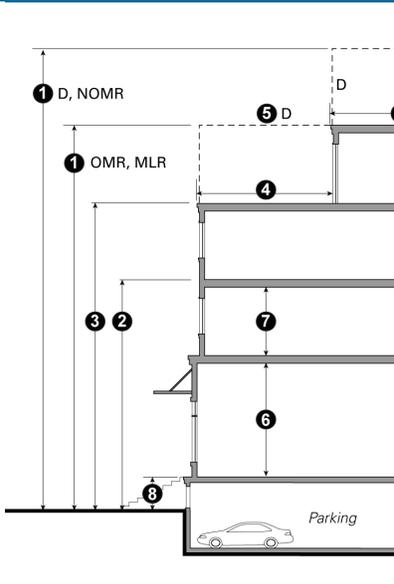


TOWN OF MAMMOTH LAKES ZONING CODE UPDATE

COMMERCIAL ZONING DISTRICTS *Use Regulations*



DRAFT

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Introduction

The Town of Mammoth Lakes Zoning Code Update (ZCU) was initiated by the Town Council with the goal of incorporating the 2007 General Plan into the Zoning Code as well as cleaning up and modernizing the Town's zoning regulations. The goal of the project is to create an up-to-date set of rules that will govern land development in the Town. Town staff has completed a draft of the Code, which is available to view on the Town's website. Draft chapters, including a Draft Commercial Zoning Districts chapter, have been reviewed by the Zoning Code Committee, Zoning Code Users Group, Planning Commission, stakeholders, and interested parties such as residents, businesses, and property owners.

Guiding the Town's work are the following Zoning Code Update goals:

- **Promote Sustainability:** To incorporate standards that promote sustainability of development in the Town and incorporate the goals, policies, and actions outlined in the General Plan.
- **Promote Quality and Design:** To incorporate standards that improve development quality and design.
- **Improve Readability and Usability:** To use charts, graphics, and illustrations to make the Code easier to read and to reorganize the material to group similar regulations together.

In 2010, the Town received a grant from the Strategic Growth Council to focus on incorporating sustainability principles into the Code, including provisions for mixed use development and form-based zoning concepts in the Commercial Zoning Districts. Through a part of this grant, the Town retained Dyett & Bhatia to evaluate the Town's Draft Commercial Zoning Districts regulations and determine if there are any changes that can be made in order to better meet the goals of the Zoning Code Update.

This paper proposes a revised set of use regulations for the Commercial Zoning Districts intended to implement the General Plan and the concepts in several neighborhood district planning studies (Neighborhood, Downtown Main Street, North Old Mammoth Road, South Districts). The regulations were developed based on the a review of the existing regulations, Design Guidelines, other sections of the Draft Zoning Code Update, other materials such as technical studies and background reports prepared as part of the ZCU, project plans for recent and proposed development in the Commercial Zoning Districts, a site tour, and meetings with staff and the Downtown Working Group. The revised regulations incorporate most of the substantive requirements in the Draft Chapter 17.24, Commercial Zoning Districts, with refinements and new provisions to improve usability and clarity and implement the community's vision for the area and respond to feedback on the appropriate level of review for certain uses.

APPROACH TO USE REGULATION

Zoning provisions governing development review create the procedural environment through which the Town can achieve the goals and policies laid out in its General Plan and other adopted policies. At their best, development review provisions can promote the type of development a community wants by providing a clear, predictable path to project approval; conversely, vague review processes with unclear requirements can cause developers a high level of anxiety, frustrate community residents, and severely

dampen a community's ability to attract desirable growth. Generally, prospective developers value three central qualities in administrative procedures: certainty in the requirements and structure of the review process, built-in flexibility to adjust standards to the needs of individual projects, and opportunities to request relief from requirements that constitute a substantial burden. Certainty about the types of development they can expect to see in their community is also important to residents. The degree to which Mammoth Lakes can incorporate these qualities into its Zoning Code will help improve its ability to compete for development in the near future.

The flexibility of a zoning code is largely defined by its hierarchy of uses and their required permits. This hierarchy establishes the different levels of review the code requires to make zoning decisions on various types of uses. These decisions typically range from a relatively informal counter staff review of proposed uses for compliance with the regulations to more formal and complex procedures requiring public notice and a hearing before the Planning Commission prior to issuance of a use permit or other discretionary zoning approval.

The primary factor influencing a project's place in the hierarchy of uses is whether the proposed use is permitted "by right" subject to conformity with the zoning code or whether a Use Permit is required.

The ZCU provides an opportunity to adjust review thresholds based on analysis of the types of issues and projects in the Town that have typically generated the most interest and concern. Generally speaking, responsibilities should be assigned with a view toward minimizing the number of players involved in making any given decision, while increasing opportunities for meaningful public input. The goal is to help expedite project approvals and reduce the cost to business owners seeking to invest in Mammoth while ensuring new development serves to implement the community's vision.

Currently, many projects in the commercial districts require a Use Permit as well as Design Review. Members of the Downtown Working Group expressed concern that this process leads to much uncertainty regarding what could be built on a property, thus discouraging investment and redevelopment of properties. There was general consensus that uses that support the community vision of a vibrant Town center should be allowed by right subject to Design Review, thus allowing for a public process to address community concerns and project design while providing some certainty as to what can be built on a property. Use Permits, with review by the Planning Commission, would still be required for uses that raise compatibility issues, may generate substantial public controversy, or involve significant land use policy decisions. This approach serves to provide additional certainty to prospective developers about what they can build on a property as long as community expectations for design are met.

PROPOSED COMMERCIAL ZONING DISTRICT USE REGULATIONS

Allowed uses are classified according to use groups and presented in tables intended to provide a quick and easy summary of development possibilities in a given district. Use tables specify the level of review required, list any limitations on permitted uses, and provide cross-references to other sections of the code where additional regulations apply. Design Review is required for all projects in the Commercial Zoning Districts that meet the threshold for Design Review identified in Draft Chapter 17.88, Design Review. The goal of the proposed revisions to use regulations is to create a streamlined, user-friendly set of standards that clearly establishes permitted development in each district.

The intent of the regulations are to encourage the types of uses consistent with the vision for the Commercial Districts established in the General Plan and Neighborhood District Planning Studies and

identified in economic studies completed for the Town. The proposed changes are also intended to provide clarity of the types of uses allowed along Designated Retail Street frontages. Requiring ground floor frontages along Designated Retail Streets to be occupied by retail, restaurant, and other active pedestrian-oriented uses helps activate the street. Allowing additional uses to be located interior to the site provides flexibility. Other changes include allowing for smaller-scale entertainment and recreation uses along Designated Retail Streets with an Administrative Permit while larger uses would be located interior to the site or in other locations.

Finally, Mixed-Use Development has been removed as a separate use type subject to Use Permit approval. Any use identified in Table 2-4 in the applicable district is allowed subject to the standards and limitations established for the district. A mix of allowed uses is permitted on a site, subject to the highest permit level required for any individual use proposed as part of the project.

Section 2, Land Use Definitions Related to Commercial Zoning Districts, is a reference section that includes definitions for the land uses allowed within the Commercial Zoning Districts. These definitions are provided to aid in review of the proposed use regulations.

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1 Commercial Zoning Districts Use Regulations

17.24.010 District Purposes

In addition to the objectives outlined in Section 17.04 of this Title, the commercial zones are included in the zoning regulations to achieve the following purposes:

- A. To provide appropriately located areas for retail stores, restaurant, entertainment, service uses, office uses, and wholesale businesses, offering commodities and services required by residents and visitors;
- B. To encourage animated, active, pedestrian-oriented environments that are attractive to residents and visitors alike;
- C. To encourage commercial lodging facilities, such as hotels, motels, lodges and similar transient lodging uses, to congregate for the convenience of visitors to the community and for ease of accessibility which implements the Town's feet first mobility and shared parking priorities;
- D. To encourage commercial uses to be grouped for the convenience of the public and for a more mutually beneficial relationship to each other;
- E. To provide adequate space to meet the needs of modern commercial development, including off-street parking;
- F. To protect neighboring residential properties from noise, odor, smoke, unsightliness and other objectionable influences; and
- G. To promote high standards of site planning, architecture and landscape design for office and commercial developments within the town.

Additional purposes of the individual commercial zoning districts and the manner in which they are applied are as follows.

Downtown District (D). The standards of this district are intended to encourage a mix of uses with an emphasis on retail, entertainment, restaurant and cultural uses. This district may also accommodate mixed use and live/work uses. The development standards of the D district are intended to provide an animated, pedestrian-friendly environment with high visual quality. The D zoning district is consistent with the Commercial 2 (C-2) land use designation of the General Plan.

Old Mammoth Road (OMR) District. The OMR zoning district identifies areas along major corridors appropriate for small to medium scale commercial uses, emphasizing community serving retail, artist galleries, office and service uses. This district may also accommodate mixed use, live/work, and infill developments. The OMR zoning district is consistent with the Commercial 2 (C-2) land use designation of the General Plan.

Mixed Lodging/Residential (MLR) District. The MLR zoning district identifies areas appropriate for a wide range of medium scale residential and lodging uses, with an emphasis on transient occupancy lodging. The MLR zoning district is consistent with the Commercial 1 (C-1) land use designation of the General Plan.

17.24.020 Commercial District Land Uses and Permit Requirements

- A. **General permit requirements.** Table 2-4 identifies the uses of land allowed by this Zoning Code in each commercial zone, and the planning permit required to establish each use, in compliance with Section 17.08 (Development and Land Use Approval Requirements).
1. Other uses may be allowed as determined by the Director to be similar to and not more detrimental to uses listed in Table 2-4.
 2. In multitenant centers, wherever there is a change in building occupancy and the new use is similar to or no more intrusive than the previous use and meets all development standards applicable to the previous use, a use permit, if specified for the use, shall not be required.
 3. Design Review is required for proposed projects based on specified criteria as identified in Chapter 17.88, Design Review.
- B. **Requirements for certain specific land uses.** Where the last column in Table 2-4 (“See Specific Use Regulations”) includes a section number, the referenced section may establish other requirements and standards applicable to the use.

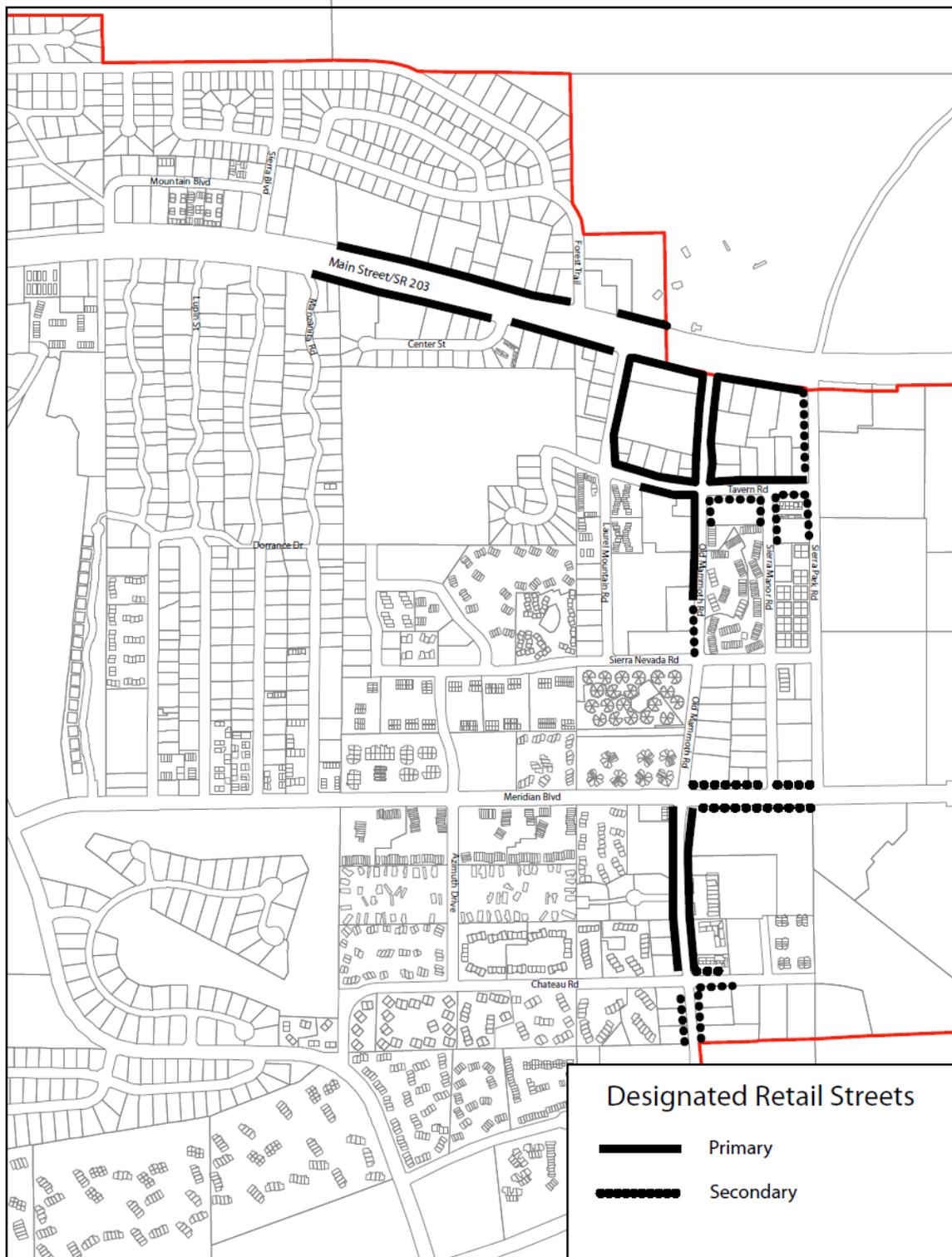
TABLE 2-4: ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS				
P: Permitted Use; U: Use Permit Required; A: Administrative Permit Required; - : Use Not Allowed; (#) Limitation Applies, See Footer				
Land Use	Permit Requirements by District			See Specific Use Regulations:
	D	OMR	MLR	
Industry, Manufacturing, & Processing				
Recycling facilities – reverse vending machine	P(1)	P(1)	-	17.52.230
Recycling facilities – small collection facility	A(1)	A(1)	-	17.52.230
Recreation, Education, & Public Assembly				
Clubs, lodges and similar group uses	A(1)	A(1)	A	
Commercial recreation facility	U(2)	A(2)	-	
Conference/convention facility	A(6)	A(6)	U	
Fitness/health facility	A(6)	A(6)	U	
Parks and playgrounds	A	A	A	
Private residential recreational facilities	U(1)	U(1)	U	
Public recreational and cultural facilities	A(2)	A(2)	U	

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Land Use	Permit Requirements by District			See Specific Use Regulations:
	D	OMR	MLR	
Public or private schools	U(1)	U(1)	-	
Religious places of worship	A	A	A	
Studios – art, dance, martial arts, music, photography, etc.	A(3)	A(3)	-	
Theater, cinema or performing arts	A	A	U	
Residential				
Condominium conversions	U	U	U	17.52.100
Emergency housing/shelter	-	A(1)	-	
Fractional/timeshare developments	U(1)	U(1)	U(1)	17.52.110
Home occupation	P	P	P	17.52.130
Live/work units	U	U	U	17.52.140
Multi-family residential	U(1)	A(1)	A	17.52.190
Residential care facilities, 6 or fewer clients	P(1)	P(1)	P	17.52.240
Residential care facilities, 7 or more clients	U(1)	A(1)	A	17.52.240
Single room occupancy units	U(1)	U(1)	U	
Retail				
Accessory Retail Uses	P	P	P	
Accessory uses	P	P	P	
Artisan shops	A	A	A	
Auto and vehicle sales and rental	U	U	-	
Bar/tavern, night clubs	A	A	U	
Convenience stores	A	A	A	
Furniture stores	A	A	-	
General retail stores - 10,000 square feet or more	U	A	-	
General retail stores – less than 10,000 square feet	A	A	A	
Outdoor dining	A	A	A	17.52.200
Outdoor display and sales	A	A	A	17.52.210
Restaurant, café, coffee shop - 20 seats or more	A	A	A	
Restaurant, café, coffee shop - less than 20 seats	P	P	P	
Supermarket	U	A	-	
Tasting Room	A	A	A	

TABLE 2-4: ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS				
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Land Use	Permit Requirements by District			See Specific Use Regulations:
	D	OMR	MLR	
Services				
Automated teller machines (ATMs)	P	P	P	
Banks and financial services	A(2)	A	-	
Catering service	A(1)	A(1)	-	
Child day care center	A(1)	A(1)	A	17.52.090
Child day care, small family day care home	P(1)	P(1)	P	17.52.090
Convalescent home	U(1)	U(1)	-	17.52.240
Governmental offices	A(1)	A(1)	-	
Hotels and motels	A	A	A	
Medical marijuana cooperatives not prohibited by state law	U(1)	U(1)	-	17.52.150
Medical services – clinic, laboratory less than 5,000 square feet	A(1)	A(1)	A	
Medical services – clinic, laboratory more than 5,000 square feet	A(1)	A(1)	-	
Medical services – hospital	U(1)	U(1)	-	
Offices	A(7)	A(7)	A(7)	
Personal services	A	A	A	
Public building and uses	A(1)	A(1)	A	
Vehicle services – accessories installation	A(1,5)	A(1,5)	-	
Vehicle services – auto repair	-	U(1,5)	-	
Vehicle services – car washes	-	A(1)	-	
Vehicle services – fueling stations	(4)	U(1)	(4)	
Veterinary clinic, animal hospital	A(1)	A(1)	U	17.52.060
Transportation, Communications				
Commercial parking facility	A(8)	A(8)	A(8)	
Telecommunications facility	U	U	U	17.52.260
Other Applicable Types				
Temporary Uses and Special Events	See Chapter 17.56, Temporary Uses and Events			
Nonconforming Uses	See Chapter 17.100, Nonconforming Uses, Structures, and Parcels			

TABLE 2-4: ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS				
P: Permitted Use; U: Use Permit Required; A: Administrative Permit Required; - : Use Not Allowed; (#) Limitation Applies, See Footer				
Land Use	Permit Requirements by District			See Specific Use Regulations:
	D	OMR	MLR	
<p>Specific Limitations:</p> <ol style="list-style-type: none"> 1. Not allowed on the ground floor along Designated Retail Streets. (See Figure 17.24.020 Designated Retail Streets.) 2. Limited to establishments with a gross floor area of 5,000 square feet or less when located on the ground floor along Designated Retail Streets. 3. Limited to establishments with a gross floor area of 1,200 square feet or less when located on the ground floor along Designated Retail Streets. 4. Permitted if existing, no new fueling stations allowed. 5. Use shall be completely enclosed in a building of soundproof construction. 6. At least 50 percent of the ground floor Designated Retail Street frontage shall be occupied by retail or food service uses. 7. Limited to walk-in clientele when located on the ground floor along Designated Retail Streets. 8. Shall be located behind buildings or in structures wrapped with active uses along Designated Retail Streets. 				

Figure 17.24.020 Designated Retail Streets



2 Land Use Definitions Related to Commercial Zoning Districts

Accessory Use. A use customarily incidental to, related and clearly subordinate to a primary use on the same parcel that does not alter the primary use of the parcel or serve property other than the parcel where the primary use is located; does not include secondary residential units, which are separately defined.

Accessory Use, Retail. The retail sales of various products (including food) in a store or similar facility for the purpose of serving employees or customers of the primary use, and is not visible from public streets. These uses include pharmacies, gift shops, as well as convenience stores and food service establishments within hotel, office and industrial complexes.

Artisan Shop. A retail store selling art glass, ceramics, jewelry, paintings, sculpture, and other handcrafted items, where the store includes an area for the crafting of the items being sold, but where the crafting activity is incidental to retail sales.

Assisted Living Facility. A housing arrangement chosen voluntarily by the residents, or the residents' guardians, conservators, or other responsible persons where 75 percent of the residents are at least 62 years of age, or if younger, have needs compatible with other residents; and where varying levels of care and supervision are provided, as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal. Assisted living facilities may include kitchenettes (small refrigerator, sink and/or microwave oven) within individual rooms. Assisted living facilities are required to be licensed by the California Department of Social Services, and may include skilled nursing services if adequately licensed by the State Department of Social Services, the State Department of Health Services, and the State Department of Insurance. Also see "Residential Care Facility."

Auto and Vehicle Sales and Rental. A retail or wholesale establishment selling and/or renting automobiles, trucks and vans, trailers, motorcycles, recreational vehicles, snowmobiles, and other like vehicles. Vehicles for sale may be displayed outdoors or indoors, as authorized by the required permit. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships.

Automated Teller Machine (ATM). A computerized, self-service machine used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. The machines may be located at or within banks, or in other locations in compliance with this Zoning Code.

Bank, Financial Services. Financial institutions including: banks and trust companies, credit agencies holding (but not primarily operating) companies lending and thrift institutions other investment companies securities/commodity contract brokers and dealers security and commodity exchanges vehicle finance (equity) leasing agencies. See also "Automated Teller Machine."

Bar/Tavern. A business where alcoholic beverages are sold for on-site consumption, as licensed by the State Department of Alcoholic Beverage Control, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages; may also include beer brewing as part of a

microbrewery and other beverage tasting facilities. May include entertainment (e.g., live music and/or dancing); does not include adult oriented businesses. Also see “Night Club.”

Catering Service. A business that prepares and/or delivers food and beverages for consumption on the premises of a client.

Clubs, Lodges, and Similar Group Uses. Permanent headquarters-type and meeting facilities for organizations or an association of persons, whether or not incorporated, operating on a membership basis for the promotion of the interests of the members, not including groups organized solely or primarily to render a service as a business for profit. Includes facilities for business associations, political organizations, civic, social and fraternal organizations, professional membership organizations, labor unions and similar organizations, and other membership organizations.

Commercial Recreation Facility. Establishments providing indoor or outdoor amusement and/or entertainment services for a fee or admission charge, such as ice skating and roller skating, golf driving ranges where separate from golf course, miniature golf courses, swim and tennis clubs, batting cages, arcades, pool and billiard rooms as primary uses and bowling alleys. Does not include parks and playgrounds or adult oriented businesses, which are separately defined.

Conference/Convention Facility. One or more structures accommodating multiple assembly, meeting, and/or exhibit rooms for large groups, and related support facilities (e.g., kitchens, offices, etc.).

Convalescent Home. See “Residential Care Facility” and “Assisted Living Facility.”

Convenience Store. Retail stores which carry a range of merchandise oriented to convenience and travelers’ shopping needs having less than 10,000 square feet of floor area devoted principally to the sale of provisions, goods, and pre-packaged food; these stores may be part of a service station or an independent facility.

Day Care, Adult. See “Residential Care Facility” and “Assisted Living Facility.”

Day Care, Child. Facilities that provide non-medical care and supervision of minor children for periods of less than 24 hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services.

- **Child Day Care Center.** A commercial or non-profit child day care facility that includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.
- **Family Day Care Home.** As defined by Health and Safety Code Section 1596.78, a home that regularly provides care, protection, and supervision for 14 or fewer children, in the provider’s own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family day care home or a small family day care home.

- **Large Family Day Care Home.** As defined by Health and Safety Code Section 1597.465, a day care facility in a single dwelling where an occupant of the residence provides family day care for nine to 14 children, including children under the age of 10 years who reside in the home.
- **Small Family Day Care Home.** As defined by Health and Safety Code Section 1597.44, a day care facility in a single residence where an occupant of the residence provides family day care for eight or fewer children, including children under the age of 10 years who reside in the home.

Emergency Housing/Shelter. A facility for the temporary shelter and feeding of indigents or disaster victims, operated by a public or non-profit agency; may include meals, laundry facilities, bathing, counseling, and other basic support services. Also see “Transitional Housing.”

Fitness/Health Facility. Fitness centers, gymnasium, health and athletic clubs, which may include any of the following: indoor sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities; does not include adult entertainment businesses.

Fractional or Timeshare Development. A project in which a purchaser receives the right in perpetuity, for life or for a term of years to the recurrent, exclusive use or occupancy of a lot, parcel, unit, rooms, or segment of real property, annually or on some other periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided. A fractional or timeshare development may comprise a portion of a larger, mixed-use development containing a hotel, inn, and/or other residential components and shall include, but not be limited to timeshare estate, interval ownership, fractional ownership, vacation license, vacation lease, club membership, time-share use, hotel/motel, or uses of a similar nature, as defined in the California Business and Professions Code. Also, a fractional-use project.

Furniture Store. A store that primarily sells the following products and related services, that may also provide incidental repair services:

- Computers and computer equipment
- Draperies
- Floor coverings
- Furniture
- Glass and chinaware
- Home appliances
- Home furnishings
- Home sound systems
- Interior decorating materials and services
- Large musical instruments
- Lawn furniture
- Movable spas and hot tubs
- Office furniture
- Other household electrical and gas appliances
- Outdoor furniture
- Refrigerators

- Stoves
- Televisions

General Retail Store. Stores and shops selling many lines of merchandise such as:

- Antique shop
- Appliances
- Art galleries
- Artists' supplies
- Bakeries (all production in support of on-site sales)
- Bicycles
- Books, magazines, and newspapers
- Camera and photographic supplies
- Clothing, shoes, and accessories
- Collectibles (cards, coins, comics, stamps, etc.)
- Department stores
- Drug and discount stores
- Dry goods
- Fabrics and sewing supplies
- Florists and houseplant stores
- Furniture, home furnishings and equipment
- General stores
- Gift and souvenir shops
- Hardware
- Hobby materials
- Jewelry
- Luggage and leather goods
- Musical instruments, parts and accessories
- Orthopedic supplies
- Pet stores and pet supplies
- Religious goods
- Small wares
- Specialty shops
- Sporting goods and equipment
- Stationery
- Toys and games
- Variety stores
- Videos, DVDs, records, CDs, including rental stores

Group Living Quarters. A dwelling or part of a dwelling where persons living independently from each other share facilities, most commonly a kitchen and/or bathroom. Lodging may be furnished as compensation to the persons living in the group quarters, and meals may also be included. Group living quarters include dormitories, boarding houses, and single room occupancies. Single room occupancies typically have limited kitchen facilities.

Home Occupation. The conduct of a business within a residential dwelling by the inhabitants thereof, which is subordinate to the residential use of the property.

Live/Work Unit. An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and where the residential use is secondary and accessory to the primary use as a place of work.

Lodging.

- **Hotel or Motel.** A commercial facility with guest rooms or suites, with or without kitchen facilities, offering transient lodging as its primary use and function; includes accessory hotel and motel guest amenities, facilities, and services. A condominium hotel shall be considered a hotel if it meets the criteria identified herein. Hotels shall include:
 - Central front desk, lobby, and switchboard connecting to all hotel rooms with staff available 24-hours a day;
 - Check-in spaces for arriving vehicles;
 - Amenities supportive of lodging uses (e.g., concierge/guest services on site; conference/meeting space, with food and beverage support, flexible room configuration, industry-standard audiovisual, telecom, and conferencing infrastructure; food and beverage operations in the form of a restaurant or room service; ski and luggage storage; and recreation facilities such as spas, swimming pools, and/or fitness room facility open to all hotel users);
 - Standardized furniture, fixtures, and equipment in all rooms;
 - Centralized management and uniform standards for guest reservations, daily housekeeping service, and maintenance services, for all units within the hotel;
 - Space for a rental management operation;
 - Management by a qualified entity with at least five year experience in the hotel management business, including a “flag” hotel or company with equivalent experience; and
 - In the case of a condominium hotel, inclusion of hotel amenities in common areas through condominium Covenants, Conditions, and Restrictions (CC&R’s).

Medical Services - Clinics and Laboratories. Facilities primarily engaged in furnishing outpatient medical, mental health, surgical, dental and other personal health services, and medical and dental laboratories. Counseling services by other than medical doctors or psychiatrists are included under “Office.”

Medical Services - Hospital. Hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses (see the separate definition of “Accessory Use, Retail”), and on-site ambulance dispatch facilities.

Multi-Family Residential Structure. A structure containing two or more dwelling units, such as a duplex, triplex, four-plex, apartments, townhouses, and other building types containing multiple dwelling units.

Night Club. A facility serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music and/or dancing, comedy, etc; does not include any “Adult Oriented Business.” Also see “Bar/Tavern.”

Office. Use that includes a variety of businesses and services, such as:

- Accessory office for business administration, and/or on-site business and operations management
- Accounting, auditing and bookkeeping services
- Advertising agencies
- Attorneys
- Broadcasting offices and studios (also see “Telecommunications Facility”)
- Counseling services
- Court reporting services
- Data processing and computer services
- Design services including architecture, engineering, landscape architecture, and urban planning
- Detective agencies and similar services
- Educational, scientific and research organizations
- Employment agencies
- Financial management and investment counseling
- Insurance agent offices
- Management and public relations services business associations, chambers of commerce
- News services
- Real estate offices
- Secretarial and word processing services
- Telemarketing
- Travel agencies
- Utility company offices
- Writers and artists offices

Office, Government. An administrative, clerical, or public contact and/or service office of a local, state, or federal government agency or service facility. Includes post offices, but not bulk mailing distribution centers.

Outdoor Dining. An unenclosed dining area, including tables and chairs, accessory and incidental to a restaurant; does not include vendor carts/stands (see “Vendor Cart/Stand”).

Outdoor Display and Sales. The permanent or temporary outdoor display of merchandise incidental to an adjacent indoor retail use, and certain independent outdoor retail sales facilities, including parking lot sales; does not include vendor carts/stands (See “Vendor Cart/Stand”).

Parking Facility - Public or Commercial. Parking lots or structures operated by the Town or a private entity providing parking for operable vehicles; may include a parking fee. Does not include towing impound and storage facilities, which are instead defined under “Vehicle Storage.”

Parks and Playgrounds. Public parks, play lots, playgrounds, and athletic fields for non-commercial neighborhood or community use, including open space areas for passive recreation and picnicking, swimming pools, tennis courts, and other sport and active recreation facilities. If privately owned, the same facilities are included under the definition of “Private Recreation Facility.”

Personal Services. Establishments providing non-medical services to individuals as a primary use, including:

- Clothing rental
- Dry cleaning pick-up stores with limited equipment
- Hair, nail, facial, and personal care (e.g., barber and beauty shops)
- Laundromats (self-service laundries)
- Massage therapy (licensed therapeutic)
- Psychics
- Shoe repair shops
- Tailors
- Tanning salons
- Tattoo parlors

These uses may also include accessory retail sales of products related to the services provided. Does not include any “Adult Oriented Business.”

Private Residential Recreational Facility. A privately-owned, non-commercial recreation facility provided for a residential project or neighborhood residents, including swimming pools, swim and tennis clubs, and sport court facilities; does not include golf courses, country clubs, or private sport courts accessory to single-family dwellings.

Public Building and Uses. Public agency (including special district) facilities.

Public Recreational and Cultural Facility. A facility owned and operated by public agencies including arenas and field houses, community centers, libraries, museums, outdoor theatres (e.g., amphitheater), stadiums, and similar types of facilities.

Public Utility Facility. Fixed-based structures and facilities serving as junction points for transferring utility services from one transmission level to another or to local distribution and service levels. These uses include the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

- Electrical substation and switching stations
- Natural gas regulating and distribution facilities
- Public water system wells, treatment plants and storage
- Telephone switching facilities
- Wastewater treatment plants, settling ponds and disposal fields

These uses do not include office or customer service centers (“Office”), or equipment and materials storage yards.

Recycling Facility. A center for the collection and/or processing of recyclable materials.

- **Reverse Vending Machine.** An automated mechanical device that accepts at least one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by State law.
- **Small Collection Facility.** A facility where the public may donate, redeem, or sell recyclable materials that is subordinate to and different from the primary use of the property, occupies an area no larger than 500 square feet, and involves no permanent habitable structures (e.g., may include a roof covering for weather protection).

Religious Places of Worship. Facilities operated by organizations for worship, or the promotion of religious activities, such as churches, synagogues, mosques, and temples; and accessory uses on the same site, such as living quarters for ministers and staff, child day care facilities and religious schools where authorized by the same type of land use permit required for the church itself. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations (such as a recreational camp) are classified according to their respective activities.

Residential Care Facility. A single dwelling or multi-unit facility licensed or supervised by a Federal, State, or local health/welfare agency that provides 24 hour nonmedical care of unrelated persons who are handicapped and in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment; does not include day care facilities, which are separately defined. Also see "Assisted Living Facility."

Restaurant, Café, Coffee Shop. A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption ("counter service"); and establishments where customers are served food at their tables for on-premise consumption ("table service"), that may also provide food for take-out. Also see "Outdoor Dining."

School. An institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained in compliance with standards set by the State Board of Education. This definition includes kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education or an institution of higher education, including a community or junior college, college, or university. Also includes specialized education and/or training for adults, including art school, language school, vocational training, professional school and other similar educational facilities. Does not include pre-schools and child day care facilities (see "Day Care"). See also the definition of "Studio - Art, Dance, Martial Arts, Music, etc." for smaller-scale facilities offering specialized instruction.

Single Room Occupancy (SRO). See "Group Living Quarters."

Storage - Mini or Self Storage. A structure or group of structures containing generally small, individual compartments, stalls or lockers rented as individual storage spaces and characterized by low parking demand.

Studio - Art, Dance, Martial Arts, Music, etc. Small scale facilities, typically accommodating one group of students at a time, in no more than one instructional space. Larger facilities are included under the definition of “Schools.” Examples of these facilities include: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

Supermarket. A market having 10,000 square feet or more of floor area devoted principally to the sale of provisions, goods, and pre-packaged food.

Tasting Room. A retail sales facility where customers may taste and purchase beverage and food products grown and/or processed on the site.

Telecommunications Facility. Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections. The following terms and phrases are defined for the purposes of Section 17.52.260 (Telecommunications Facilities).

Theater, Cinema or Performing Arts. An indoor facility for public assembly and group entertainment, other than sporting events, including civic theaters and facilities for “live” theater and concerts, and motion picture theaters. Does not include outdoor theaters, concert and similar entertainment facilities, and indoor and outdoor facilities for sporting events (see “Public Recreational and Cultural Facilities”).

Vehicle Services. The repair, servicing, alteration, restoration, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use, including:

- Accessories installation
- Attended and self-service car washes
- Body work and repair
- Collision repair
- Detailing services
- Painting services
- Tire recapping
- Tire and battery installation
- Quick-lube services

Does not include automobile parking (see “Parking Facilities – Public or Commercial”), repair shops that are part of a vehicle dealership on the same site (see “Auto and Vehicle Sales and Rental”), gas stations (see “Vehicle Services – Fueling Station”), towing or vehicle storage (see “Vehicle Storage”), or dismantling yards.

Vehicle Services - Fueling Station. A business selling gasoline and/or other motor vehicle fuels, and related products. A service station may also include “Vehicle Services,” which are separately defined, mini-markets, and automatic car washes.

Vehicle Storage. A facility for the storage of operative cars and other fleet vehicles, trucks, buses, recreational vehicles, and other motor vehicles; includes facilities for the storage and/or servicing of fleet vehicles. Also includes the parking of a vehicle on private property for more than 72 hours without operation, such as a towing or impound yard.

Veterinary Clinic, Animal Hospital. Office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. Animal boarding shall be short term and incidental to such hospital use. See also “Animal Boarding.”

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