CHAPTER 9.125. - C-P-S ZONE (SCENIC HIGHWAY COMMERCIAL)

Sec. 9.125.010. - Scope.

The provisions of this chapter shall apply in all C-P-S Zones.

Sec. 9.125.020. - Uses permitted.

A. The following uses are permitted only in enclosed buildings with not more than two hundred (200) square feet of outside storage or display of materials appurtenant to such use, provided a site development permit shall have been approved pursuant to the provisions of Section 9.240.330:

(1) Ambulance services.

(2) Antique shops.

(3) Appliance stores, household.

(4) Art supply shops and studios.

(5) Athletic, fitness, and health facilities including swimming, yoga, spin classes and martial arts.

(6) Auditoriums and conference rooms.

(7) Automobile parts and supply stores.

(8) Bakery goods distributors.

(9) Bakery shops, including baking only when incidental to retail sales on the premises.

(10) Banks and financial institutions.

(11) Barber and beauty shops.

(12) Bicycle sales and rentals.

(13) Billiard and pool halls.

(14) Blueprint and duplicating services.

(15) Book stores and binders.

(16) Bowling alleys.

(17) Catering services.

(18) Ceramic sales and manufacturing for on-site sales, provided the total volume of kiln space does not exceed sixteen (16) cubic feet.

(19) Churches, temples and other places of religious worship.

(20) Cleaning and dyeing shops.

(21) Clothing stores.

(22) Confectionery or candy stores.

(23) Convenience stores, not including the sale of motor vehicle fuel.

(24) Costume design studios.

(25) Dance halls, drama and music classes.

(26) Day care centers.

(27) Delicatessens.

(28) Department stores.

(29) Drug stores.

(30) Dry goods stores.

(31) Electrical substations.

(32) Employment agencies.

(33) Escort bureaus.

(34) Feed and grain sales.

(35) Fishing and casting pools.

(36) Florist shops.

(37) Food markets and frozen food lockers.

(38) Gasoline service stations, not including the concurrent sale of beer and wine for off-premises consumption, excluding truck stops/travel centers.

(39) Gift shops.

(40) Golf cart sales and service.

(41) Hardware stores.

(42) Household goods sales and repair, including, but not limited to, new and used appliances, furniture, carpets, draperies, lamps, radios, and television sets, including repair thereof.

(43) Hobby shops.

(44) Hotels, resort hotels and motels.

(45) Ice cream shops.

(46) Ice sales, not including ice plants.

(47) Interior decorating shops.

(48) Jewelry stores with incidental repairs.

(49) Labor temples.

(50) Laboratories, film, dental, medical, research or testing.

(51) Laundries and laundromats.

(52) Leather goods stores.

(53) Locksmith shops.

(54) Mail order businesses.

(55) Manufacturer's agent.

(56) Market, food, wholesale or jobber.

(57) Massage parlors, Turkish baths, health centers and similar personal service establishments.

(58) Meat markets, not including slaughtering.

(59) Mimeographing and addressograph services.

(60) Mobilehomes, provided they are kept mobile and licensed pursuant to state law, use for:

(a) Construction offices and caretaker's quarters on construction sites for the duration of a valid building permit, providing they are inconspicuously located.

(b) Agricultural worker employment offices for a maximum of ninety (90) days in any calendar year.

(c) Caretakers or watchmen and their families provided no rent is paid, where a permitted and existing commercial use is established. Not more than one (1) mobilehome shall be allowed for a parcel of land or a shopping center complex.

(61) Music stores.

(62) News stores.

(63) Notions or novelty stores.

(64) Nurseries and garden supply stores.

(65) Offices, business.

(66) One on-site operator's residence, which may be located in a commercial building.

(67) Paint and wallpaper stores, not including paint contractors.

(68) Parking lots and parking structures.

(69) Pawn shops.

(70) Pet shops and pet supply shops.

(71) Photography shops and studios and photo engraving.

(72) Plumbing shops, not including plumbing contractors.

(73) Poultry markets, not including slaughtering or live sales.

(74) Printers or publishers.

(75) Produce markets.

(76) Radio and television broadcasting studios.

(77) Recording studios.

(78) Recycling collection facilities.

(79) Refreshment stands.

(80) Restaurants and other eating establishments.

(81) Shoe stores and repair shops.

(82) Shoeshine stands.

(83) Signs, on-site advertising.

(84) Sporting goods stores.

(85) Stained glass assembly.

(86) Stationery stores.

(87) Stations, bus, railroad and taxi.

(88) Taxidermist.

(89) Tailor shops.

(90) Telephone exchanges.

(91) Theaters, not including drive-ins.

(92) Tobacco shops.

(93) Tourist information centers.

(94) Toy shops.

(95) Travel agencies.

(96) Typewriter sales and rental and incidental repairs.

(97) Watch repair shops.

(98) Wedding chapels.

(99) Wholesale businesses with samples on the premises, but not to include storage.

B. Uses permitted by conditional use permit. The following uses are permitted, provided a conditional use permit has been granted pursuant to the provisions of Section 9.240.280:

(1) Automobile repair garages, body shops, spray painting shops.

(2) Automobile sales and rental agencies.

(3) Boat sales, rentals and services.

(4) Car washes.

(5) Drive-in theaters.

(6) Equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding twenty (20) cubic feet in capacity and other similar equipment.

(7) Heliports.

(8)

Liquid petroleum service stations, with or without the concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed ten thousand (10,000) gallons pursuant to Section 9.240.490, excluding truck stops/travel centers.

(9) Mortuaries.

(10) Sale, rental, repair, or demonstration of motorcycles, scooters or motorbikes of two (2) horsepower or greater.

(11) Animal hospitals.

(12) Sports and recreational facilities, not including motor-driven vehicles and riding academies, but including archery ranges, athletic fields, beaches, golf driving ranges, gymnasiums, miniature golf, parks, playgrounds, sports arenas, skating rinks, stadiums, and commercial swimming pools.

(13) Tire recapping.

(14) Tire sales and services, not including recapping.

(15) Trailer and boat storage.

(16) Travel trailers, mobilehomes and recreational vehicles sales and service.

(17) Truck sales and services.

(18) Trucks and trailers; the rental of trucks not over nineteen thousand, five hundred (19,500) pounds gross weight, with body not to exceed twenty-two (22) feet in length from the back of the cab to the end of the body; and the rental of trailers not exceeding six (6) feet in width or twenty-two (22) feet in length.

(19) Underground bulk fuel storage.

(20) All uses permitted in subsection A. of this section that have more than two hundred (200) square feet of outside storage of display of materials.

(21) Gasoline service stations, with the concurrent sale of beer and wine for off-premises consumption, excluding truck stops/travel centers.

(22) Convenience stores, including the sale of motor vehicle fuel.

(23) Liquor stores pursuant to the provisions of Section 9.240.490 (Alcoholic Beverage Sales).

(24) Billiard and pool halls, bowling alleys, dance halls, restaurants, theaters (not including drive-ins) hotels, resort hotels, sports and recreational facilities (including motor vehicle races) archery ranges, golf driving ranges, sports arenas, skating rinks, and stadiums with alcoholic beverage sales for on-premises consumption and markets, and convenience stores with the sale of alcoholic beverages for off-premises consumption pursuant to the provisions of Section 9.240.490.

C. The uses listed in subsections A. and B. of this section do not include sex-oriented businesses.

D.

Accessory uses. An accessory use to a permitted use is allowed, provided the accessory use is established on the same lot or parcel of land, and is incidental to, and consistent with the character of the permitted principal use, including, but not limited to, limited manufacturing, fabricating, processing, packaging, treating and incidental storage related thereto, provided any such activity shall be in the same line of merchandise or service as the trade or service business conducted on the premises and providing any such related activity does not exceed any of the following restrictions:

(1) The maximum gross floor area of the building permitted to be devoted to such accessory use shall be twenty-five (25) percent.

(2) The maximum total horsepower of all electric motors used in connection with such accessory use shall be five (5) horsepower.

(3) The accessory use shall be so conducted that noise, vibration, dust, odor, and all other objectionable factors shall be reduced to the extent that there will be no annoyance to persons outside the premises. Such accessory use shall be located not nearer than fifty (50) feet to any residential zone.

(4) Accessory uses shall be conducted wholly within a completely enclosed building.

E. Any use that is not specifically listed in subsections A. and B. of this section may be considered a permitted or conditionally permitted use, provided that the Community Development Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

F. It is the intent of the City Council that a legally established pre-existing land use of an occupied property shall not assume a nonconforming status as a result of the adoption of the 2017 General Plan and the concurrent or subsequent adoption of a change of zone for consistency with the 2017 General Plan. Any pre-existing use certified pursuant to Section [9.240.080] that is not specifically listed in subsections A. and B. shall be considered a permitted or conditionally permitted use the same as provided for such use under the zoning classification of the subject property prior to the adoption of the new zoning classification concurrent with, or subsequent to, the effective date of City Council Resolution No. 2017-14[A3] adopting the 2017 General Plan. The expansion of significant modification of such a pre-existing use shall be subject to the approval process and zoning requirements that had governed the category of use in which it fell under the prior zoning classification. However, nothing in this subsection shall be construed to mean that a site development permit or conditional use permit is required to continue such pre-existing use.

(Ord. No. 2012-02, § 1, 6-7-2012; Ord. No. 2017-09, § 8C., 9-21-2017; Ord. No. 2021-09, § 4, 4-15-2021; Ord. No. 2021-21, §§ 24—26, 11-4-2021; Ord. No. 2021-29, §§ 17—19, 12-16-2021; Ord. No. 2024-08, § 10, 4-18-2024; Ord. No. 2024-08, § 11, 4-18-2024)

Sec. 9.125.030. - Planned commercial development.

Planned commercial developments are permitted, provided a land division is approved pursuant to the provisions of Title 7.

Sec. 9.125.040. - Development standards.

The following shall be the standards of development in the C-P-S Zones:

(1) There is no minimum lot area requirement, unless specifically required by zone classification for a particular area.

(2) There are no yard requirements for buildings which do not exceed thirty-five (35) feet in height, except as required for specific plans. Any portion of a building which exceeds thirty-five (35) feet in height shall be set back from the front, rear and side lot lines not less than two (2) feet for each foot by which the height exceeds thirty-five (35) feet. The front setback shall be measured from the existing street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The rear setback shall be measured from the existing rear lot line or from any recorded alley or easement; if the rear line adjoins a street, the rear setback requirement shall be the same as required for a front setback. Each side setback shall be measured from the side lot line or from an existing adjacent street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line.

(3) No building or structure shall exceed fifty (50) feet in height, unless a greater height is approved pursuant to Section 9.240.370. In no event, however, shall a building or structure exceed seventy-five (75) feet in height, unless a variance is approved pursuant to Section 9.240.270.

(4) Automobile storage space shall be provided as required by Section 9.240.120.

(5) All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of one thousand, three hundred and twenty (1,320) feet.