Chapter 24.242 - C-P-D Commercial Planned Development Zone

Sec. 24.242.010. - Chapter description.

Chapter 24.242 establishes the Commercial Planned Development Zone, also known as the "C-P-D" Zone, and prescribes use types and other regulations for this zone. Any applicable overlay zones described in chapters 24.300 through 24.399 and any special development tract regulations may impose regulations in addition to those prescribed by this chapter for the C-P-D zone.

(Code 1971, § 15.242.010)

Sec. 24.242.020. - Uses—Permitted.

The following use types are permitted, subject to the provisions of this chapter:

1. *Residential.*

   None

2. *General.*

   Administrative, Business, and Professional Services

   Animal Sales and Services: Grooming and Pet Stores

   Animal Sales and Services: Veterinary

   Automotive and Accessories: Automotive Rentals

   Automotive and Accessories: Automotive Repairs, Systems

   Automotive and Accessories: Automotive Sales, Retail

   Automotive and Accessories: Parking

   Boating and Harbor Activities: Boat Sales and Services

   Business and Professional Support

   Community Meeting

   Construction Sales and Services: Building Supply Stores

   Cultural and Library Services

   Day Care Centers

   Day Services Facility

   Dining Establishments: Ancillary Service

   Dining Establishments: Fast Counter Service

   Dining Establishments: Full Service

   Dining Establishments: Take Out

   Drinking Establishments

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Education Services: Commercial

Equipment Rentals, Sales, and Services: Light

Food and Beverage Retail Sales

Funeral and Interment Services

Government Services

Lodging Services: Bed and Breakfast Inns

Medical Services: Consulting

Medical Services: Mobile Equipment

Nursery Sales

Personal Services

Personal Services: Restricted

Property Maintenance Services

Recreation Services: Amusement Centers

Recreation Services: Indoor Entertainment

Recreation Services: Indoor Sports and Recreation

Recreation Services: Public Parks and Playgrounds

Recycling Services: Consumer Recycling Collection Points

Repair Services

Retail Sales

Safety Services

Shopping Center: Large

Shopping Center: Small

Utility or Equipment Substations

Wireless Telecommunications Facilities: Mini

Wireless Telecommunications Facilities: Minor

Wireless Telecommunications Services: Major

3. *Agricultural.*

None

(Code 1971, § 15.242.020; Ord. No. 2000-04, § 40, 1-24-00; Ord. No. 2002-05, § 10, 3-18-02; Ord. No. 2011-005, § 9, 5-2-11)

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Sec. 24.242.030. - Uses—Subject to a use permit.

The following use types may be permitted, subject to the provisions of this chapter and further provided that a use permit is approved pursuant to chapter 24.520:

1. *Residential.*

   None

2. *General.*

   Auction Sales

   Automotive and Accessories: Cleaning

   Automotive and Accessories: Gasoline Sales

   Dining Establishments: Fast Service, Drive-Up

   Education Services: General

   Emergency Shelter, with minimal supportive services

   Group Care

   Helicopter Landing Services

   Lodging Services: Hotels and Motels

   Recreation Services: Outdoor Entertainment

   Recreation Services: Outdoor Sports and Recreation

   Transportation Services

3. *Agricultural.*

   None

(Code 1971, § 15.242.030; Ord. No. 2011-010, § 16, 8-1-11; Ord. No. 2012-024, § 13, 12-17-12)

Sec. 24.242.035. - Same—Subject to a director's permit.

The following use types may be permitted, subject to the provisions of this chapter and further provided that a director's permit is approved pursuant to chapter 24.505:

1. *Residential.*

   None

2. *General.*

   Farmers' Market, Certified

   Thrift stores

3. *Agricultural.*

   None

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(Ord. No. 2010-006, § 7, 4-26-10; Ord. No. 2012-024, § 14, 12-17-12)

Sec. 24.242.040. - Same—Incidental.

Incidental uses as defined in chapter 24.110 are permitted.

(Code 1971, § 15.242.040)

Sec. 24.242.050. - Same—Special provisions.

Uses listed in sections 24.242.020 through 24.242.040 must also comply with the following special provisions:

1. *Design review.* Design review approval must be obtained to the extent required by chapter 24.545.
2. *Planned development permit.* A planned development permit must be approved pursuant to chapter 24.525 prior to the initiation of a use on an undeveloped site or prior to any construction of new structures, or additions or alterations to existing structures, in conjunction with, or in any way related to, the use types listed in sections 24.240.020 and 24.240.030 except for the Recycling services: Consumer recycling collection points and Wireless telecommunications facilities: Mini and minor.
3. *Temporary uses.* Temporary uses may be conducted in the C-P-D zone only to the extent permitted by chapter 24.120.
4. *Group care.* All group care uses must comply with the provisions of chapter 24.475.
5. *Dining establishments: Fast service, drive-up.* All Dining establishments: Fast service, drive-up uses must comply with the provisions of chapter 24.475.
6. *Recycling services: Consumer recycling collection points.* Uses classified in the Recycling services: Consumer recycling collection points use type must comply with the provisions of chapter 24.685.
7. *Domestic animals.* Domestic animals are permitted provided there are no more than four adult animals per establishment.
8. *Livestock animals.* Livestock animals are not permitted in the C-P-D zone.
9. *Wild animals.* Wild animals are not permitted in the C-P-D zone.
10. *Wireless telecommunications facilities: Minor.* Uses classified in the Wireless telecommunications facilities: Minor use type shall require a director's permit pursuant to chapter 24.505.
11. *Reserved.*
12. *Personal services restricted.* All new uses, as defined by section 24.115.3325, shall be permitted only if the following provisions are met:
    (a) No such use shall be established within 500 feet of any primary or secondary school, schoolgrounds, park, playground, preschool, nursery, day care center or other place frequented by children;
    (b) Each use classified as personal services restricted shall maintain a minimum distance of 500 feet from another.

(Code 1971, § 15.242.050; Ord. No. 2000-04, § 41, 1-24-00; Ord. No. 2011-010, § 17, 8-1-11; Ord. No. 2011-005, § 10, 5-2-11)

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Sec. 24.242.060. - Standards—Density.

A. *Lot area and lot width.* There shall be no general minimum lot area or lot width standards in this zone, except as may be required by the decision-making authority as conditions of approval of a planned development permit, or amendment thereto, pursuant to chapter 24.525.

B. *Lot coverage.* Buildings and structures shall not occupy more than 50 percent of the site for which a planned development permit is issued.

(Code 1971, § 15.242.060)

Sec. 24.242.070. - Same—Height.

A. *Height determination.* The height of buildings and other structures in the C-P-D zone shall be determined in accordance with section 24.405.040.

B. *Maximum number of stories.* Buildings and other structures in the C-P-D zone shall not exceed six stories in height.

C. *Maximum height.* Regardless of the number of stories comprising a building or structure, no portion of a building or other structure in the C-P-D zone shall exceed 75 feet in height except as provided in section 24.405.030.

(Code 1971, § 15.242.070)

Sec. 24.242.080. - Same—Yards.

Fences, walls, and other uses of yards in the C-P-D zone shall comply with the yard requirements contained in chapter 24.410.

(Code 1971, § 15.242.080)

Sec. 24.242.090. - Same—Setbacks.

Buildings and other structures, not including fences or walls, on a lot in the C-P-D zone shall comply with the following setback requirements:

1. *Front setbacks.* Each lot in this zone shall have a front setback of not less than 20 percent of the depth of the lot; but such front setback need not exceed 20 feet.
2. *Side setbacks.* There shall be no general side setback requirement in this zone. However, where the side of a lot in the C-P-D zone abuts a residential zone, there shall be a side setback of not less than ten percent of the width of the lot, provided that, such side setback shall not be less than three feet, and need not exceed five feet in width.
3. *Rear setbacks.* Each lot in this zone shall have a rear setback of not less than 20 percent of the depth of the lot; except that such rear setback need not exceed 20 feet.

(Code 1971, § 15.242.090)

Sec. 24.242.100. - Same—Other.

The following development regulations and standards shall also apply within the C-P-D zone:

1. *Parking.* Offstreet parking shall be provided for all uses as required by chapter 24.415.

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2. *Signs.* All signs must comply with the provisions of chapter 24.420.

3. *Coastal development.* All development within the CP Overlay Zone must comply with the provisions of chapter 24.310 and chapter 24.515.

4. *Flood Plain Overlay Zones.* All development within a designated Flood Plain Overlay Zone must comply with the provisions of chapter 24.320 and chapter 24.530.

5. *Equipment repair and reconditioning.* All new and used automobile, trailer, and boat sales, services, or repairs comply with the following standards:

   (a) All outdoor display areas related to such uses shall be entirely surfaced with concrete or asphaltic concrete.

   (b) No repair or reconditioning of automobiles, trailers, or boats shall be permitted unless conducted entirely within an enclosed building.

6. *Displays for uses in the Automotive and Accessories use type category.* Outdoor display of merchandise in conjunction with uses classified within the Automotive and Accessories: Gasoline Sales, and Automotive and Accessories: Automotive Repairs, Systems use types may be permitted provided that all the following standards are met:

   (a) *Lubricating materials.* Not more than one day's supply of lubricating materials, computed on the basis of average daily sales, may be placed upon the pump island or within two feet of the pump island or primary building. All such lubricating materials must be displayed in appropriate racks.

   (b) *Tire display.* Not more than two enclosed tire storage or display cabinets are permitted. In lieu of tire cabinets, not more than four individual new tires in appropriate open racks or stands may be displayed, provided that such racks or stands are located within two feet of the perimeter of the pump island or primary building.

   (c) *Vending machines.* Vending machines, including but not limited to, soft drink dispensers or cigarette or candy vending machines, may be displayed within two feet of the perimeter of the primary building. Not more than four such machines are permitted.

7. *Open storage.* Except for outdoor displays of merchandise, conditionally allowed by subsection 6. of this section, open storage of materials and equipment shall be permitted only when incidental to a permitted use on the same lot as that occupied by said use. All areas of a site intended to be used for such open storage shall be shown on the site plan and approved as part of the planned development permit process.

(Code 1971, § 15.242.100)

Sec. 24.242.110. - Nonconformance.

All nonconforming uses, nonconforming structures, and nonconforming lots are subject to the provisions of chapter 24.465.

(Code 1971, § 15.242.110)

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