction therewith.
- Microwave stations.
- Motorcycle, motorscooter and trail bike rentals.
- Offices, business or professional.
- Packaging businesses.
- Party equipment rentals.
- Pet grooming, excluding boarding.
- Photocopying and duplicating services.
- Photoengravers and lithographers.
- Photography studios.
- Picture mounting and framing.
- Plumbing shops and plumbing contractor’s shops.
- Police stations.
- Post offices.
- Printers or publishers.
- Public utility service centers.
- Real estate offices.

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- Recreational equipment rentals.
- Recreational vehicle rentals.
- Repair shops, household and fix-it.
- Restaurants and other eating establishments including food take-out and outdoor dining.
- Reupholsters, furniture.
- Schools, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the state of California, but excluding trade schools.
- 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.
- Tailor shops.
- Taxidermists.
- 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.

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- Tourist information centers.
- Truck rentals, excluding trucks exceeding two tons' capacity, provided:
  a. That a specific parking area for fleet trucks is designated and located to the rear or the side of the lot, separated from the customer parking areas,
  b. That a customer drop-off parking area shall be designated in front of the lot and shall be clearly marked for customer drop off parking.
- Union halls.
- Veterinary clinics, small animal.
- Watch repair shops.

3. Recreation and amusement.

- Amusement rides and devices, operated at one particular location not longer than seven days in any six-month period.
- Athletic fields, excluding stadiums.
- Gymnasiums.
- Parks, playgrounds and beaches, with all appurtenant facilities.
- Riding and hiking trails, excluding trails for motor vehicles.

4. Agricultural uses.

- Crops--Field, tree, bush, berry and row, including the growing of nursery stock.
- Greenhouses.
- Nurseries, including the growing of nursery stock.

5. Residential uses.

– Farm worker dwelling units, subject to the applicable provisions of Part 24 of Chapter 22.52.

– Farm worker housing complexes, subject to the applicable provisions of Part 24 of Chapter 22.52.

– Single family residences, limited to one on a lot with a gross area of not less than one acre in conjunction with a commercial use listed in Subsections A.1 and A.2, above, provided that the commercial use is legally established on the same lot. The residence shall be subject to the provisions of Sections 22.20.105 (Development Standards for Single Family Residences), 22.20.110 (Height limits) and 22.20.130 (Parking). The residence shall not be located in the setback areas provided in Section 22.20.120 (Yard Requirements). These provisions shall not apply to commercial developments on the same lot.

22.28.370 Accessory Uses. Premises in Zone C-RU may be used for the following accessory uses:

– Accessory buildings and structures.

– Automobile repair and parts installation incidental to the automobile service stations and automobile supply stores, provided:

A. That such automobile repair activities do not include body and fender work, painting, major engine overhaul, or transmission repair;

B. That all repair and installation activities are conducted within an enclosed building only;

C. That a masonry wall is established and maintained along an abutting boundary with property in a Residential or Agricultural Zone, as if the area was developed for parking pursuant to Section 22.52.1060;

D. That all repair or installation activities are confined to the hours between 7:00 a.m. and 9:00 p.m. daily; and

E. That no automobile awaiting repair or installation service shall be parked or stored for a period exceeding 24 hours except within an enclosed building.

– Automobile washing, waxing, and polishing, accessory only to the sale of new automobiles, automobile service stations, and automobile supply stores.

– Boats, minor repair of, incidental to the sale of boats, provided all operations, other than the storage of boats held for sale, are conducted within an enclosed building.

– 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.

– Cargo shipping containers, limited to one.

– Home-based occupations, subject to the limitations, standards and conditions contained in Section 22.20.020.

– Processing, small scale accessory to agriculture.

– Rental, leasing and repair of articles sold on the premises, incidental to retail sales.

- Rooms in a single-family residence, where permitted, may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons.
- Signs, as provided in Part 10 of Chapter 22.52.
- Used merchandise, retail sale of, taken as trade-in on the sale of new merchandise when such new merchandise is sold from the premises.

22.28.380 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-RU may be used for:

- Access to property lawfully used for a purpose not permitted in Zone C-RU where such access will not alter the character of the premises in respect to permitted uses in Zone C-RU.
- Christmas trees and wreaths, the sale of, between December 1st and December 25th, both dates inclusive, to the extent permitted by other statutory and ordinance provisions. 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.
- Circuses and animal exhibitions.
- Domestic violence shelters, subject to the requirements of Section 22.56.1758.

- Grading projects, off-site transport, where no more than 100,000 cubic yards of materials is to be transported, subject to the standards and limitations specified in Sections 22.56.1710, 22.56.1752 and 22.56.1753.
- Homeless shelters, subject to the requirements of Section 22.56.1760.
- Joint live and work units, subject to the requirements of Section 22.56.1754.
- 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.
- Meteorological towers, temporary, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.
- Model home display centers and sales offices.
- Signs, as provided in Part 10 of Chapter 22.52.

22.28.390 Uses Subject to Permits.

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

- Adult day care facilities.
- Airports.
- Alcoholic beverages, the sale of.
- Ambulance service facilities.
- Amphitheaters.

- Amusement rides and devices, including merry-go-rounds, Ferris wheels, swings, toboggans, slides, rebound-tumbling and similar equipment operated at one particular location for longer than seven days.
- Arcades, game or movie.
- Archery ranges.
- Assaying.
- Auction houses.
- Automobile body and fender repair shops.
- Automobile painting and upholstering shops.
- Bars and cocktail lounges, but 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 parlors.
- Bowling alleys.
- Bus or freight terminals.
- Cabins.
- Car washes, automatic, coin-operated and hand wash.
- Cardrooms or clubs.
- Cargo shipping containers, in excess of one.
- Carnivals, commercial, including pony rides, for longer than seven days.

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- Colleges and universities, including appurtenant facilities, giving advanced academic instruction approved by the State Board of Education or other recognized accrediting agencies, but excluding trade schools.
- Convents and monasteries.
- Dance halls.
- Dance pavilions, outdoor.
- Dog training schools.
- Drive-through services.
- Foster family homes.
- Games of skill.
- Golf courses, including customary clubhouse and appurtenant facilities.
- 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 Director has previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project.
- Health clubs or centers.
- Helistops.
- Heliports.
- Hospitals.

- Hospitals, small animal.
- Hotels.
- Live entertainment not in conformance with the requirements of Section 22.56.1754.
- Massage parlors.
- Menageries, zoos, animal exhibitions, or other facilities for the keeping or maintaining of wild animals, except as otherwise provided in Section 22.24.160.
- Miniature golf courses.
- Mobilehome parks, as provided in Part 6 of Chapter 22.52.
- Motion picture processing, reconstruction and synchronizing of film with soundtracks.
- Motor recreational facilities.
- Mortuaries.
- Motels.
- Museums.
- Nightclubs.
- Observatories.
- Oil wells.
- Outdoor dining, where the conditions of 22.28.070.G have not or cannot be met.
- Pawnshops.

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- Permanent cosmetics parlor.
- Pipeline or transmission line.
- Pool halls.
- Public utility service yards.
- Publicly owned uses necessary for the maintenance of public health, convenience, or general welfare in addition to those uses listed in this section.
- Racetracks.
- Recording studios.
- Recreation clubs, commercial, including tennis, polo, swimming and similar outdoor recreational activities, together with appurtenant clubhouse.
- Residences, caretaker, for use by a caretaker or supervisor and his immediate family where continuous supervision is required.
- Riding academies and stables, including boarding.
- Rifle, pistol or skeet ranges.
- Rodeos, excluding horse racing.
- Rooming and boarding houses.
- Schools, trade and manual training, including shop work, repair and maintenance of machinery or mechanical equipment.
- Shooting galleries.
- Skating rinks, ice or roller.
- Ski lifts, tows, runs and warming huts.
- Stations, bus, railroad, and taxi.

- Steam or sauna baths.
- Swap meets.
- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.
- Tattoo parlors.
- Tennis, volleyball, badminton, croquet, lawn bowling and similar courts.
- Theaters and other auditoriums.
- Tire retreading or recapping.
- Travel trailer parks, as provided in Part 6 of Chapter 22.52.
- Wedding chapels.
- Youth hostels.

B. Any use listed in Section 22.28.360 that would generate vehicular traffic as to require the provision of new or additional traffic lights shall be subject to a conditional use permit.

C. The following uses, provided that the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Rehabilitation facilities for small wild animals, as provided in Part 3 of Chapter 22.56.
- Temporary uses as provided in Part 14 of Chapter 22.56.

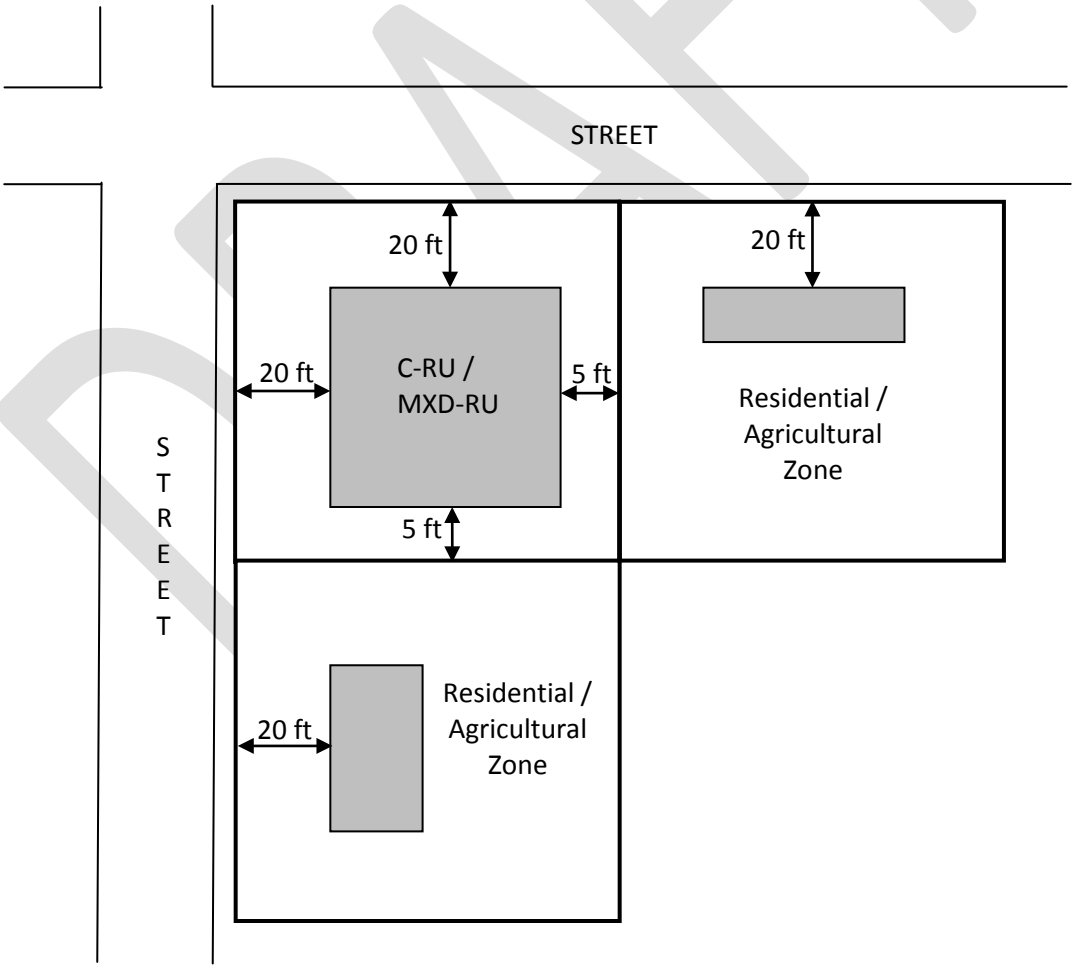
22.28.400 Development Standards. Premises in Zone C-RU shall be subject to the following development standards:

A. Minimum yards.

1. Minimum front or corner side yards shall be equal to the front yard required on any contiguous Residential or Agricultural Zone where the property adjoins a street.

2. Properties adjoining a Residential or Agricultural zone shall have a minimum side or rear yard of five feet from the lot line adjoining the Residential or Agricultural Zone.

3. Any required yards shall also be subject to the general provisions and exceptions contained in Chapter 22.48, as specified.



B. Maximum Floor Area (FAR) ratio. The maximum commercial FAR shall be 0.5.

C. Maximum density. The maximum density for residential projects in Zone C-RU is five dwelling units per acre.

D. Maximum height. The maximum building height shall be 35 feet above grade, excluding signs which are permitted by Part 10 of Chapter 22.52, chimneys, and rooftop antennas, except as otherwise provided by an applicable Community Standards District.

E. Maximum lot coverage. The gross area occupied by buildings shall not exceed 50 percent of net lot area;

F. Minimum landscaped area.

1. Required landscaping. A minimum of 10 percent of the net lot area devoted to commercial use, including parking and other appurtenant uses, shall be landscaped with drought-tolerant landscaping and hardscaping, which shall be continuously maintained in good condition. Incidental walkways may be developed in the landscaped area.

G. Parking requirements. Bicycle and vehicle parking facilities shall be provided as required by Part 11 of Chapter 22.52, except as amended by this Subsection G. In addition, all vehicle parking facilities shall have the following requirements:

1. Parking areas shall be set back a minimum of five feet from any adjacent Residential or Agricultural Zone. The setback area shall be landscaped with at least one 24-inch box tree for every 20 linear feet of street frontage.

2. Parking spaces shall be used only by visitors, customers, owners or tenants of a legally established use on the premises.

3. Vehicles shall not be parked in the required parking spaces on the premises for more than 24 hours.

4. Parking spaces for recreational vehicles and trailers and semi-trucks shall be designed as pull-through parking spaces.

5. Different types of parking spaces shall not be placed within the same row.

a. Driveways for recreational vehicles and semi-trucks shall be separate from driveways for passenger vehicles wherever feasible. However, if a shared driveway is to be used where large vehicles would cross into identified pedestrian walkways, pavement markers, paint schemes or signs shall be used to indicate caution that pedestrians may be in the area.

7. Adequate turning spaces shall be provided on site so that vehicles shall enter into and exit out of the parking lot head first.

8. All requirements for ingress and egress to public rights of way shall be designed to the satisfaction of the Department of Public Works.

9. For ambulance emergency services facilities, no more than two ambulances may be on site at any one time and a designated parking space shall be provided for each ambulance on site.

H. Vehicle Parking Incentives. A maximum of 40 percent of the total required vehicle parking spaces may be converted to Large Vehicle, Recreational Vehicle and

Trailer, and Semi-truck parking spaces, in any combination thereof, in accordance with the following provisions:

1. The parking spaces shall be developed with the minimum dimensions specified below and shall count towards compliance with the required number of parking spaces equivalent to the number of standard parking spaces specified in the table below:

Parking Type	Minimum Dimensions (based on a 90 degree angle	Equivalent in Counting Towards Required Parking Spaces
Large Vehicles (Classes 2 through 6, based on Gross Vehicle Weight Rating)	13 x 23 ft	2 standard parking spaces
Recreational Vehicles and Trailers	13 x 50 ft	4 standard parking spaces
Semi-trucks	13 x 70 ft	5 standard parking spaces

2. Incentives for semi-truck parking spaces shall be applied only in Special Parking Districts identified by the local Area Plan.

3. If the parking incentives listed in subsection H.1, above, are requested, then any compact parking spaces pursuant to Section 22.52.1082 shall be prohibited.

I. Screening. All mechanical equipment, trash containers, and dumpsters shall be completely screened from view from adjacent streets, walkways, and residences through the use of walls and/or landscaping. Standards for trash and recycling containers shall be in conformance with Subsection C of Section 22.52.1930.

J. Storage.

1. Outside storage. Outdoor storage is permitted on the rear of a lot when such storage is strictly incidental to the permitted use on the same lot. Any outside area used for storage shall be completely enclosed by a solid masonry wall and solid gate, not less than five feet nor more than six feet in height, except that the Director may approve the substitution of a fence or decorative wall that will adequately comply with the provisions of this Section. All such requests for substitution shall be subject to the provisions of Part 12 of Chapter 22.56.

2. Cargo shipping containers. One cargo shipping container not exceeding 10 feet in height, 10 feet in width, and 40 feet in length, may be used for storage, provided that the cargo shipping container shall:

a. Be incidental to a permitted primary use on the same lot;

b. Be placed at least six feet from a legally established primary structure;

c. Be painted one uniform color and the sides of containers shall not display images or lettering, except for signs providing safety information related to the contents stored within, if required by the County Code or other applicable regulations; and

d. Be maintained in compliance with the Building Code Manual of the Department of Public Works, including the issuance of a Miscellaneous Permit by Public Works.

e. Additional cargo shipping containers on the same lot shall require a conditional use permit per Section 22.28.400, and shall comply with Subsections J.2.a, b and c, above, and also the following:

i. The containers shall not be stacked on top of each other; and

ii. The containers shall be placed at least six feet apart from each other, unless otherwise indicated on an approved site plan.

K. Outside display. Except for the following uses, all display in Zone C-RU shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit, provided that no vehicle or equipment shall be stacked on top of another:

- Antique shops.
- Automobile sales and rentals.
- Automobile service stations.
- Boat and other marine vehicle sales and rentals.
- Carnivals, temporary.
- Ceramic shops.
- Crops--field, tree, bush, berry and row, including nursery stock.
- Electric distribution substations.
- Farm equipment – storage, sales and rentals.
- Feed and grain sales, up to a maximum of eight feet in height, provided that no product is displayed within 10 feet of all property lines.
- Firewood sales, up to a maximum of eight feet in height, provided that no product is displayed or stored within 10 feet of all property lines.
- Florist shops.

- Fruit and vegetable markets, displayed up to a maximum eight feet in height, provided that no product is displayed within 10 feet of all property lines.
- Gas metering and control stations, public utility.
- Mobilehome sales.
- Motorcycle, motorscooter and trail bike sales and rentals.
- Newsstands.
- Recreational vehicles sales and rentals.
- Restaurants and other eating establishments, including food take-out, subject to the standards specified by Subsection G of Section 22.28.070.
- Truck rentals, excluding trucks exceeding two tons' capacity.

L. Signs. All sign regulations for Zone C-RU shall be the same as for Zone C-2 in Part 10 of Chapter 22.52 (Signs).

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SECTION 6. Part 11 of Chapter 22.40 is hereby added to read as follows:

Part 11

MXD-RU RURAL MIXED USE DEVELOPMENT ZONE

Sections:

22.40.500 Purpose.

22.40.505 Permitted Uses.

22.40.510 Accessory Uses.

22.40.515 Uses Subject to Director's Review and Approval.

22.40.520 Uses Subject to Permits.

22.40.525 Development Standards.

22.40.500 Purpose. The Rural Mixed Use Development Zone (MXD-RU) is established to implement the MU-R (Mixed Use-Rural) land use designation in areas of the County mapped in the General Plan. The zone provides for an appropriate mix of a limited range of commercial uses and low-density residential uses within town centers. The zone encourages development of projects that serve as social and economic focal points for town centers, while maintaining compatibility with surrounding Rural Commercial, Residential and Agricultural Zones.

22.40.505 Permitted uses. Premises in Zone MXD-RU may be used for:

A. The following commercial uses:

1. Sales.

– Antique shops, genuine antiques only.

– Appliance stores, household.

- Art galleries.
- Art supply stores.
- Automobile sales, new and used.
- Automobile supply stores, with no installation of parts.
- Bait and tackle shops.
- Bakery shops, including baking only when incidental to retail sales from the premises.
- Bicycle shops.
- Boat and other marine sales.
- Bookstores.
- Ceramic shops, excluding a kiln or manufacture.
- Clothing stores.
- Confectionery or candy stores, including making only when incidental to retail sales from the premises.
- Delicatessens.
- Dress shops.
- Drugstores.
- Feed and grain sales.
- Fine arts galleries.
- Firewood, sale of, but excluding the incidental cutting of firewood to size.
- Florist shops.

- Fruit and vegetable markets.
- Furniture stores.
- Furrier shops.
- Gift shops.
- Glass and mirror sales, including automobile glass installation only when conducted within an enclosed building.
- Grocery stores.
- Hardware stores, including the sale of lumber and other building materials and supplies but excluding milling or woodworking other than incidental cutting of lumber to size.
- Health food stores.
- Hobby supply stores.
- Ice cream shops.
- Ice sales, excluding ice plants.
- Jewelry stores.
- Lapidary shops.
- Leather goods stores.
- Meat markets, excluding slaughtering.
- Millinery shops.
- Motorcycle, motorscooter and trail bike sales.
- Music stores.
- Newstands.

- Notion or novelty stores.
- Office machines and equipment sales.
- Paint and wallpaper stores.
- Pet supply stores, excluding the sale of pets other than tropical fish or goldfish.
- Photographic equipment and supply stores.
- Radio and television stores.
- Retail stores.
- Secondhand stores.
- Shoe stores.
- Silver shops.
- Souvenir shops.
- Sporting goods stores.
- Stationery stores.
- Tobacco shops.
- Toy stores.
- Yarn and yardage stores.

2. Services.

- Air pollution sampling stations.
- Arboretums and horticultural gardens.
- Automobile rental and leasing agencies.

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- Automobile service stations, including oil and lube, incidental repair, washing and rental of utility trailers subject to the provisions of Section 22.40.405.
- Banks, savings and loans, credit unions and finance companies.
- Barber shops, provided that such shops comply with American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) 62-2001 Indoor Air Quality Standards.
- Beauty shops, provided that such shops comply with American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) 62-2001 Indoor Air Quality Standards.
- Bicycle and motor scooter rentals.
- Blueprint shops.
- Catering services.
- Catalog and internet order businesses.
- Child care centers.
- Churches, temples, or other places used exclusively for religious worship.
- Communication equipment buildings.
- Community centers.
- Costume rentals.
- Dental clinics, including laboratories in conjunction therewith.

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- Dry cleaning establishments, excluding wholesale dry cleaning plants, provided that such shops comply with American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) 62-2001 Indoor Air Quality Standards.
- 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 he deems it appropriate. All such substitutions shall be subject to the provisions of Part 12 of Chapter 22.56 on the director's review; and
  b. That the area between the fence or wall and the lot line is landscaped and maintained while such use exists.
- Electricians' shops.
- Employment agencies.
- Family child care homes, large.
- Family child care homes, small.
- Fire stations.
- First aid stations.
- Foster family homes.

- Furniture and appliance rentals.
- Gas metering and control stations.
- Hospital equipment and supply rentals.
- Interior decorating studios.
- Laundries, self-service.
- Libraries.
- Locksmith shops.
- Lodge halls.
- Medical clinics, including laboratories in conjunction therewith.
- Microwave stations.
- Motorcycle, motorscooter and trail bike rentals.
- Offices, business or professional.
- Party equipment rentals.
- Pet grooming, excluding boarding.
- Photocopying and duplicating services.
- Photography studios.
- Picture mounting and framing.
- Plumbing shops and plumbing contractor’s shops.
- Police stations.
- Post offices.
- Printers or publishers.

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- Public utility service centers.
- Real estate offices.
- Recreational equipment rentals.
- Repair shops, household and fixit.
- Restaurants and other eating establishments including food take-out and outdoor dining.
- Schools through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the state of California, but excluding trade schools.
- 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.
- Small family homes, children.
- Tailor shops.
- Telephone repeater stations.
- Tourist information centers.
- Truck rentals, excluding trucks exceeding two tons' capacity, provided:

  a. That a specific parking area for fleet trucks is designated and

located to the rear or the side of the lot, separated from the customer parking areas; and

b. That a customer drop-off parking area shall be designated in front of the lot and shall be clearly marked for customer drop off parking.

- Union halls.
- Veterinary clinics, small animal.
- Watch repair shops.

B. Recreation and amusement.

- Amusement rides and devices, operated at one particular location not longer than seven days in any six-month period.
- Parks, playgrounds and beaches, with all appurtenant facilities.
- Riding and hiking trails, excluding trails for motor vehicles.

C. Agricultural uses.

- Crops--Field, tree, bush, berry and row, including the growing of nursery stock.
- Greenhouses.
- Nurseries.

D. Residential uses.

- Farm worker dwelling units, subject to the applicable provisions of Part 24 of Chapter 22.52.
- Farm worker housing complexes, subject to the applicable provisions of Part 24 of Chapter 22.52.

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– Group homes for children, limited to six or fewer persons.

– Joint live/work units, subject to the requirements of Section 22.56.1754.

– Single-family residences, in conjunction with a commercial use listed in Subsections A.1 and A.2, above, provided that the commercial use is legally established on the same lot. The residence shall be subject to the provisions of Sections 22.20.105 (Development Standards for Single Family Residences), 22.20.110 (Height Limits) and 22.20.130 (Parking). The residence shall not be located in the setback areas provided in Section 22.20.120 (Yard Requirements). These provisions shall not apply to commercial developments on the same lot.

– The following residential uses, provided that the residential uses are developed as a mixed use development with commercial components:

1. Apartments with five or less dwelling units;
2. Duplexes;
3. Townhouses

E. Other uses.

– Signs, as provided in Part 10 of Chapter 22.52.

22.40.510 Accessory Uses. Premises in Zone MXD-RU may be used for the following accessory uses:

– Accessory buildings and structures.

– Automobile repair and parts installation incidental to the automobile service stations and automobile supply stores, provided:

A. That such automobile repair activities do not include body and fender

work, painting, major engine overhaul, or transmission repair;

B. That all repair and installation activities are conducted within an enclosed building only;

C. That a masonry wall is established and maintained along an abutting boundary with property in a Residential or Agricultural Zone, as if the area was developed for parking pursuant to Section 22.52.1060;

D. That all repair or installation activities are confined to the hours between 7:00 a.m. and 9:00 p.m. daily; and

E. That no automobile awaiting repair or installation service shall be parked or stored for a period exceeding 24 hours except within an enclosed building.

– Automobile washing, waxing and polishing, accessory only to the sale of new automobiles, automobile service stations and automobile supply stores.

– Boats, minor repair of, incidental to the sale of boats, provided all operations, other than the storage of boats held for sale, are conducted within an enclosed building.

– 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.

– Cargo shipping containers, limited to one.

– Home-based occupations, subject to the limitations, standards and conditions contained in Section 22.20.020.

- Rental, leasing and repair of articles sold on the premises, incidental to retail sales.
- Rooms in a single-family residence, where permitted, may be rented to four or fewer residents, with or without table board, unless the residence is also used as an adult residential facility or a group home for children and either use has a capacity of more than six persons.
- Signs, as provided in Part 10 of Chapter 22.52.
- Used merchandise, retail sale of, taken in as trade-in on the sale of new merchandise when such new merchandise is sold from the premises.

22.40.515 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 MXD-RU may be used for:

- Access to property lawfully used for a purpose not permitted in Zone MXD-RU where such access will not alter the character of the premises in respect to permitted uses in Zone MXD-RU.
- Christmas trees and wreaths, the sale of, between December 1st and December 25th, both dates inclusive, to the extent permitted by other statutory and ordinance provisions. 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.
- Grading projects, off-site transport, where no more than 100,000 cubic yards

of materials is to be transported, subject to the standards and limitations specified in Sections 22.56.1710, 22.56.1752 and 22.56.1753.

- Homeless shelters, subject to the requirements of Section 22.56.1760.
- 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.
- Model home display centers and sales offices.
- Signs, as provided in Part 10 of Chapter 22.52.
- Temporary uses as provided in Part 14 of Chapter 22.56.

22.40.520 Uses Subject to Permits. Premises in Zone MXD-RU 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 full force and effect in conformity with the conditions of such permit:

- Adult day care facilities.
- Airports.
- Alcoholic beverage sales.
- Ambulance emergency service facilities.
- Amphitheaters.
- Apartment houses that are not part of a mixed use development or are part of a mixed use development but with more than five dwelling units.
- Arcades, games or movies.
- Assaying.

- Auction houses, excluding animal auctions.
- Automobile battery service.
- Automobile brake repair shops.
- Automobile muffler shops.
- Automobile radiator shops.
- Automobile repair garages, excluding body and fender work, painting and upholstering.
- Bars and cocktail lounges, but 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.
- Boat rentals.
- Body piercing parlors.
- Book binderies.
- Bowling alleys.
- Bus or freight terminals.
- Car washes, automatic, coin-operated and hand wash.
- Cardrooms or clubs.
- Carpet and rug cleaners.
- Colleges and universities, including appurtenant facilities, giving advanced academic instruction approved by the State Board of Education or other recognized accrediting agencies, but excluding trade schools.

- Convents and monasteries.
- Dance halls.
- Drive-through services.
- 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 Section 22.56.210 and 22.56.230.
- Grading projects, on-site, but excluding projects where the hearing officer or the 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 for children, having seven or more children.
- Gymnasiums.
- Health clubs or centers.
- Heliport.
- Helistop.
- Hospitals.
- Hospitals, small animal.
- Hotels.
- Live entertainment not in conformance with the requirements of Section 22.56.1754.
- Massage parlors.

- Menageries, zoos, animal exhibitions or other facilities for the keeping or maintaining of wild animals.
- Miniature golf courses.
- Mobilehome parks, as provided in Part 6 of Chapter 22.52.
- Motels.
- Motion picture processing, reconstruction, and synchronizing of film with sound tracks.
- Museums.
- Nightclubs.
- Observatories.
- Outdoor dining, where the conditions of Subsection G of Section 22.28.070 have not or cannot be met.
- Packaging businesses.
- Pawnshops.
- Permanent cosmetics parlor.
- Photoengravers and lithographers.
- Pool halls.
- Publicly owned uses necessary for the maintenance of public health, convenience, or general welfare in addition to those uses listed in this Section.
- Recording studios.
- Residences, caretaker, for use by a caretaker or supervisor and his

immediate family where continuous supervision is required.

- Rooming and boarding houses.
- Schools, trade and manual training, including shop work, repair and maintenance of machinery or mechanical equipment.
- Skating rinks, ice or roller.
- Stations, bus, railroad and taxi.
- Steam or sauna baths.
- Swap meets.
- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.
- Tattoo parlors.
- Tennis, volleyball, badminton, croquet, lawn bowling and similar courts.
- Theaters and other auditoriums.
- Tool rentals, including rototellers, power mowers, sanders and saws, cement mixers and other equipment, but excluding heavy machinery or trucks exceeding two tons' capacity.
- Travel trailer parks, as provided in Part 6 of Chapter 22.52.
- Wedding chapels.
- Youth hostels.

B. The following uses, provided the specified permit has first been obtained and while such permit is in full force and effect in conformity with the conditions of such permit for:

– Qualified projects, as provided in Part 17 of Chapter 22.52 and Part 18 of Chapter 22.56

– Temporary uses, as provided in Part 14 of Chapter 22.56.

22.40.525 Development Standards. Premises in Zone MXD-RU shall be subject to the following development standards:

. A. Minimum yards.

1. Minimum front or corner side yards shall be equal to the front yard required on any contiguous Residential or Agricultural Zone where the property adjoins a street.

2. Properties adjoining a Residential or Agricultural Zone shall have a minimum side or rear yard of five feet from the lot line adjoining the Residential or Agricultural Zone.

3. Any required yards shall be also subject to the general provisions and exceptions contained in Chapter 22.48, as specified.

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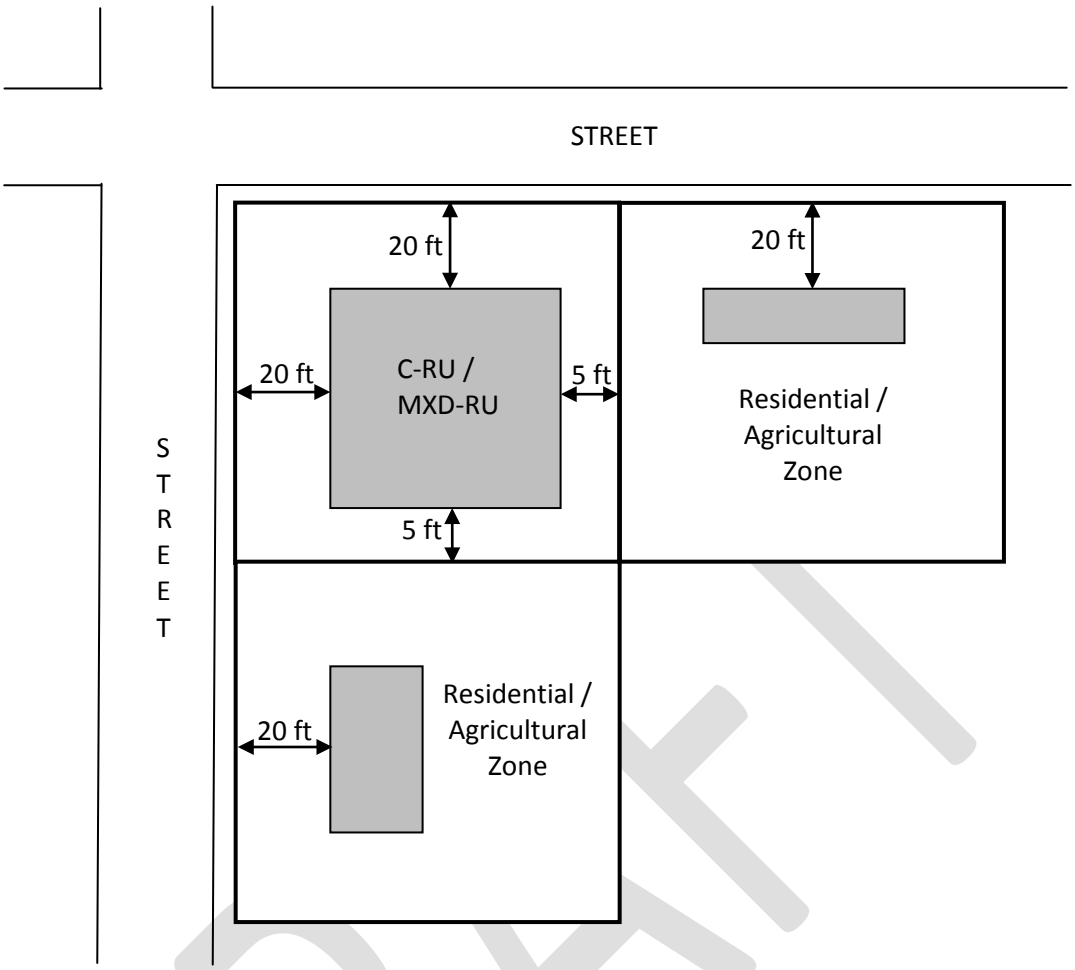

B. Maximum Floor Area Ratio (FAR). The maximum commercial FAR shall be 0.5.

C. Maximum density. The maximum density for residential projects in Zone MXD-RU is five dwelling units per acre.

D. Maximum height. The maximum building height shall be 35 feet above grade or two stories, excluding chimneys and rooftop antennas, except as otherwise provided by an applicable Community Standards District.

E. Maximum lot coverage. The gross area occupied by buildings shall not exceed 90 percent of net lot area.

F. Minimum landscaped area.

1. Required landscaping. A minimum of 10 percent of the net lot area

devoted to commercial use, including parking and other appurtenant uses, shall be landscaped with drought-tolerant landscaping and hardscaping, which shall be continuously maintained in good condition. Incidental walkways may be developed in the landscaped area.

G. Parking requirements. Bicycle and vehicle parking facilities shall be provided as required by Part 11 of Chapter 22.52, except as amended by this Subsection G. In addition, all vehicle parking facilities shall have the following requirements:

1. Parking areas shall be set back a minimum of five feet from any adjacent Residential or Agricultural Zone. The setback area shall be landscaped with at least one 24 inch box tree for every 20 linear feet of street frontage.

2. Parking spaces shall be used only by visitors, customers, owners or tenants of a legally established use on the premises.

3. Vehicles shall not be parked in the required parking spaces on the premises for more than 24 hours.

4. Parking spaces for recreational vehicles and trailers and semi-trucks shall be designed as pull-through parking spaces.

5. Different types of parking spaces shall not be placed within the same row.

6. Driveways for recreational vehicles and semi-trucks shall be separate from driveways for passenger vehicles wherever feasible. However, if a shared driveway is to be used where large vehicles cross into identified pedestrian walkways, pavement markers, paint schemes or signs shall be used to indicate caution

that pedestrians may be in the area.

7. Adequate turning spaces shall be provided on site so that vehicles shall enter into and exit out of the parking lot head first.

8. All requirements for ingress and egress to public rights of way shall be designed to the satisfaction of the Department of Public Works.

H. Vehicle Parking Incentives. A maximum of 40 percent of the total required vehicle parking spaces may be converted to Large Vehicle; Recreational Vehicle and Trailer; and Semi-truck parking spaces, in any combination thereof, in accordance with the following provisions:

1. The parking spaces shall be developed with the minimum dimensions specified below and shall count towards compliance with the required number of parking spaces equivalent to the number of standard parking spaces specified in the table below:

Parking Type	Minimum Dimensions (based on a 90 degree angle)	Equivalent in Counting Towards Required Parking Spaces
Large Vehicles (Classes 2 through 6, based on Gross Vehicle Weight Rating)	13 ft x 23 ft	2 standard parking spaces
Recreational Vehicles and Trailers	13 ft x 50 ft	4 standard parking spaces
Semi-trucks	13 ft x 70 ft	5 standard parking spaces

2. Incentives for semi-truck parking spaces shall be applied only in Special Parking Districts identified by the local Area Plan.

3. If the parking incentives listed in subsection G.1, above, are requested, then any compact parking spaces pursuant to Section 22.52.1082 shall be

prohibited.

I. Screening. All mechanical equipment, trash containers, and dumpsters shall be completely screened from view from adjacent streets, walkways, and residences through the use of walls and/or landscaping. Standards for trash and recycling containers shall be in conformance with Subsection C of Section 22.52.1930.

J. Storage

1. Outside storage. Outside storage is permitted on the rear of a lot when such storage is strictly incidental to the permitted use on the same lot. Any outside area used for storage shall be completely enclosed by a solid masonry wall and solid gate, not less than five feet nor more than six feet in height, except that the Director may approve the substitution of a fence or decorative wall that will adequately comply with the provisions of this Section. All such requests for substitution shall be subject to the provisions of Part 12 of Chapter 22.56.

2. Cargo shipping containers. One cargo shipping container not exceeding 10 feet in height, 10 feet in width, and 40 feet in length, may be used for storage, provided that the cargo shipping container shall:

a. Be incidental to a permitted primary use on the same lot;

b. Be placed at least six feet from a legally established primary structure;

c. Be painted one uniform color and the sides of containers shall not display images or lettering, except for signs providing safety information related to the contents stored within, if required by the County Code or other applicable regulations; and

d. Be maintained in compliance with the Building Code Manual of the Department of Public Works, including the issuance of a Miscellaneous Permit byPublic Works.

d. Additional cargo shipping containers on the same lot shall require a conditional use permit per Section 22.40.520, and shall comply with SubsectionsJ.2.a, b and c, above, and also the following:

iii. The containers shall not be stacked on top of each other; and

iv. The containers shall be placed at least six feet apart from each other, unless otherwise indicated on an approved site plan.

K . Outside display. Except for the following uses, all display in Zone MXD-RU shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit, provided that no vehicle or equipment shall be stacked on top of another:

- Antique shops.
- Automobile sales and rentals.
- Automobile service stations.
- Boat and other marine vehicle sales and rentals.
- Ceramic shops.
- Crops--field, tree, bush, berry and row, including nursery stock.
- Electric distribution substations.
- Feed and grain sales, up to a maximum of eight feet in height, provided that no product is displayed within 10 feet of all lot lines.

- Firewood sales, up to a maximum of eight feet in height, provided that no product is displayed within 10 feet of all lot lines.
- Florist shops.
- Fruit and vegetable markets, displayed up to a maximum of eight feet in height, provided that no product is displayed within 10 feet of all lot lines.
- Gas metering and control stations, public utility.
- Motorcycle, motorscooter and trail bike sales and rentals.
- Newstands.
- Restaurants and other eating establishments, including food take-out, subject to the standards specified by Subsection G of Section 22.28.070.
- Truck rentals, excluding trucks exceeding two tons' capacity.

K. Signs. All sign regulations for Zone MXD-RU shall be the same as for Zone C-1 in Part 10 of Chapter 22.52 (Signs).

L. Standards for mixed use developments. Combined residential and/or commercial uses on the same lot shall be developed in either arrangement; however they shall conform to the maximum building height:

e. Vertical. Vertical mixed use developments shall be subject to the requirements and restrictions of Part 18 of Chapter 22.52 (Mixed Use Developments).

f. Horizontal. Horizontal mixed use development shall be subject to the following requirements and restrictions:

i. All restrictions and standards listed in Subsection B of Section 22.52.1910 (Permitted Areas), Subsections B and C of Section 22.52.1940 (Performance Standards) and Section 22.52.1950 (Covenant and Agreement) shall

apply.

ii. Notwithstanding the provisions of Section 22.48.130, a minimum distance of 10 feet shall be required between all residential buildings and all commercial buildings established on the same lot, unless otherwise approved by a conditional use permit.

iii. Conversion from a mixed use development to an exclusively residential use pursuant to Section 22.52.1960 (Conversion of uses subject to permit) shall not be permitted in this zone.

iv. Separate vehicular access shall be provided for commercial and residential uses.

g. Prohibited Activities. In addition to the activities listed in Section 22.52.1920 (Use Exceptions), the following activities shall be prohibited in mixed use developments in the zone:

i. Amphitheaters.

ii. Bus or freight terminals.

iii. Dry cleaning establishments, except that drop of and pick up sites may still be permitted in a mixed use development if the clothes are cleaned at a different location.

iv. Earth stations.

v. Feed and grain sales.

vi. Firewood sales.

vii. Golf driving ranges.

viii. Hospitals.

ix. Hospitals, small animal.

x. Meat markets.

xi. Menageries, zoos, animal exhibitions or other facilities for the keeping or maintaining of wild animals.

xii. Nightclubs.

xiii. Paint and wallpaper stores.

xiv. Travel trailer parks.

xv. Veterinary clinics.

SECTION 7. Section 22.56.215 is hereby amended to read as follows:

22.56.215 Hillside Management and Significant Ecological Areas – Additional Regulations.

A. 1. Permit Required. Except as specified in subsection C, below, prior to the issuance of any building or grading permits, the relocation of two or more property lines between three or more contiguous lots in a coordinated effort as determined by the Director regardless of the ownership of the involved lots and regardless of whether the relocations are applied for concurrently or through multiple successive applications, approval of a minor land division or subdivision, or the commencement of any construction or enlargement of any building or structure on a lot which is in or partly in an area designated in the General Plan and related maps as a significant ecological area or within a hillside management area as specified herein, a conditional use permit shall be applied for and approved as provided by this Section.

…

3. A conditional use permit is required in significant ecological areas when:

a. The property contains an area designated in the General Plan and related maps as a significant ecological area as adopted on or after January 1, 2012, and the portion of a lot within such area is proposed to be developed; or

b. The property contains an area designated in the General Plan and related maps as a significant ecological area as adopted prior to January 1, 2012, and any portion of a lot which is in or partly in such area, is proposed to be developed.

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